

Summary Report on the Knowledge Exchange Roundtable with Key NPC partners

Canada-China Legislative Cooperation Project

Prepared by the Parliamentary Centre - February 27, 2007

Time and date: 09:00 – 1200, January 30 2006

Location: Large boardroom of the CCCSU office in Lufthansa Center, Beijing

Participants:

Chinese Participants:

Ms. Tian Yan Miao, Deputy Director General, Regulations Filing and Reviewing Department, LAC

Ms. Cai Chenfeng, Deputy Director, No. 4 Bureau, Research Office

Mr. Wang Quanbin, Director, Research Department, BAC

Ms. Men Wei, Officer, Law Office, SCARA

Mr. Zhou Zibin, Senior Officer, Research Office, BAC

Ms. Wang Xingwen, Officer, General Office, LAC

Ms. Jiang Jiqing, Deputy Director, Division of International Trade and Economic Affairs, Ministry of Commerce

Canadian participants:

Ms. Amelita Armit, Vice President, Parliamentary Centre

Mr. Richard Larivière, Project Team Leader, CIDA

Ms. Chantal Meagher, Counsellor (Political), Canadian Embassy to China

Mr. Kenneth Azimullah, Development Officer, Canadian Embassy to China

Mr. Tim Feng, Program Officer, Asia, Parliamentary Centre

Mr. Haiyu Yang, Field Coordinator, Parliamentary Centre

Background

The purposes of organizing this roundtable discussion with a group of NPC staff (one or two junior-level officials from each of the partner institutions) who have participated in previous project activities are to facilitate the cross-institutional knowledge sharing, to gather direct feedbacks from project beneficiaries on results gained from previous activities and to solicit suggestions on how to improve future project implementation. The discussions proceeded along the following three points:

- Discussions among participants on the knowledge and insights gained from the previous project activities with a linkage to the NPC priorities and the project result framework
- Consultations with the NPC staff on how previous project activities have strengthened their professional capacity to deliver work to their own Committees
- Evaluation of the effectiveness of the project activities in addressing the

capacity-building needs of the NPC staff and areas of results where the Project can keep building upon or making improvements to maximize the benefits for the NPC partners

The invitation to the meeting was formally extended by Mrs. Amelita Armit, the Canadian Project Director, at the project planning meetings with each of the project partners. The responses to the invitation have been positive and each of partner institutions involved in previous project activities designated at least one staff member to attend the roundtable meeting. An invitation has also been sent to the Training Centre, which has not been part of any previous activities, in order to provide a learning opportunity for its staff. However, key staff of the Training Centre was traveling out of the town and therefore not available to join the discussions.

I. Opening Remarks

Mrs. Amelita Armit, Vice President of the Parliamentary Centre, chaired and facilitated the roundtable discussions. Mrs. Armit opened the session by describing the purposes of the meeting as being two-fold: 1) to enhance mutual learning and the sharing of knowledge and experiences amongst the participants from various institutions; and 2) to assist the project in gaining insights into lessons learned from the previous implementation process and identifying areas where improvements are needed in the future.

A round of brief self-introduction was carried out among the participants after Mrs. Armit's opening remarks.

II. Knowledge Sharing and Exchange

Ms. Cai Chenfeng of the NPC Research Office kicked off the discussions by making a presentation on behalf of Ms. Ai Zhihong, Deputy Director General, Comprehensive Research Office, NPC-RO and also member of a delegation coming to Canada in June 2005 to study the Canadian experience with public consultation. Ms. Ai was planning to attend this meeting but regrettably could not make it due to health issue. Ms. Cai was asked to read from an outline prepared by Ms. Ai that reflected upon the key lessons learned from the previous study visit.

- 1). Opinions and views from both experts and general public received due attention from the Canadian policymakers. During the visit, the delegation were exposed to the example of the Romanow process of healthcare reform to demonstrate the systematic approach to gathering and reconciling inputs from both experts and ordinary citizens.
- 2) Consultation not only on policy directions but also on development of major projects, e.g. the City of Ottawa consultation on the construction of North-South transportation corridor, where consultation panels were set up to solicit public opinions.
- 3) Deployment of new technology, i.e. the Internet, in the consultation activities in order to advance the impact and expand the outreach of public consultation.
- 4) Emphasis on the management aspect of consultation to streamline the cost-efficiency in the use of resources and time

Mrs. Ai's report pointed out that the delegation had gained a lot of useful knowledge from the study visit. The local people's congress staff members, in particular, have benefited significantly from the provincial experiences in Canada due to the similarity in working environment. She believed learning opportunities of this type were important to staff from local People's Congresses because they had rare opportunities to get this type of exposures to international experience. Upon return from Canada, the Chinese delegates produced a number of articles and papers which were then carried in the official publications of the NPC and Provincial People's Congresses. Ms. Ai believed that the accumulation of knowledge on the Canadian practices for public involvement would be useful for the consideration of Chinese policymakers committed to advancing public involvement and pursuing the strategic goal of the nation for building a harmonious society.

The only regret of the study visit, noted Ms. Ai, is the time constraint, which she believed had resulted in a lack of in-depth understanding on all aspects of the Canadian experience with public consultation. Therefore the NPC Research Office proposed a more comprehensive and longer-term approach to learning and exchanges that would involve one or two researchers from the Research Office. "Hence the idea of arranging a three-month study attachment for me and my colleague." Ms. Cai then shared her own experiences from involvement in the learning program.

She was impressed with the arrangements made for their three-month study attachment, which, according to her, not only showed successful experiences, but also exposed them to insights on the experiments, challenges and weaknesses in the current consultation practices in Canada. Ms. Cai pointed out that the program of exchanges was not limited to government agencies but encompassed a rich mix of organizers and participants of public consultations at all levels including crown corporations, NGOs and academics. Ms. Cai also commented positively on the learning methodology to combine theories with practices and, specifically, the use of mentoring sessions with Canadian experts to synthesize and process the research findings. She said that she was also able to meet with ordinary citizens to make a better sense of the practical impacts of consultation on people's daily life. While agreeing to the positive comments from Mr. Ai, Ms. Cai presented a number of additional observations from her learning experience with a focus on the weaknesses and challenges faced by the Canadian practitioners.

- Some of the internationally known public consultation events, e.g. Listening to Toronto and Participatory Budget in Guelph, were not known to some local residents that Ms. Cai spoke with while in Canada. This has raised the question of effective communication with the target audience in the consultation process.
- Ms. Cai had some concern about the existence of repetition in public consultation on the same theme due to changes in the government or other reasons, which she believed had caused fatigue among the public and consultation organizers alike.
- On topics and issues of major public concern, the cabinet and the parliament simultaneously carry out consultation work with no apparent coordination, leading to a great deal of competition for the attention from the policy constituencies and low turn out rate for consultation events.
- The acceptance of the consultation results and follow-up action by the government are not necessarily clear on all occasions. There seems to be a lack of mechanism to

translate consultation discoveries into concrete government actions, despite the intent of the consultation to ensure procedural fairness.

- Commissions set up to undertake consultation work assigned by the government receive very few specific tasks from the government. It is left to select the topics and implement consultations on their own discretion, then submit the consultation report to the government. Ms. Cai's impression was that this process could be manipulated by certain departments to serve their own interests in obtaining funding and resources at the expense of doing the public goods.

Ms. Armit applauded the insightful presentation made by Ms. Cai. She commented that the learning program conducted by Ms. Cai was the first of its kind ever organized in Canada in terms of the extensive coverage and depth of the research.

She responded to Ms. Cai's observations with an overview of the mechanism in the Canadian governance process to coordinate consultation activities and follow up on consultation results. Parliamentary Committees, according to Mrs. Armit, have the right to do their consultation on the same subjects as the cabinet but usually do so from a different perspective by examining alternative opinions existing among the public. By legislation, Government is obligated to respond to a report of the Parliamentary Committees within a period of 120 days.¹

Mr. Wang Quanbin of the Budget Affairs Commission commented that longer-term study attachment is a good arrangement to strengthen two-way exchanges and learning. He pointed out that Canadians and Chinese might see the same issues from different lens due to the cultural differences. The same issues that may look perfectly rational to the Canadians may be hard for the Chinese to grapple with at this point. The difference is attributed partly to the different stages of development and partly to the differences in the governance systems of the two countries. Having said that, he stressed that these differences should not prevent us from exchanges on a common ground of understanding – we are all human in pursuit of better life. Government has to represent the general public and public has to figure out a better way to make the government a representative one. In the opinion of Mr. Wang, the fundamental goals of all governments are essentially the same and the difference lies only in the ways of achieving them.

Ms. Men Wei of the Agriculture Committee of the NPC shared her observations from the three-month attachment.

1. Focus of the program is clearly and specifically laid out at the beginning to reflect the expectation of the Chinese participants and build upon the previous activities/exchanges with the Parliamentary Centre;
2. Clear objectives are identified for the entire training program and milestones are set out for every one or two weeks at the outset, which have contributed to the effective implementation and production of tangible results
3. Continuous assessment of the evolving learning interests/questions after exposures to key ideas/concepts has enabled parliamentary Centre to make timely adjustments

¹ The statement on the maximum number of days for a government response is updated in this report to ensure a more precise reflection of the latest practice in the Canadian parliamentary process.

- to the agenda in order to make the learning process more closely tailored to the needs of the partners
4. Combination of the development theory and practical examples of rural programs in action enabled the participants to gain a visual understanding of how Western theories and concepts for rural development are applied in practice.
 5. Considerate assistance provided by the Parliamentary Centre staff has made the learning transition and cultural adaptation for the Chinese participants in a foreign environment much easier.
 6. She also pointed out that the Result-Based Management approach introduced by the PC has enabled them to apply methods learned from training in their daily work and provide more systemic analysis on the results.

On recommendations for the project work, Ms. Men said that a longer-term attachment and training would have a stronger impact than a 3-5 day short visit, which usually only touches on the surface of the technical issues under investigation. The longer attachment will enable the participants to acquire a fuller understanding of the political and cultural context of the country and thus lay a solid ground for their learning activities. In response, Mrs. Armit expressed her appreciation of Ms. Men's comments and noted that the PC had also benefited a lot from the experience of managing an activity of such an intensive scale and long duration and improved the capacity of program delivery.

Ms. Men gave emphasis to the success of the learning program hosted by the University of Saskatoon as part of this study attachment, focusing on the themes of agricultural financing, crop insurance and agricultural technology expansion. Three professors provided them with a complete historical review of the evolution of rural development legislation in Canada and pointed out the stages which might be comparable to contemporary China. Recommendations were made by the university experts for the Chinese legislation by drawing upon the lessons learned from the drawbacks, issues or challenges of the Canadian experience. Upon return to China, Ms. Meng reported the learning to her leaders and the exchanges with the University experts continued after their return. Ms. Men encouraged the Project to build upon the working relationship with the University of Saskatoon and tap into the resources and expertise of the university in organizing future activities with the Agriculture Committee.

Ms. Tian Yanmiao of the Legislative Affairs Commission attended an 8-day study visit on the Corporation Act as part of a delegation from the Legislative Affairs Commission. Ms. Tian described the program for the visit as 'a perfect one'. The success factors behind the study visit, as summed up by Ms. Tian, included:

- Clear goals and objectives of the study visit. Through thorough communication and negotiation, the PC and the LAC have reached agreement on the scope and range of study visit. Frequent contacts and liaison worked out well.
- Thoughtful and hard work by the PC staff to organize the program
- A balanced combination of institutions and individuals included in the program and exposures to a full spectrum of complementary perspectives related to the implementation of the Canada Business Corporations Act.

- The rich and solid content of the study visit that addressed the key questions the participants had in mind. This was very much attributable to the success of the PC in communicating to the Canadian experts technical substance of interest to the delegation prior to their departure.

The key result of the study visit was reflected in the modification to China's Corporation Act to introduce the Canadian practices of high relevance. For example, the principles of Canadian Corporation Act to facilitate the set up of corporations, and the provisions on the liabilities of the corporate executives were all introduced into the Chinese Corporations Act.

Ms. Tian considered short-term study visit as a necessary and effective vehicle to facilitate focused learning, although other means such as study attachment and roundtable discussions are worth exploring. A critical issue seen by Ms. Tian is the necessary of obtaining a basic knowledge on the Canadian legal context before probing into the technical substance of the law. She pointed out that exchanges and visits on the legislative process demands for a more comprehensive knowledge on the legal environment in which the whole system operates, as such knowledge is crucial for the participants to absorb the essence of the subject matter.

In her mind, it could be difficult for outsiders to have a firm grasp on the policy context in a relatively short period of time. It would not be realistic to expect all Chinese staff members working in the NPC to have the same levels of knowledge and understanding. She proposed that the project aim at developing a core group of resource people within the NPC who have a good understanding of the Chinese and Canadian legal system, who could then take the lead in disseminating knowledge and providing technical support for the rest of the staff.

Ms. Jiang Jiqing of MOFCOM echoed on the previous speaker's points on the pre-departure communication and exchanges on the historical and social contexts, using her personal experiences from before. She encouraged the Chinese participants to compare the Chinese and Canadian experience from the historical perspective to find the right point where comparison would be relevant.

She brought forth a comment on the challenges for designing and implementing project using Results Based Management approach, in particular in selecting appropriate and competent indicators, in a governance project. She encouraged all Chinese participants to enhance their communication and liaison work in the coming future.

Mr. Wang Quanbin of the Budget Affairs Commission was part of the delegation visiting Canada in 2005 to study the Canadian Budget Process. He concurred with the point made by Ms. Tian that different approaches to collaboration have their own advantages and disadvantages, therefore should be chosen carefully based on the specific needs for learning. On the study visit he was embarking on, he believed significant results were produced.

He went on to emphasize that, while all study visits provided good comparison and interactions between the Chinese and Canadian experiences, the CCLCP project activities have not been very successful in opening up the scope of exchanges beyond the two countries. He said that other international projects provided staff of the BAC opportunities to visit more than one country for one trip and maximized the exposure to a variety of

comparative perspectives. He suggested that the project look into the possibility of expanding the geographic coverage to other countries in the region. Following on the idea of fostering a network of resource people, as brought up by Ms. Tian, Mr. Wang noted that the Project should make arrangements to offer indepth training tailored to the needs of NPC staff in areas such as professional capability, academic knowledge and language improvement.

Mrs. Armit responded that study visits should continue to build on one another or previous activities in the field so the learning results can be elevated through the stepped approach. She also encourage the Chinese partners to select a theme for longer-term pursuit so the project can avoid organizing stand-alone, self-contained activities but concentrate on advancing results in the same areas.

Closing Remarks

Ms. Armit concluded that the discussions have helped the PC to understand and adapt to needs of key partners in future programming. She proposed that the project renew this type of learning events on an annual basis alongside the JPSC meeting. She believed that the format of the roundtable meeting can be adjusted and, if possible, involve experts to make it more thematic and focused.

Mr. Richard Larivière of Canadian International Development Agency made his closing remarks, which was followed by **Kenneth Azimullah**, the Development Officer from the Canada Embassy in Beijing, and **Ms. Jiang** from MOFTEC.

Mr. Larivière said that he was very pleased to join the first knowledge sharing exercise of the Project and found the experience worthwhile. He stated that the CCLCP project was meant to facilitate exchanges and bring the Chinese participants something useful for improving their professional capacity. He hoped that the project would help Chinese participants and their organizations to share different views and ways to address issues. He requested that the Chinese partners give him feedback regarding project results so that he can provide convincing rationale for more support for the project.

Mr. Azimullah said that he would hope all participants at this roundtable discussion will maintain the connections after the discussions. He thanked Ms. Jiang, as CIDA's counterpart from MOFCOM, for her presence and contribution.

Ms. Jiang expressed an appreciation of being invited to the discussions. She hoped that everyone would be taking a pro-active role in promoting this international project and building an effective communication channel across different committees.