

SUBMISSION TO THE EMINENT PERSONS GROUP ON FUTURE DIRECTIONS FOR THE COMMONWEALTH

Through

The Hon. Michael Kirby AC CMG

From

The Commonwealth Round Table in Australia

(Representing other Commonwealth civil society organisations viz. the Royal Commonwealth Society (ACT) and the Commonwealth Day Celebration Committee)

Introduction

Commonwealth civil society organisations in Canberra warmly welcome the creation of an Eminent Persons Group (EPG) on future directions for the Commonwealth of Nations and the opportunity to make an input to its deliberations through the distinguished Australian member, The Hon Michael Kirby. Contributors to this submission (listed in the Annex below) have wide and deep experience in Commonwealth affairs. We share three convictions: ·

- a strong commitment to the Commonwealth's valid place in multilateral endeavours to create a better world;
- a belief that the Commonwealth's facility for advancing the well-being of its peoples through its civil society dimensions needs to be radically reappraised; and
- a view that the role and performance of the Commonwealth Secretariat is critical to achieving the full potential of the peoples' Commonwealth.

We make specific suggestions below in relation to the four thematic areas of values, human rights, interfaith issues and youth. We also offer further suggestions for the following key Commonwealth institutions: the Secretariat, the Commonwealth Fund for Technical Cooperation (CFTC) and the Commonwealth Foundation, concluding in support for an overall Commonwealth Development Fund.

Values

The Commonwealth's 'unique selling point', in the words of the Royal Commonwealth Society's Director, Danny Sriskandarajah, is 'as a custodian and champion of values'. This 'selling point' needs to be explained and communicated effectively. Notably, there is no current, authoritative statement about what the Commonwealth is, what it does or what is distinctive about it. Its title conveys nothing of its nature, membership or functioning. In the past, the Balfour Declaration of 1926 and the London Declaration of 1949 served this purpose.

An up-to-date summary is overdue to express the Commonwealth's values. It could begin by affirming that 'The Commonwealth of Nations is a Family of States and Peoples that share a Common Heritage...'. It should also elaborate how the Commonwealth functions (including by reference to the Commonwealth Heads of Government Meeting (CHOGM), the Commonwealth Ministerial Action Group (CMAG), the Commonwealth Secretariat, the Commonwealth Foundation and its civil society dimensions). Support for human rights and interfaith dialogue would be key elements. Such a summary could perhaps form a Preamble to any Commonwealth Charter emerging from the EPG process.

Commonwealth values need to be backed up by action. We consider that the Commonwealth should be able to intervene in support of its agreed values:

- through robust, clear, timely and if necessary forceful statements of policy and principle as issues and events dictate;
- on other occasions, through quieter diplomacy and by helping member countries analyse and think through options and implications of differing approaches to contentious matters of policy and practice; and
- through support for the network of civil society organisations within the Commonwealth.

The strengthening of CMAG's role is fundamental to the Commonwealth's ability to act, and we welcome ongoing work by CMAG Ministers and the EPG in that regard.

Human rights

The insistence that countries joining the Commonwealth have adequate human rights records should be backed up by consistent monitoring through the procedures established by CMAG. Similarly, human rights commitments made by member governments at CHOGM - as occurred at Trinidad and Tobago in 2009 - and in other Commonwealth forums should have their implementation scrutinised. Measures such as the adoption of a biennial accounting of progress on implementing previous CHOGM commitments, the establishment of the role of Commonwealth Human Rights Commissioner, or the appointment of a group of eminent human rights persons to act in an advisory capacity to the organisation on human rights matters might be considered.

Interfaith issues

The Commonwealth Day observance in Westminster Abbey, with its strong interfaith dimension, was an early manifestation of the Commonwealth's potential in this area. The long established networking of religious leaders and theologians of all faiths throughout the Commonwealth could be empowered to play significant roles in areas where there is religious conflict, especially within the Commonwealth, and also to develop styles of international cooperation in which interfaith issues are recognised and developed. The Commonwealth should, for example, help relevant members address the divisions in the Islamic faith and the engagement between Islam and other faiths in addressing the causes of terrorism. As it is once again a full member of the Commonwealth, a special effort should be made to support and engage Pakistan. The Commonwealth should also join the 'Friends of Democratic Pakistan' group.

Youth

A renewed focus on youth (aged 15-29) is needed within the Commonwealth. There is only a small (albeit very dedicated) band of Secretariat staff working on youth issues. Youth issues should be mainstreamed within Commonwealth operations – just as the Secretariat encourages governments to do. This would mean, for example, having a young lawyers element to the upcoming Commonwealth Law Ministers' Meetings agenda (to be hosted in Australia) or young health workers (such as Commonwealth Youth Ambassadors for Positive Living) contributing to

Commonwealth Health Ministers' Meetings. At present, this does not happen. Key promises made at Commonwealth Youth Ministers' Meetings should also be followed up: for example, the Youth Development Index has been promised to youth stakeholders since Commonwealth Youth Ministers' Meetings in the late 1990s!

The Commonwealth Youth Programme (CYP) needs to be strengthened, partly through the reinvigoration of its four regional centres. Partnerships with other entities, especially corporate bodies, should be encouraged more. In the Pacific region, the CYP had a successful and ongoing partnership that led to training in youth enterprise development in partnership with a commercial retailer based in Australia. This was consistently well received in Pacific island countries and greatly benefitted young people. It was a cost-effective way for the Commonwealth to deliver skills training because the retailer contributed significantly to the operating costs. This programme has unfortunately been scrapped as part of the new CYP Strategic Plan. It is noteworthy that no adequate consultation with government or youth stakeholders was undertaken during the preparation of this Plan.

The Secretariat

We agree with former Prime Minister Malcolm Fraser's recently expressed views that 'the Commonwealth should not be a shy and retiring organisation' and 'the Secretary-General should be an activist'. The Secretary-General should be empowered to make timely, well substantiated and forceful public declarations on issues of quite often profound importance that arise in a rapidly changing political, economic and social environment. Otherwise, infringements by member countries of Commonwealth principles occur without the sort of moral leadership and well-founded criticism that might be expected from the Commonwealth. The structure of the Commonwealth's governance should be such as to give the Secretary-General guidance and backing from member countries for his public interventions. This might be achieved through a reinvigorated CMAG.

The CFTC and the Commonwealth Foundation

The CFTC should forge a unique Commonwealth brand that distinguishes it from other donor organisations. Currently, it is constrained by limited funding and restrictions on the allocation of its resources, leading to a

mismatch between what it does and the broader objectives of the Commonwealth. The CFTC's technical assistance programs are too small and fail to carry a particular Commonwealth quality. The terms of reference of the CFTC should be widened and redirected, perhaps into a new and larger fund, to ensure its programs pro-actively support the Commonwealth's broader political, social and economic objectives, convey a distinctive Commonwealth quality, and more effectively make use of the Commonwealth's wider family of professional associations and civil society organisations.

The Commonwealth Higher Education Support Scheme demonstrated what can be achieved. Initiated by the Commonwealth, it led in turn, with some catalytic CFTC funding, to the Commonwealth Higher Education Management Service. The Service was initially housed within the Association of Commonwealth Universities, which supported it with matching funding. After a number of years of successful operation, the Service was privatised. It has assisted and continues to assist university management within the Commonwealth. Significantly, this initiative was based on education, an area of shared experience where the Commonwealth has a comparative advantage.

Similar considerations apply to the Commonwealth Foundation. It should be more directly linked with civil society organisations in both its structure and membership, including those in the multifaith sector, and brought into closer alignment with the Secretariat. Both the CFTC and the Foundation should be equipped with a (possibly shared) more powerful appraisal and evaluation capacity to ensure proper design and accountability in their activities. A link with the independent appraisal, monitoring and evaluation facilities of other bodies might be an effective means of achieving this outcome.

The programs of the Secretariat, the restructured CFTC and the Commonwealth Foundation should be funded from a new Commonwealth Development Fund, set at a level of around 100 million pounds, to enable them to have real impact.

Conclusion

The basic premise of this submission is that an enhanced Commonwealth civil society sector would reinvigorate the Commonwealth and provide

longevity to its programmes and relevance to its ongoing contribution to world order. In essence, this would require a radical reappraisal of traditional Commonwealth institutional arrangements to provide the Secretariat with the mandate and capacity to move forward substantially on the strategies and mechanisms to achieve this outcome.

Overall, the Commonwealth will flourish if it builds on the momentum of the wider Commonwealth family of professional associations, institutions, corporations and interested individuals that support it. No other international organisation can match the non-governmental networks which underpin the modern Commonwealth. Creative thinking and constant attention are required to maximise the benefits of this unique attribute and comparative advantage.

Annex: Contributors

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