

Royal Commonwealth Society Roundtable Discussion

Part Two

Values in the Commonwealth

Report 2015

About this Report

This report summarises the second in a series of roundtable discussions. It took place on 28th January 2015 and was organised by the Royal Commonwealth Society and hosted by the UK Foreign and Commonwealth Office. It was chaired by the Director of the Royal Commonwealth Society, Michael Lake CBE. The discussion sought to address what the Commonwealth can do to make progress on shared Commonwealth values amongst its members. The discussion was attended by a select group of leaders from diplomacy, academia, journalism and Commonwealth organisations, representing diverse facets of the Commonwealth. The meeting was held under Chatham House Rule in order to ensure a frank and honest debate, and this report provides a non-attributed overview of the discussion.

Values in the Commonwealth – from Principles to Commonwealth Charter

The discussion opened with an outlining of the prominence of the values agenda within the Commonwealth over the past 40 years, from declarations made in Singapore (1971) to Harare (1991) to Trinidad & Tobago (2009), and culminating in the drawing together of Commonwealth principles and values in the Commonwealth Charter. Subsequently, the values agenda and the Charter have raised a number of contentious issues which have created a degree of polarisation within the Commonwealth, heightened during the communiqué drafting process for the last CHOGM (2013).

The Commonwealth Charter was seen as an important step in building consensus on values in the Commonwealth. Consisting of 16 articles, the Charter covers values as diverse as respect and understanding, commitments to good governance, human rights, protecting the environment and the recognition of the needs of vulnerable states. One participant in the discussion hailed the Charter as a milestone in codifying the shared values of the Commonwealth. There was broad agreement that this was the case, and support for the Charter came from most of the participants. However, differences emerged on the next steps for the Charter. For some the Charter needed to be a standard which was enforceable, where violations of its articles would lead to sanctions by the Commonwealth Ministerial Action Group (CMAG). For others, the Charter was an aspirational document, outlining a roadmap of values for member states to work towards in order to improve the lives of the peoples of the Commonwealth. For these discussants the onus for the Commonwealth must be on facilitating co-operation and progress towards achieving these values over time. One diplomat suggested that a mechanism akin to the peer review mechanism of the United Nations Human Rights Council could be used to monitor progress.

The Commonwealth must do more to make the Charter a more active document and find a resolution to the debate between emphasising either enforcement or co-operation. This could help to end much of the confusion and ambiguity over what the exact status of the Charter is. As one participant put it, the Commonwealth Charter will become relevant when citizens whose rights are under threat can draw upon or cite the Charter in their defence and expect a meaningful response.

The Purpose of the Commonwealth

The purpose of the Charter within the Commonwealth led to a discussion on the overall purpose of the modern Commonwealth in the 21st century. Originally, the Commonwealth had a post-colonial purpose in acting as a vehicle for co-operation between newly independent states. Nowhere was this post-colonial role more salient than in the anti-apartheid struggle in South Africa. The Commonwealth formed an arena through which numerous countries brought pressure to bear on South Africa and its international allies. Since the achievement of majority-rule in South Africa, many commentators have felt that the Commonwealth has been in need of a new central cause around which it can unite. One such cause that has been suggested is addressing climate change. As a cause which all actors must take action on, and as an issue which is a particular threat to small island states, the Commonwealth is seen by some as offering the potential for a unique and powerful contribution to global consensus-making and action. The Commonwealth as an organisation was also compared with organisations like the International Criminal Court backed by the Rome Statute, which have a very clear purpose and range of activities.

However, the purpose of the Commonwealth is not just about finding a single binding issue but goes deeper. Some contributors to the discussion believed that the search for a 'purpose' for the Commonwealth ignores the continuous ability of the Commonwealth to facilitate and encourage dialogue on a whole range of issues. The Commonwealth is seen as a family of nations that have chosen to prioritise co-operation over competition. There was much agreement that, on the whole, this was the norm within the Commonwealth. However, it was noted that in other fora, such as the United Nations, Commonwealth members do not always reach consensus and form a common position on the issues tabled for debate.

Consensus and Disagreement within the Commonwealth

The reoccurring theme of co-operation prompted a further exploration of the nature of consensus and disagreement within the Commonwealth. As mentioned above, the Commonwealth Charter is a codification of the values to which Commonwealth members aim to adhere. These common values also lead to a general consensus on most of the issues contained within the Charter and affecting members of the Commonwealth. It was acknowledged that there are noticeable areas of disagreement on these issues but, as one diplomat was keen to stress, disagreement tends to be on the process and timeframe for implementing values rather than substance. Sexual orientation was cited as one substantive issue which had caused friction within the negotiations leading up to the Colombo Commonwealth Heads of Government Meeting 2013 (CHOGM). It was also noted that, historically, actions over Zimbabwe's political situation had also caused friction between Commonwealth members. These contentious issues tended to fall on one side of a political divide which sees some states asserting political and civil rights and other states asserting economic and cultural rights.

The existence of broad levels of agreement on most issues in the Commonwealth and disagreement on a small minority of issues prompts the question of whether the Commonwealth should focus on contentious issues to find areas of consensus, or whether it should concentrate on building progress

on areas that the Commonwealth largely agrees upon? The discussion noted that the Commonwealth is well placed to address either of these routes. Broad areas of agreement build goodwill between the member states. Diversity of opinion, culture and political approaches are celebrated as much as commonalities in values, legal and constitutional systems and language. The Commonwealth in particular combines this diversity and commonality into a powerful emphasis on respect and understanding. Some noted that consensus did not need to be based on unanimity. However, the most practical solution to the question of dealing with disagreement was to allow leaders to work on areas of consensus which can be more easily spoken about publically, whilst using more discrete and diplomatic channels for continuing engagement on more controversial issues.

Addressing Values through Commonwealth Mechanisms

The process surrounding the CHOGMs is highly relevant to any conversation on values as one of the key moments when Commonwealth leaders have a chance to discuss the issues facing the global community. Dissatisfaction has been raised at the way in which the Committee of the Whole (COW) process, which determines the CHOGM final communiqué statement, has often been burdened by some of the contentious issues mentioned above. Further dissatisfaction was raised that CHOGMs often produce a meticulously negotiated communiqué which detracts from the potential for productive discussion on action in the Commonwealth. In order to address these problems and strengthen the ability of the CHOGMs to make progress on building adherence to Commonwealth values several simple reforms were suggested:

1. A shortened and more concise communiqué
2. A three day COW process
3. A communiqué which simply summarises the discussion of the leaders
4. Only Heads of Government allowed into the Leaders' Retreat at CHOGM and not junior politicians or diplomats.
5. As mentioned above, the COW and CHOGMs should focus on areas of consensus rather than contention.

Beyond the need for adequate means of implementing values at the inter-governmental level, the role of civil society and other multi-lateral agencies is crucial. The Commonwealth multi-lateral agencies that play a strong role in building commitment to common values, through facilitating local government and civil society co-operation, were seen as crucial. Finally, the role of civil society groups, and their work in both promoting values and monitoring the implementation of values by governments, was acknowledged.

The need to Promote Values and the Commonwealth Charter

For many in the Commonwealth, there is a need to work harder to promote the values of the Commonwealth and raise the profile of the good work carried out by Commonwealth organisations and associations. There are a number of ways in which this could happen. Despite the common

language of the Commonwealth being English, some have suggested a need to translate the Commonwealth Charter into the many other languages of the Commonwealth to make it more accessible. For others, resources could be better focused on educating people on one or two of the most fundamental shared values of the Commonwealth. As well as internal education on the Charter, many have called for a greater international presence for the Commonwealth. The Commonwealth has a unique role to play in global politics and there is a need to take some of the decisions and action made by the Commonwealth into other global discussions.

The concentration of activity around CHOGMs creates peaks in awareness and scrutiny of the Commonwealth. Often this is accompanied by media criticism where Commonwealth members are not seen to be upholding Commonwealth values. As one participant from the media noted, the job of a journalist is to investigate the difference between speech and action. To counter a solely negative image, people called for the greater promotion of examples of good work carried out by the Commonwealth and a vocal Secretary General to communicate this. But there is also a need to promote the Commonwealth and its links beyond the formal mechanisms of the Secretariat and CHOGMs. One person raised the recent assistance to Sierra Leone from the UK in the fight against Ebola and questioned why the Commonwealth link and historical associations had not been given higher profile in media reports.

The Chairman's conclusion summarises a number of elements of the discussion.

1. The Commonwealth must 'stand for something' in the World and the leaders should stand together more evidently with clear and practical statements of intention and be seen to show pride in the achievements of the Commonwealth. Steps to promote and implement values do not need to be expensive or complicated.
2. The Commonwealth is a network that has the potential to influence attitudes and policies on contentious issues to a far greater extent than at present were it to adopt a less accusatory tone.
3. There is a discernible sense that some member countries desire to see change achieved in a style and at a pace that is theirs alone. The Commonwealth can do much more to recognise this wish to manage, to promote aspirations and to share skills and experience by using the attributes of the non-governmental sector.
4. The Commonwealth Charter is a sound collection of aspirations that represents ordered and progressive society. It should become more of a binding force. With sensitive and well-led determination, the 'values' agenda can serve to strengthen the Commonwealth without detriment to co-operation on prosperity and development.

The Chairman closed by noting that the final discussion in the series, to address the governance of the Commonwealth, would follow in the near future.