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The role and future of the Commonwealth

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The Foreign Affairs Committee

The Foreign Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Foreign and Commonwealth Office and its associated agencies.

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The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume.

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Summary

The moral authority of the Commonwealth has too often been undermined by the repressive actions of member governments. We were disturbed to note the ineffectiveness of the mechanisms for upholding the Commonwealth's values. We support the Eminent Persons Group's proposal for a Commonwealth Charter.

We conclude that continuing evidence of serious human rights abuses in Sri Lanka shows that the Commonwealth's decision to hold the 2013 Commonwealth Heads of Government Meeting in Colombo was wrong. The Prime Minister should publicly state his unwillingness to attend the meeting unless he receives convincing and independently-verified evidence of substantial and sustainable improvements in human and political rights in Sri Lanka.

The Commonwealth has appeared less active and less publicly visible in recent years and there is evidence that it is missing opportunities to influence events. The Commonwealth Secretariat must sharpen, strengthen and promote its diplomatic performance.

It is now nearly a year since the acceptance of many Eminent Persons Group recommendations at the 2011 CHOGM. The lengthy period of consultation and discussion over the EPG since October 2011 must not cause a loss of momentum in the process of implementing those recommendations.

We are not convinced that member states are making the most of the economic and trading opportunities offered by the Commonwealth.

Part of the funding for Commonwealth Scholarships now comes from institutions of higher education. We are concerned that this could develop into an unsustainable burden on the limited funds available to those institutions. We recommend therefore that, recognising the importance of the Scholarships for the achievement of the UK's objectives, the Government should guarantee to maintain at least the current level of funding in real terms. The Government must bear in mind the possibly serious effects of a restrictive student visa policy on the wider interests of the UK.

The UK Government as a whole does not appear to have a clear and co-ordinated strategy for its relations with the Commonwealth. The several Government departments with an interest in Commonwealth matters should work together to develop a strategy for engagement with the Commonwealth, aimed at ensuring that the UK makes the most of the opportunities presented by the Commonwealth.

There is currently much debate about a possible re-evaluation of the relationship between the UK and the EU, and the economic opportunities presented by the Commonwealth certainly play a part in that debate. It is clear that the creation of a free trade area with Commonwealth countries would require a fundamental and potentially risky change in the UK's relationship with the European Union, and the benefits may not outweigh the disadvantages.

We welcome the fact that the Commonwealth continues to attract interest from potential new members, and see advantages in greater diversity and an extended global reach for the Commonwealth. However it is crucial that the application process is rigorous and that any new members are appropriate additions to the Commonwealth ‘family’, closely adhering at all times to its principles and values.

There are substantial arguments in favour of stronger connections between the Commonwealth and the Crown Dependencies and Overseas Territories, all of which can benefit from closer relationships. However, we are also aware of the constitutional objections, both in the UK and in other countries across the Commonwealth, to the institution of a wholly new category of Commonwealth member.

Conclusions and recommendations

Principles and Values

1. The strength of the Commonwealth's commitment to its principles and values, including the promotion of human and political rights, has helped to give it a substantial and distinctive role in the international community. However, in recent years the moral authority of the Commonwealth has too often been undermined by the repressive actions of member governments. We were disturbed to note the ineffectiveness of the mechanisms for upholding the Commonwealth's values, despite its efforts to improve governance and the conduct of elections in member states. We urge the Foreign and Commonwealth Office to ensure that the Commonwealth Ministers' Action Group makes full use of its new mandate and responds robustly whenever there is corroborated evidence of repression or abuse. (Paragraph 28)
2. We conclude that continuing evidence of serious human rights abuses in Sri Lanka shows that the Commonwealth's decision to hold the 2013 Commonwealth Heads of Government Meeting in Colombo was wrong. We are impressed by the clear and forthright stance taken by the Canadian Prime Minister, who has said he would attend the Meeting only if human rights were improved. The UK Prime Minister should publicly state his unwillingness to attend the meeting unless he receives convincing and independently-verified evidence of substantial and sustainable improvements in human and political rights in Sri Lanka. (Paragraph 32)

Commonwealth Charter

3. We support the Eminent Persons Group's proposal for a Commonwealth Charter. However, the UK should only accept the Charter's final wording if it reflects the fundamental principles of the Commonwealth. Before signing the Charter, the Government should assure itself that substantial progress is being made by the Commonwealth towards compliance with international human rights norms. (Paragraph 36)

Commissioner for Democracy, the Rule of Law and Human Rights

4. We recognise that the Eminent Persons Group's proposal for a Commissioner for Democracy, the Rule of Law and Human Rights has not found favour right across the Commonwealth. There is clearly room for discussion and negotiation about the nature of the role, including its title. It is important that it should not duplicate the responsibilities of the Secretary-General and the Ministerial Action Group. However, the intention behind the recommendation for a Commissioner is an important one, and goes to the heart of what the Commonwealth is about. (Paragraph 40)
5. The UK Government should insist that the key elements of the EPG's recommendation for a Commissioner are accepted and implemented. In particular, we believe that it is important that the mechanism that emerges from the negotiations should reflect the EPG's recommendation that the Commissioner

should provide “well researched and reliable information” on “serious or persistent violations of democracy, the rule of law and human rights in member states,” and “indicate approaches for remedial action.” (Paragraph 41)

Reforming the Commonwealth Secretariat

6. The Commonwealth has in the past often launched influential initiatives on key global issues. However, it has appeared less active and less publicly visible in recent years and there is disturbing evidence that it is missing opportunities to influence events. The Commonwealth Secretariat must sharpen, strengthen and promote its diplomatic performance—along the lines proposed by the Eminent Persons Group—if the Commonwealth is to realise its full potential as a major player on the world stage. (Paragraph 52)
7. It is now nearly a year since the acceptance of many Eminent Persons Group recommendations at the 2011 CHOGM. The lengthy period of consultation and discussion over the EPG since October 2011 must not cause a loss of momentum in the process of implementing those recommendations. The FCO should monitor implementation closely, and should continue to press for action on all key recommendations, reporting back to this Committee on progress every six months. (Paragraph 54)

A cornerstone of foreign policy?

8. As Minister of State, Lord Howell worked very effectively to raise the profile of the Commonwealth in the UK and overseas, and he deserves considerable credit for his contribution. (Paragraph 57)
9. Despite Lord Howell’s enthusiastic advocacy, we are concerned that the UK Government as a whole has not had a clear and co-ordinated strategy for its relations with the Commonwealth. The several Government departments with an interest in Commonwealth matters should work together to develop a strategy for engagement with the Commonwealth, aimed at ensuring that the UK makes the most of the opportunities presented by the Commonwealth. The FCO needs to ensure its ‘warm words’ are substantiated by its actions. (Paragraph 62)
10. We conclude that the treatment of the Eminent Persons Group report by a number of Heads of Government at Perth has damaged the Commonwealth’s reputation. (Paragraph 67)

The role of Ministers

11. The Foreign and Commonwealth Office should be much more proactive across Whitehall in ensuring that Ministers participate in Commonwealth meetings where there is a clear UK interest in the outcome. (Paragraph 71)

Resources for the diplomatic effort

12. We believe that the Government already makes a good return on its modest investment in relations with the Commonwealth. Given the unrealised potential of the Commonwealth, the UK could usefully invest more. In its programme of reopening posts across the world, and in the plans for the staffing of Whitehall departments, the Government should maintain and strengthen links with the Commonwealth. The Committee praises the recent announcement by the Foreign Secretary that the UK and Canada will share premises and services at missions abroad. (Paragraph 76)
13. We urge the Government to make the fullest possible use of the Commonwealth's informal networks. Although formal diplomatic processes will always be important, the highly developed and well-established networks of "the people's Commonwealth" offer excellent opportunities for the exercise of "soft power", which can also be more cost-effective than the work of the official institutions of the Commonwealth. We would welcome a clear statement of the UK Government strategy for engagement with the informal Commonwealth. (Paragraph 78)

Accountability to Parliament

14. Parliament, and especially this Committee, can play a part in a more serious and sustained UK approach to Commonwealth issues. After every CHOGM and other major Commonwealth meeting, we will invite the Foreign Secretary and FCO Permanent Under Secretary to report on the outcome of that meeting and to report on what governments, the Secretariat and other Commonwealth agencies have done to implement previous Commonwealth decisions. (Paragraph 80)

BBC World Service cuts

15. We stand by the conclusions of our previous report on the BBC World Service. The Government needs to see the big picture when considering the funding of the BBC World Service, not least the fact that the vacuum left by departing services could quickly be filled by others. Modest savings achieved through ill-thought-out cuts could lead to a damaging loss of influence in highly important countries, including a number of Commonwealth countries. (Paragraph 84)

Losing credibility on development

16. The Commonwealth's performance as a provider of development aid has been disappointing in recent years, and needs to improve substantially if its reputation is to be restored. We look to the UK Government to keep the development performance of the Secretariat under close scrutiny and to keep to its stated intention to provide further funding only on convincing evidence of improvement. (Paragraph 88)

Enabling trade and investment

17. The evidence for the existence of a special “Commonwealth factor” in trade and investment is not conclusive, despite the sustained and vigorous growth in many of the Commonwealth’s emerging markets, but the potential for this to develop in the years ahead is enormous and should be given a high priority by H.M. Government. (Paragraph 92)

The UK interest in trade and investment with the Commonwealth

18. We are not convinced that member states are making the most of the economic and trading opportunities offered by the Commonwealth. There may not be a distinctive “Commonwealth factor” in trade and investment, but the Government should do more to help create such a factor. In particular, we agree with Lord Howell’s remark that the UK should “concentrate ... very much more” on seeking finance for infrastructure projects in the UK from sovereign wealth funds, including those in fast-growing Commonwealth countries. (Paragraph 98)
19. We also note with concern the doubts about the current value to the UK of the Commonwealth Business Council (CBC), and welcome the FCO’s intention to take the opportunity of the appointment of a new Director General of the CBC to explore the possibility of a closer and more fruitful relationship. However, we do not believe that this limited initiative will make the most of the economic opportunities offered by the Commonwealth. We recommend that the Government should set out, by the end of 2012, a five-year strategy to increase the benefits to the UK of trade and investment with Commonwealth countries. (Paragraph 99)

A Commonwealth Free Trade Area?

20. There is currently much debate about a possible re-evaluation of the relationship between the UK and the EU, and the economic opportunities presented by the Commonwealth certainly play a part in that debate. However, many other considerations, including for instance economic relations with such countries as China and the United States, will undoubtedly play a bigger role. It is clear that the creation of a free trade area with Commonwealth countries would require a fundamental and potentially risky change in the UK’s relationship with the European Union, and the benefits may not outweigh the disadvantages. (Paragraph 102)

Education and Scholarships

21. We note that part of the funding for Commonwealth Scholarships now comes from institutions of higher education. We are concerned that this could develop into an unsustainable burden on the limited funds available to those institutions. We recommend therefore that, recognising the importance of the Scholarships for the achievement of the UK’s objectives, the Government should guarantee to maintain at least the current level of funding in real terms. (Paragraph 109)
22. We believe that Commonwealth Scholarships are a cost-effective way of widening opportunities for young people across much of the Commonwealth. They also help

the UK to achieve some important diplomatic goals. If the Government's commitment to revitalising the UK's relationships with the Commonwealth is to mean anything, the numbers of Commonwealth scholarships should increase. A special new scholarship scheme would be a very fitting way to mark the Queen's Jubilee. The suggestions made for part-funding by the private sector are promising. We urge the Government to announce a competition for the first Queen's Jubilee Scholarships. (Paragraph 111)

23. The suggestions made to us by Professor Dilks for strengthening the education and engagement work of the Commonwealth, through such means as medical, teacher and youth exchanges, and greater attention to the Commonwealth in school curricula, deserve serious consideration. They appear to be cost-effective ways of raising the public profile of the Commonwealth. The Government and the Commonwealth Secretariat should urgently examine their feasibility. (Paragraph 113)
24. When considering its policy on immigration, the Government must bear in mind the possibly serious effects of a restrictive student visa policy on the wider interests of the UK, including the economic and diplomatic benefits brought to the country by Commonwealth students. (Paragraph 116)

The future membership of the commonwealth

25. We welcome the fact that the Commonwealth continues to attract interest from potential new members, and see advantages in greater diversity and an extended global reach for the Commonwealth. However it is crucial that the application process is rigorous and that any new members are appropriate additions to the Commonwealth 'family', closely adhering at all times to its principles and values. The UK Government must ensure that these membership criteria are fully observed with every application, if necessary employing its veto in suitable cases. (Paragraph 122)

Overseas Territories

26. We conclude that there are substantial arguments in favour of stronger connections between the Commonwealth and the Crown Dependencies and Overseas Territories, all of which can benefit from closer relationships, especially with the smaller independent states of the Commonwealth. We note the apparently increasing interest in the Crown Dependencies in stronger connections with the Commonwealth, in some cases including associate status. (Paragraph 142)
27. However, we are also aware of the constitutional objections, both in the UK and in other countries across the Commonwealth, to the institution of a wholly new category of Commonwealth member. We are currently conducting an inquiry into the foreign policy implications of and for a separate Scotland, and some related issues will be considered during the course of that inquiry. (Paragraph 143)
28. The main objective of Government policy towards the Overseas Territories on Commonwealth matters is clear; it wishes to strengthen the capacity of the Territories to run their own affairs and thereby to reduce their dependence on the

UK and the financial and other liability that they incur. This is a reasonable objective, but it is disappointing that the Government's discussions with the Commonwealth over an enhanced status for Overseas Territories have continued for some time, with no concrete outcome as yet. The FCO should update the Committee on progress on these discussions by the end of December 2012. (Paragraph 144)

Conclusion

29. We conclude that the Commonwealth benefits from the involvement of the United Kingdom and that the United Kingdom benefits from its membership of the Commonwealth. The benefits emerge in many ways, ranging from strong trade and investment links to cultural contacts. Recent profound changes in the balance of global political, diplomatic and economic power have greatly enhanced the prosperity and political influence enjoyed by many Commonwealth countries. The Commonwealth clearly could have a bright future. (Paragraph 145)
30. But we are deeply concerned that, despite all these advantages, the Commonwealth is failing to realise its great potential. In recent years it has been too often both silent and invisible: silent on occasions when members flout its principles, and invisible to its people. Too many of the benefits of the Commonwealth are intangible, as we discovered from our evidence sessions and our visits to Commonwealth countries. (Paragraph 146)
31. It is also difficult accurately to measure the benefits of the Commonwealth to its member states including the UK; it is not easy to assess increased influence in the world or to attribute that increase to the Commonwealth rather than to bilateral relationships. We conclude that the FCO's rhetoric about the importance of the Commonwealth is not being matched by its actions. The past closure of diplomatic missions, particularly in the Pacific, cuts to the BBC World Service and changes to the UK visa regime are prime examples. We urge the Government to address this gap between words and deeds. (Paragraph 147)
32. We conclude that the Commonwealth must move quickly along the road to reform if it is to make the most of its natural advantages and demonstrate its value to its members. We expect the UK to play a prominent role in this process, and to show that it can match its pro-Commonwealth rhetoric with effective action. If the Commonwealth takes the right decisions in the next few months, we are confident that it can protect and promote its values and benefit the interests of all of its members, including Britain. (Paragraph 148)

1 Introduction

1. We decided to carry out this inquiry because we believe the Commonwealth is at a critical point. Just as H.M. The Queen celebrates her 60 years as its Head, the future direction of the Commonwealth is a source of contention and uncertainty.

2. In particular, the fate of proposals for fundamental reform of Commonwealth institutions and ways of working, considered at the October 2011 Commonwealth Heads of Government Meeting (CHOGM) in Perth, Australia, is still subject to debate. The proposals were contained in a report from an Eminent Persons Group, pointedly sub-titled “Time for Urgent Reform”.¹ In a final report containing 106 recommendations, the Eminent Persons Group concluded, among other things, that:

- The Commonwealth must speak with greater unity in the international community;
- there is a growing perception that the Commonwealth has become indifferent because it fails to stand up for the values that it has declared as fundamental to its existence;
- on issues such as development, trade and investment, climate change and global pandemics, the Commonwealth is in danger of becoming immaterial as beleaguered nations look elsewhere for the help they need, and
- the work programme assigned to the Commonwealth Secretariat requires critical review with the objective of concentrating on priority matters that will bring the greatest benefit to the people of the Commonwealth.

Two of the Group’s recommendations were seen as especially significant by the UK and others: a proposal for a Commonwealth Charter, which was accepted and is now the subject of a public consultation, and a proposal for a Commonwealth Commissioner for Democracy, the Rule of Law and Human Rights. The Secretary-General and CMAG were tasked “to further evaluate relevant options” relating to the proposal for a Commissioner.²

3. At the Perth CHOGM, after intensive discussions on the Commissioner and Charter, Heads instructed Foreign Ministers to discuss the remaining 104 EPG recommendations with a view to categorising those which could be adopted outright; those with financial implications but which could be adopted in principle; those on which member states wanted more detailed advice; and those which were inappropriate for adoption. Heads approved their Foreign Ministers’ recommendations to:

- adopt 42 recommendations (30 outright, 12 subject to financial considerations);
- defer 43 recommendations for further deliberation by the Task Force of Ministers, and

1 Commonwealth Secretariat, *A Commonwealth of the People: Time for Urgent Reform. The Report of the Eminent Persons Group to Commonwealth Heads of Government*. Perth, October 2011. [Hereafter EPG Report, 2011]. The Eminent Persons Group was chaired by Tun Abdullah Ahmad Badawi, a former Prime Minister of Malaysia. Other members were: Ms Patricia Francis (Jamaica), Dr Asma Jahangir (Pakistan), Mr Samuel Kavuma (Uganda), The Hon Michael Kirby (Australia), Dr Graca Machel (Mozambique), Rt Hon Sir Malcolm Rifkind (UK), Sir Ronald Sanders (Guyana), Senator Hugh Segal (Canada), Sir Ieremia Tabai (Kiribati).

2 The Commonwealth, *Agreement by Heads of Government Regarding the Eminent Persons Group Proposals: A Commonwealth of the People: Time for Urgent Reform*, October 2011

- reject the remaining 11 EPG recommendations.

4. Eight EPG recommendations were said to be consistent with reforms agreed and were therefore deemed have been superseded.³

5. There were other reasons for our inquiry. The Coalition's "Programme for Government" of May 2010 contained an objective to 'strengthen the Commonwealth as a focus for promoting democratic values and development'. We wished to assess how far the Government has achieved this objective. We also noted that the last Foreign Affairs Committee report on the Commonwealth was published as long ago as 1996; it was high time for a further inquiry into this important and neglected issue.

6. We launched our inquiry in December 2011, and we set out to answer the following questions:

- What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?
- Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?
- How does membership of the Commonwealth help the UK achieve its diplomatic objectives?
- What benefits does the UK's membership of the Commonwealth bring in terms of:
 - Trade;
 - The promotion of human rights;
 - The promotion of 'soft power' and a positive image of the UK?
- What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?
- What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?

7. Although we have not attempted to replicate the inquiry carried out by the Eminent Persons Group, we have taken a great deal of evidence on the implications for the UK of the key issues raised by the Group. We also wished to evaluate the Foreign and Commonwealth Office's policy towards and spending on the Commonwealth.

8. We received 34 submissions of written evidence and took oral evidence from 10 witnesses. As part of the inquiry small groups of the Committee visited Kenya, South Africa, Australia, Jamaica and Belize. We are grateful to all those who helped us with this inquiry.

3 The Commonwealth, *Agreement by Heads of Government Regarding the Eminent Persons Group Proposals: A Commonwealth of the People: Time for Urgent Reform*, October 2011

2 The purpose of the Commonwealth

Overall purpose

9. The Commonwealth has a long history. It has been called “the world’s oldest political association of sovereign states”.⁴ The Commonwealth’s origins may be traceable to 1869–1870 when representatives from the UK’s self-governing colonies met unofficially to demand consultative arrangements. The first Colonial Conference took place in 1887, coinciding with Queen Victoria’s Golden Jubilee. From 1907 there were regular meetings of Prime Ministers, with countries invited to send their heads of government only if they had ‘responsible government’ on the British parliamentary model. India, although not yet self-governing, was invited to send representatives from 1917. Southern Ireland, as the Irish Free State, was added in 1922. An agreement of 1926 defined the ‘position and mutual relation’ of the members as autonomous, equal in status, owing common allegiance to the Crown, and freely associated. These principles were embodied in the preamble to the Statute of Westminster (1931), which also declared that the Crown was the symbol of the free association of the members. The term ‘British Commonwealth of Nations’ was first used formally as long ago as 1921 and from 1948 the term ‘The Commonwealth’ replaced it.

10. The Commonwealth continued to add members after the Second World War—India and Pakistan in 1947 and Ceylon (Sri Lanka) in 1948. When India, the largest member, became a republic, it sought to remain in the Commonwealth and this was agreed by the existing members. The Declaration of London, of 26 April 1949, provided that, in place of the sole remaining formal bond of common allegiance to the Crown, the Republic of India accepted The King as the symbol of the free association of the independent member nations and as such the Head of the Commonwealth. The words of the Declaration set the tone for the future of the Commonwealth:

... the United Kingdom, Canada, Australia, New Zealand, South Africa, India, Pakistan and Ceylon hereby declare that they remain united as free and equal members of the Commonwealth of Nations, freely co-operating in the pursuit of peace, liberty and progress.

Three years later, on assuming the throne, the present Queen became Head of the Commonwealth.

The Commonwealth’s key values

11. Having emerged from a group of countries that shared a connection with Britain, the modern Commonwealth has been based, from the beginning in 1949, on the maintenance of fundamental values and principles. Since the 1949 Declaration the Commonwealth has regularly restated and refreshed those principles and values. Two documents have been especially important. In 1971, at the Singapore Heads of Government Meeting, the Declaration of Commonwealth Principles defined the voluntary character and consensual

4 Commonwealth Secretariat, *Report of the Committee on Commonwealth Membership*, September 2007, p 3

working methods of the Commonwealth, specifying its goals and objectives. Among the fourteen detailed principles in the Declaration were these:

- ♦ Within [its] diversity, all members of the Commonwealth hold certain principles in common. It is by pursuing these principles that the Commonwealth can continue to influence international society for the benefit of mankind.
- ♦ We believe in the liberty of the individual, in equal rights for all citizens regardless of race, colour, creed or political belief, and in their inalienable right to participate by means of free and democratic political processes in framing the society in which they live. We therefore strive to promote in each of our countries those representative institutions and guarantees for personal freedom under the law that are our common heritage.

12. The 1991 Harare Commonwealth Declaration sought to apply those principles in the context of the end of the Cold War, pledging the Heads of Government to work “with renewed vigour” on “the protection and promotion of the fundamental political values of the Commonwealth” and towards “democracy, democratic processes and institutions which reflect national circumstances, the rule of law and the independence of the judiciary, just and honest government”.

13. These principles were underlined at the Port of Spain CHOGM of 2009, when, meeting in the 60th anniversary year of the modern Commonwealth, the Heads of Government, “taking pride in their collective achievements over the past six decades”, reaffirmed their “strong and abiding commitment to the Commonwealth’s fundamental values and principles.”

Commonwealth institutions

14. There are three Commonwealth intergovernmental organisations:

- The Commonwealth Secretariat, which carries out plans agreed by Commonwealth Heads of Government through technical assistance (via the Commonwealth Fund for Technical Cooperation—CFTC⁵), advice and policy development. The Secretariat’s mission statement is: “We work as a trusted partner for all Commonwealth people as: a force for peace, democracy, equality and good governance; a catalyst for global consensus-building; a source of assistance for sustainable development and poverty eradication”. Kamallesh Sharma, current Secretary-General of the Commonwealth, is described on the Secretariat’s website as “the principal global advocate for the Commonwealth” and is Chief Executive of the Secretariat;
- The Commonwealth Foundation, which helps civil society organisations promote democracy, development and cultural understanding, and

5 The CFTC provides demand-led technical assistance to member states. This includes economic resilience and trade-related work with small island states; supporting member governments in their negotiation of commercial investment agreements for the exploitation of mineral and petroleum resources; debt management support for small states including through the proprietary CS-DRMS debt recording software; and advice on the determination and agreement of international maritime boundaries.

- The Commonwealth of Learning, which encourages the development and sharing of open learning and distance education.

15. The work of the formal, intergovernmental Commonwealth institutions is only part of the picture, and perhaps not the most visible part. There are around 100 associations (70 accredited) in the Commonwealth network. Among the associations are bodies concerned with land rights, parliamentary assemblies (the Commonwealth Parliamentary Association), culture, gender equality, health, humanitarian relief, disability, education and trade unions.⁶ The aims of the Commonwealth Magistrates' and Judges' Association (CMJA) include: "to advance the administration of the law by promoting the independence of the judiciary" and "to advance education in the law, the administration of justice, the treatment of offenders and the prevention of crime within the Commonwealth." Another example of the non-official Commonwealth at work is the Commonwealth Youth Exchange Council (CYEC). This is a UK based youth development and education charity which works "alongside young people to support them as active global citizens through sharing lives, exchanging ideas and working together." The CYEC supports a bilateral UK—Commonwealth group youth exchange programme and Commonwealth-wide youth-led development and leadership projects.⁷

16. In this report we assess the effectiveness of today's Commonwealth in achieving its purposes, looking in turn at each of its main activities:

- Promoting good governance and human and political rights in Commonwealth countries;
- Influencing the wider international community on key global issues, and
- Developing Commonwealth countries by means of such things as aid, trade and investment and education.

6 Ev 90

7 Ev 158

3 Promoting good governance and human rights in Commonwealth countries

17. Membership of the Commonwealth is widely seen as implying a guarantee that a country is upholding high standards in democracy and human rights. Senator Hugh Segal, a member of the Eminent Persons Group, told us that countries wished to stay in the Commonwealth because it was “a badge of respectability”.⁸ In the past, the Commonwealth’s internal mechanisms for preserving the ‘respectability’ of member states have often worked effectively. Several witnesses for instance saw the Commonwealth’s opposition to the apartheid regime in South Africa, from the 1960s to 1994, as a prime example of the Commonwealth’s capacity for promoting change among its members. Sir Malcolm Rifkind told us that in that period the Commonwealth “had a great moral purpose and was seen as being very significant”.⁹ Some used the concept of a family to explain how the Commonwealth could bring its errant members into line.¹⁰ Lord Howell of Guildford, the then Minister of State at the FCO, told us that it was a “plus” that the Commonwealth exerted “constant family pressure and irritation” on human rights failings in member states.¹¹

18. To supplement these political pressures, the Commonwealth Secretariat employs a number of practical means to uphold its values in member states, ranging from election observation to technical cooperation programmes promoting judicial and public administration reform and the development of civil society.¹² The Commonwealth has observed over 70 elections since 1990, and in 2010 for instance observer groups monitored elections in Sri Lanka, St Kitts and Nevis, Rwanda, the Solomon Islands and Tanzania.¹³

19. But sometimes such actions are not enough, and suspension or expulsion is the inevitable outcome. These were seen by Sir Malcolm Rifkind as the Commonwealth’s most distinctive and potent weapons in the fight for human and political rights. He said that while many international organisations made rhetorical statements, the Commonwealth was unusual in taking powers to suspend or even expel member states that no longer lived up to its standards and aspirations.¹⁴ Sir Malcolm contrasted this with the conventions which apply to the United Nations, which “takes the view that it must have universality, regardless of the performance of individual governments”.¹⁵

20. The establishment in 1995 of the Commonwealth Ministerial Action Group (CMAG) continued the tradition of intergovernmental activism against repressive behaviour in member states. CMAG was established by Commonwealth Heads of Government at the

8 Q 19

9 Q 211

10 Q 60

11 Q 172

12 Ev 90

13 Ev 92

14 Q 211

15 *Ibid.*

CHOGM in Auckland, New Zealand, in November 1995. It deals with serious or persistent violations of the Harare Declaration, and is charged with assessing the nature of the infringement and recommending measures for collective Commonwealth action aimed at the restoration of democracy and constitutional rule. Among other things, it has in the past recommended the suspension from Commonwealth membership of Nigeria and Pakistan.¹⁶

21. According to some of our witnesses, today's international environment poses both challenges and opportunities for the Commonwealth as an advocate of good government. Mr Sharma for instance saw a clear link between recent events in the Arab world and the Commonwealth's proclaimed values, "If you look at the Arab Spring and what people are saying about how they would like their societies to be run ... these are the things that the Commonwealth has been saying for decades."¹⁷ Senator Hugh Segal suggested that the rise of China placed a responsibility on the shoulders of the Commonwealth, as well as giving it an opportunity: "We now face a circumstance, perhaps for the first time in recent history, where the largest economic power in the world is not a democracy or particularly devoted to democratic values." Senator Segal saw it therefore as a "very important countervail" that "2.1 billion human beings are part of a Commonwealth family that does believe in democracy and the rule of law".¹⁸

Failing to promote democracy and human rights

22. However, if the Commonwealth is to be credible as a global voice in favour of good government, it has to put its own house in order and live up to the values it proclaims. We heard disturbing evidence that the badge of Commonwealth respectability had become tarnished, and that the Commonwealth's best years as a promoter of democracy and human rights in its own member states were behind it. Several of those we met in Commonwealth countries called for Commonwealth institutions to set out a more vigorous human rights agenda, and to be effective and influential in pursuing it among its members. In one country the Commonwealth was accused of being "marginal" to the promotion of human rights. Senator Segal said the Commonwealth generally needed to "up its game on issues such as the rule of law, human rights and democracy".¹⁹ The Commonwealth Magistrates' and Judges' Association expressed its concern at "the lack of implementation" in member states of the Principles endorsed by Heads of Government.²⁰ Dr Sriskandarajah, Director of the Royal Commonwealth Society, told us that the Commonwealth had failed "to show how it adds value to existing international legal and other instruments".²¹

23. Several reasons were put forward for this apparent loss of moral authority and impact. First, too many Commonwealth countries fail to practise what they preach on human and

16 We consider below (para 26) the problems which affected CMAG in later years, and proposals for reform.

17 Q 188

18 Q 1

19 *Ibid.*

20 Ev 134

21 Q 131

political rights. The FCO's Human Rights Report for 2011, for instance, describes the current situation in Sri Lanka in damning terms:

At year end, significant progress was still needed to address the institutional weaknesses that allow for frequent human rights violations. Terrorist suspects continued to be held without charge for long periods. There were restrictions on freedom of expression, political violence, reports of torture in custody, further cases of disappearances and almost no progress in investigating past disappearances.²²

24. Human rights in Pakistan fared no better, according to the FCO Report. There was a long charge sheet: "Despite some positive steps in 2011, there continue to be serious concerns about human rights in Pakistan, including the rule of law; investigation of allegations of torture; freedom of religion or belief; the death penalty; women's rights; children's rights; extrajudicial killings; access to water, healthcare and education; and free and fair elections."²³

25. On certain human rights issues, the record of many Commonwealth countries is out of step with much of the developed world: of the 58 countries where capital punishment is still lawful, no fewer than 36 are in the Commonwealth. The FCO's 2011 report on human rights and other sources have recorded intolerance of homosexuality in a number of Commonwealth countries. For example in early 2012 a Bill was introduced in Uganda which would strengthen that country's existing anti-homosexuality legislation, and the FCO reported that it had recently found it necessary to raise concerns about the possible criminalisation of same-sex marriage in Nigeria and the human rights of homosexual people in Cameroon. Malaysia and Jamaica are among other Commonwealth countries which have long-established anti-homosexuality legislation.²⁴

26. There were also doubts about the mechanisms available to the Commonwealth to influence member states on issues of human and political rights. Sir Malcolm Rifkind expressed particular frustration at the restricted role accepted by the Secretary-General of the Commonwealth, who had "rarely felt able to speak out unless he has been given an express mandate to do so." He drew a stark contrast with the Secretary-General of the United Nations, who often made statements on his own authority.²⁵ There was also concern over the role played by CMAG. That group was said by Stuart Mole, Senior Research Fellow at the Institute of Commonwealth Studies, to have "lost its way" at the turn of the millennium, and in the early part of this century to have become "inactive." He observed that CMAG had been "bypassed" by the work of the 'troika' of present, future and past chairmen of the Commonwealth summits which had been active over the issue of Zimbabwe. The CMAG watchdog "simply was not barking and it seemed to have very few teeth".²⁶ Sir Malcolm Rifkind said that CMAG had remained silent too often in the face of

22 Foreign and Commonwealth Office: *Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report*, Cm 8339, p 318

23 *Ibid.* p 285

24 *Ibid.* p 70 <http://www.hrw.org/news/2012/08/30/uganda-making-life-tough-ngos-lgbt-rights>; <http://www.hrw.org/news/2012/07/18/jamaica-combat-homophobia>; <http://www.hrw.org/news/2011/12/22/malaysia-revoke-law-banning-same-sex-sexual-relations>

25 Q 211

26 Q 61

abuses, giving the example of violence in Sri Lanka some years ago when many thousands of people had been killed or displaced. He said “The Commonwealth was one of the few organisations in the world that had very little to say about it ... [and] seemed irrelevant.”²⁷

Reforming CMAG

27. In September 2011, in time for the Perth CHOGM, CMAG felt it necessary to produce a report with proposals for reform of its own operations.²⁸ The Heads accepted the proposals for a strengthened CMAG mandate; the threshold for CMAG engagement in upholding Commonwealth values and principles was lowered, so that it could act in a larger number of cases. The range of indicators for engagement was also broadened to take into account aspects of public conduct such as the independence of the judiciary and freedom of the media and civil society, and the space available for diverse political views to be advanced.²⁹ Since then, in a sign of perhaps greater activism, CMAG has made what Dr Sriskandarajah called “a provocative and bold statement about the state of democracy in the Maldives.” He described that CMAG statement as “an example of the intergovernmental Commonwealth if not at its best, certainly at its most vocal”.³⁰

28. The strength of the Commonwealth’s commitment to its principles and values, including the promotion of human and political rights, has helped to give it a substantial and distinctive role in the international community. However, in recent years the moral authority of the Commonwealth has too often been undermined by the repressive actions of member governments. We were disturbed to note the ineffectiveness of the mechanisms for upholding the Commonwealth’s values, despite its efforts to improve governance and the conduct of elections in member states. We urge the Foreign and Commonwealth Office to ensure that the Commonwealth Ministers’ Action Group makes full use of its new mandate and responds robustly whenever there is corroborated evidence of repression or abuse.

29. One Commonwealth decision—the choice of Colombo in Sri Lanka as the venue for the next CHOGM in 2013—attracted especially severe criticism from some quarters. It was described by Professor Philip Murphy, Director of the Institute of Commonwealth Studies, as “a disaster and a scandal”.³¹ The Commonwealth Advisory Bureau observed that the communiqué after the Perth CHOGM more than ever reflected the national interests of the host country, on issues including the responsibility of extractive industries, piracy and UN Security Council membership. The Bureau suggested that this set a “dangerous precedent” for the 2013 CHOGM in Sri Lanka—a country that was “currently boasting about defeating terrorism on home soil, whilst standing accused by others of only doing so through gross human rights abuses, possibly tantamount to war crimes”.³² Despite the

27 Q 211

28 Ev 85

29 Ev 99

30 Q 124

31 Q 37

32 Ev 62

criticism, the Secretary-General nevertheless told us that the Heads' decision was "very firm ... I do not see that decision coming under review".³³

30. Some of our witnesses believed that the 2013 CHOGM could be used as a platform to promote human rights in Sri Lanka, Senator Segal suggesting that "constructive leverage" could be applied to the government.³⁴ For example, he hoped that the Commonwealth Secretariat, using the precedent of the International Olympic Committee's negotiations with the Chinese authorities over the Beijing games of 2008, would insist on full press freedom and full access to all Sri Lanka by members of the press covering the Colombo CHOGM.³⁵ Mr Sharma was confident that conditions at the Colombo CHOGM would meet the required standards. He said that the media "must be able to enjoy all kinds of freedom".³⁶ When asked whether he was satisfied that those principles would be observed by Sri Lanka in 2013, Mr Sharma expressed himself with great care, saying "We are satisfied that we are making satisfactory progress in dealing with the Government on those issues."³⁷

31. Despite the reassurances of Mr Sharma, the situation in Sri Lanka continues to raise serious questions about the attendance of Heads of Government at the Colombo CHOGM. Senator Segal told us that he was "quite proud" of the stance taken on this issue by the Canadian Prime Minister Stephen Harper, who stated in September 2011 that he would only attend the Colombo CHOGM if there were an improvement in human rights in Sri Lanka.³⁸ But Lord Howell was cautious in his comments on whether the UK Prime Minister should attend the Colombo CHOGM, saying that it was "much too early to say how these things will work out".³⁹

32. We conclude that continuing evidence of serious human rights abuses in Sri Lanka shows that the Commonwealth's decision to hold the 2013 Commonwealth Heads of Government Meeting in Colombo was wrong. We are impressed by the clear and forthright stance taken by the Canadian Prime Minister, who has said he would attend the Meeting only if human rights were improved. The UK Prime Minister should publicly state his unwillingness to attend the meeting unless he receives convincing and independently-verified evidence of substantial and sustainable improvements in human and political rights in Sri Lanka.

33. Two of the recommendations made by the Eminent Persons Group—the Commonwealth Charter and the Commissioner for Democracy, the Rule of Law and Human Rights—are especially important for governance and human rights, and we took substantial evidence about both of them.

33 Qq 201–202

34 Q 5

35 *Ibid.*

36 Q 203

37 Q 204

38 Q 5 http://www.bbc.co.uk/sinhala/news/story/2011/09/110912_canada_commonwealth.shtml

39 Q 173

Commonwealth Charter

34. The Eminent Persons Group recommended that a Commonwealth Charter should be drawn up. This Charter would be intended to “establish a Commonwealth ‘spirit’” which would institute “the concept of a Commonwealth whose collective purpose is driven by the aspirations of its people”.⁴⁰ A draft intended for wide consultation, and appended to the EPG report, proposes a pledge by governments to “uphold, preserve and defend the Values and Aspirations of the Commonwealth as declared in this Charter” and recalls the several previous declarations of Commonwealth principles and values described in Chapter 2 above.⁴¹ This led Professor Philip Murphy to warn against inflated expectations of what the Commonwealth Charter could achieve. He was concerned that people were sceptical, and that “the last thing the Commonwealth needs is another well meaning statement of principles, which will be largely ignored in the way that previous statements of principles have been”.⁴² He believed that there was no official machinery capable of making members comply. Nevertheless Professor Murphy saw some potential value in declarations, referring to the example of the Helsinki Final Act in 1975, which gave birth to a series of popular movements, such as Charter 77, in eastern Europe. Citizens of these countries, he told us, were able to say to their governments, “You have signed up to this, and we are going to hold you to account.” Professor Murphy said: “It would be wonderful if the charter gave rise to a series of dissident groups called Commonwealth clubs, on the ground, trying to enforce those rights.”⁴³

35. Dr Sriskandarajah saw the Charter as something that “would make it very clear what membership of the Commonwealth means.” He envisaged it being particularly useful in schools, helping young people learn about what today’s Commonwealth stands for.⁴⁴ This view bears out the evidence of our visits to Commonwealth countries, where we found support for the principles of the Harare Declaration, combined with a sense that it needed updating to reflect modern realities. However we were concerned to hear a suggestion that the process of debating the wording of the Charter around the Commonwealth has been rushed and that civil society has not been fully involved in the debate.⁴⁵

36. We support the Eminent Persons Group’s proposal for a Commonwealth Charter. However, the UK should only accept the Charter’s final wording if it reflects the fundamental principles of the Commonwealth. Before signing the Charter, the Government should assure itself that substantial progress is being made by the Commonwealth towards compliance with international human rights norms.

Commissioner for Democracy, the Rule of Law and Human Rights

37. Sir Malcolm Rifkind was among those who expressed concern at the actions of a number of countries that had opposed the idea of a Commissioner for Democracy, the

40 EPG Report 2011, p 34

41 *Ibid.* p 181

42 Q 39

43 *Ibid.*

44 Q 132

45 Q 59

Rule of Law and Human Rights. He said that Sri Lanka was “the obvious case in point.” But he was most disappointed by a number of other countries, specifically South Africa and India, which had also been “very negative” in their response to that recommendation.⁴⁶

38. Stuart Mole said it was unfortunate that the proposal for a Commissioner had become “a totemic issue”, because “it is seen by a lot of other Commonwealth member countries as a stick to beat them with.” He suggested that language played a part, as ‘Commissioner’ was not a helpful title, and that the more Canada, the United Kingdom and Australia voiced support for the Commissioner, the more they might be resented.⁴⁷

39. But there are signs of possible compromise. Lord Howell thought that although the specific idea of a Commissioner was a “challenged one” the Commonwealth would take forward “the thought behind that” with the Commissioner proposal being replaced with something more agreeable to the Commonwealth as a whole.⁴⁸

40. We recognise that the Eminent Persons Group’s proposal for a Commissioner for Democracy, the Rule of Law and Human Rights has not found favour right across the Commonwealth. There is clearly room for discussion and negotiation about the nature of the role, including its title. It is important that it should not duplicate the responsibilities of the Secretary-General and the Ministerial Action Group. However, the intention behind the recommendation for a Commissioner is an important one, and goes to the heart of what the Commonwealth is about.

41. The UK Government should insist that the key elements of the EPG’s recommendation for a Commissioner are accepted and implemented. In particular, we believe that it is important that the mechanism that emerges from the negotiations should reflect the EPG’s recommendation that the Commissioner should provide “well researched and reliable information” on “serious or persistent violations of democracy, the rule of law and human rights in member states,” and “indicate approaches for remedial action.”

46 Q 212

47 Q 63

48 Q 161

4 Enhancing global status and influence

The potential of the Commonwealth

42. As well as upholding its values in its own member states, the Commonwealth clearly has the potential to be a highly influential voice in the wider international community. The diversity of the Commonwealth, its membership taking in some of the smallest states in the world as well as some of the largest, and including both very poor countries and some of the richest, was seen as a particular strength. In written evidence, the Editorial Board of *The Round Table: the Commonwealth Journal of International Affairs*, talked of the Commonwealth’s “global reach and ... presence in most parts of the world”.⁴⁹ It is not surprising then that Senator Hugh Segal should call the Commonwealth “an organisation that, if properly led, motivated and resourced, can make a huge difference in almost every part of the world”.⁵⁰

43. In past decades, the Commonwealth has used these advantages to good effect, making a major impact around the world on the outcome of key issues. The Editorial Board of *The Round Table* identified subjects such as debt relief, climate change, HIV/Aids and the vulnerabilities of small states on which the Commonwealth had “led—and helped change—the global perspective”.⁵¹ Mr Sharma observed that at the end of the Uruguay round of world trade negotiations, it was a small ministerial group from the Commonwealth that “enabled an outcome...”⁵² The Ramphal Institute gave us other examples of the past activism of the Commonwealth’s governments working together, describing the work of expert groups that between 1975 and 1990 had examined issues such as promoting successful negotiations for the Law of the Sea.⁵³ Richard Bourne, Senior Research Fellow at the Institute of Commonwealth Studies, identified a more recent example of Commonwealth leadership on issues with a “global resonance”—the Ramphal Commission on Migration and Development, a Commonwealth group which published three reports in 2010–2011.⁵⁴

44. As an international organisation, the Commonwealth currently operates on a more crowded stage than it did in the past, with more and more global and regional representative bodies playing similar roles. Politicians and business people in Commonwealth countries appear increasingly to identify themselves with such new groupings, like the BRICS countries of leading emerging economies,⁵⁵ rather than with the Commonwealth. Dr Sriskandarajah noted what he called “the incredible investment that the Indian Government are making in other forums, not least the G20 and IBSA [India, Brazil and South Africa]”.⁵⁶ He accepted that “when you go to India that there is a lot of

49 Ev 64

50 Q 2

51 Ev 65

52 Q 193

53 Ev 149

54 Ev 112

55 Brazil, Russia, India, China and South Africa

56 Q 142

warmth about the Commonwealth,” but he said that the new generation of Indian policy makers and Indian business people “will know relatively little about the modern Commonwealth ... the Commonwealth is nowhere near the top of their foreign policy priorities”.⁵⁷ Some of our visits to Commonwealth countries confirmed this impression; in several we were told by people in public life that the Commonwealth was increasingly irrelevant to them. A poll conducted by the political consultancy Etoile Partners among 100 senior UK “influencers” from media, parliament, the law and the civil service found that only 25% of respondents correctly identified the Commonwealth when its activities were described to them.⁵⁸

45. If elites are sometimes increasingly indifferent to the Commonwealth, awareness among other groups, especially young people, appears to be even lower. The public diplomacy of the Commonwealth needs urgent attention, because, to many in member countries, the organisation is inactive. Hard evidence of public indifference is contained in the results of the Commonwealth Conversation, the largest public consultation on the subject. Carried out in 2009 and 2010 by the Royal Commonwealth Society, and gathering the opinions of tens of thousands of people, the Conversation confirmed “what many had feared about the plummeting profile of the Commonwealth and public cynicism toward the institution”.⁵⁹ On average, it found that people in developing countries were twice as likely as those in developed countries to believe that the Commonwealth was of value to them. Indians valued the Commonwealth more than those in America or South Asia. Most worrying of all, other influences loomed larger than the Commonwealth for many people in member states. Canadians were four times more likely to value America higher than the Commonwealth, Australians were twice as likely to value Asia higher, and, for Britons, the Commonwealth came a distant third behind Europe and America. The RCS noted that “In general, of the countries polled, the Commonwealth was least valued in Great Britain.”⁶⁰ Dr Sriskandarajah of the RCS believed that the Commonwealth was “encumbered by misperception”. It was regarded by some as “just a British colonial club”. He said that “fewer and fewer people know about the Commonwealth, let alone care about it”.⁶¹

46. Public indifference and ignorance may be one reason why the Commonwealth appears to be failing to realise its diplomatic potential. Another key weakness of the Commonwealth as an actor on the world stage, according to Dr Sriskandarajah, was the need to achieve consensus for firm action. He said that this could easily lead to an impasse. He concluded from this that “the Commonwealth needs to revisit not only the way that it makes decisions but the sorts of levers that it has at its disposal”.⁶²

47. One of the key themes of our visits to Commonwealth countries was that the organisation was missing opportunities and needed to be much more active in agreeing and promoting common positions on international issues. Mr Richard Bourne described the impact of recent diplomatic efforts by the Commonwealth as “fitful.” For instance he

57 Q 142

58 Ev 128

59 Ev 79

60 Ev 80–1

61 Q 120

62 Q 134

expressed disappointment that, following the adoption of an “important proposal” for a climate mitigation fund by Heads of Government at the Port of Spain CHOGM in 2009, just prior to the Copenhagen climate change conference, “no senior Secretariat figure went to Copenhagen to assist Commonwealth delegations in the subsequent talks.” He criticised the fact that the Perth CHOGM of 2011 “had little to say” about the world’s economic crisis, although five of its governments were due to attend the G20 meeting in Cannes only a few days later. He also observed that there was little expectation of follow-up for the statement on Food Security at Perth, and that the Commonwealth Secretariat had had no capacity to follow through with a leaders’ commitment demanding urgent action to stop the depletion of marine fish stocks.⁶³

48. There were also alleged shortcomings in Commonwealth coordination and leadership in arms trade negotiations in the summer of 2012. Many Commonwealth states suffer from the effects of armed violence, and unregulated trade in arms is widely seen as playing a major part in promoting that violence.⁶⁴ Ms Daisy Cooper, Director of the Commonwealth Advisory Bureau, observed that individual Commonwealth countries had been well represented among the states pressing (unsuccessfully) for the conclusion of a strong arms trade treaty at the Diplomatic Conference on the issue in New York, but she expressed concern that the seat reserved for the Commonwealth’s delegation at the Conference had been left empty and that no Commonwealth statement had been delivered.⁶⁵

49. The Royal Commonwealth Society told us that “the Secretariat struggles to demonstrate results ...” criticising what it saw as the Commonwealth’s “worrying decline into impotence and irrelevance”.⁶⁶

Reforming the Commonwealth Secretariat

50. Our evidence confirms the need for reform of the Commonwealth Secretariat and other institutions. The Secretariat can certainly do good work. Alicia Rocha Menocal, a Research Fellow at the Overseas Development Institute, for example told us that the Secretariat was valuable and distinctive in some of its interventions, enjoying a combination of “highest level access, trust and confidence in its relations with partner countries, as well as the perception of being devoid of a political agenda”.⁶⁷ However the Commonwealth Advisory Bureau told us that the Commonwealth Secretariat and Commonwealth Foundation must become “fit for purpose”.⁶⁸ The Eminent Persons Group made a number of proposals for reform, notably a suggestion that the work of the Secretariat should be “retired” if it “enjoys no specific Commonwealth advantage” or where the size of the Commonwealth Secretariat’s resources is too small “to make a significant impact”.⁶⁹ The EPG also suggested that the operations of the Secretariat should be

63 Ev 149

64 Royal Commonwealth Society, *Report of the Roundtable on the ‘Arms Trade Treaty and the Commonwealth’*, 28 May 2012, p 2

65 <http://www.publicserviceeurope.com/article/2294/what-next-for-the-un-arms-trade-treaty>

66 Ev 83

67 Ev 143

68 Ev 61

69 EPG Report, 2011, p 107

reviewed by the Secretary-General to “improve the integration, cohesion and efficiency of its divisions and their capacity to deliver the mandates set by member states.”⁷⁰

51. The Commonwealth Secretariat told us that it had responded to the recommendations of the EPG in the preparation of its next strategic plan. It describes this as “a significant step forward”. Rather than the plan reflecting “the sum total of ambitions of its 54 member governments’ national priorities” as had been the case in the past, the Secretariat will develop a “synthesised, narrower, and more focussed work programme” aimed toward streamlining goals onto fewer priorities where the organisation has a comparative advantage and where it can “demonstrate real impact”.⁷¹ Mr Sharma suggested that this strategy would be carried out using partnership with other organisations, not just UN organisations but also private ones.⁷² The change would be accompanied by what Senator Segal saw as a “tough reorganisation” of the Secretariat to match new priorities.⁷³ Mr Sharma indicated that the Secretariat would in future be concentrating, among other things, on work to help countries build institutions of governance, support for natural resource management and work with young people.⁷⁴ On development, Senator Segal, speaking about another EPG recommendation, told us the Secretariat could play a distinctive role, helping provide the right environment for effective development programmes by promoting good governance rather than delivering programmes itself.⁷⁵

52. The Commonwealth has in the past often launched influential initiatives on key global issues. However, it has appeared less active and less publicly visible in recent years and there is disturbing evidence that it is missing opportunities to influence events. The Commonwealth Secretariat must sharpen, strengthen and promote its diplomatic performance—along the lines proposed by the Eminent Persons Group—if the Commonwealth is to realise its full potential as a major player on the world stage.

53. Mr Sharma reassured us that implementation of the Eminent Persons Group recommendations was now “moving extremely well”.⁷⁶ However, Senator Segal warned of the danger of some of the EPG recommendations being consigned to the “long grass”. He demanded “a focus on implementation, because nothing is worse than an approved recommendation about which nothing is done”. Senator Segal called for “lawnmower committees across the Commonwealth” to cut through the long grass and ensure implementation.⁷⁷

54. It is now nearly a year since the acceptance of many Eminent Persons Group recommendations at the 2011 CHOGM. The lengthy period of consultation and discussion over the EPG since October 2011 must not cause a loss of momentum in the process of implementing those recommendations. The FCO should monitor

70 EPG Report, 2011, p 107

71 Ev 99

72 Q 196

73 Q 9

74 Q 197

75 Q 9

76 Q 205

77 Q 22

implementation closely, and should continue to press for action on all key recommendations, reporting back to this Committee on progress every six months.

Promoting UK interests and influence

A cornerstone of foreign policy?

55. During the inquiry we assessed the Government's progress towards achieving its ambitions for the Commonwealth. The Foreign Secretary has described the Commonwealth as "a cornerstone of our foreign policy".⁷⁸ Lord Howell told us that the Government recognised that "more activity and dialogue is necessary" and that its aim was to "reinvigorate the whole organisation".⁷⁹ In June 2011 Lord Howell epitomised the Government's stated ambitions for the Commonwealth, describing it as "the soft power network of the future".⁸⁰ Sir Malcolm Rifkind told us "The present Government have been more committed to the Commonwealth, not just in rhetoric but in policy, than any Government I can remember, Tory or Labour, for the last 25 or 30 years."⁸¹

56. The ministerial role played by Lord Howell when he was Minister of State was seen by a number of our witnesses as particularly constructive. Professor Philip Murphy said that Lord Howell had made "a remarkable impact", and that it was difficult to think of a Minister over the past 40 years in the Foreign Office who had been "so very committed to the Commonwealth and making it work".⁸² Mr Mark Robinson endorsed this view, saying that the present Foreign Secretary and Lord Howell had made "tremendous efforts to promote soft power". He observed that at the Perth CHOGM Lord Howell was "everywhere". He added that "these things are both noticed and appreciated".⁸³ On 4 September 2012, Lord Howell stepped down as Minister of State at the FCO.

57. As Minister of State, Lord Howell worked very effectively to raise the profile of the Commonwealth in the UK and overseas, and he deserves considerable credit for his contribution.

58. However, the success or failure of UK diplomatic efforts on Commonwealth issues will not be assured by the work of a single Minister. Some witnesses suggested that fulfilment of the UK's ambitions for the Commonwealth could be hampered by history, and that the experience of the acquisition and loss of Empire has inevitably sapped the confidence of the UK in its dealings with the Commonwealth. Professor Philip Murphy, for instance, saw the UK as reluctant to exert its influence in the Commonwealth, because it risked "being accused of some kind of post-imperial plot".⁸⁴ Some of our witnesses urged the Government to accept that the UK should no longer be held back by post-imperial guilt and could now play a stronger leadership role in the Commonwealth. Mr Mark Robinson

78 Foreign Secretary, Speech to the Commonwealth Parliamentary Association, 27 July 2011

79 *Ibid.*

80 Lord Howell, Speech to the Commonwealth Parliamentary Association, 26 July 2011

81 Q 222

82 Q 31

83 Q 105

84 Q 44

told us that “colonialism is a long way behind us” and that Britain could afford to be more proactive in initiatives in the Commonwealth.⁸⁵ The Ramphal Institute urged the FCO and other government departments to put more effort into coordinating positions with a wider range of Commonwealth partners in Commonwealth and international negotiations.⁸⁶ The FCO told us that the UK “will need to maintain and build on partnerships based on shared interests and values in order to deal with global issues,” and that a revitalised Commonwealth “offers the UK a ready-made network” to do this. The Department claimed to see “a rise in the influence of a largely Commonwealth-focussed small states grouping who look to the UK and the other four Commonwealth members of the G20 to champion their causes”.⁸⁷

59. However some witnesses questioned whether, when it came to Commonwealth issues, the reality of the Government’s efforts matched the rhetoric. There were for instance varying views on the effectiveness of UK diplomacy. When there is an urgent demand for a concerted diplomatic effort on a Commonwealth issue, as was the case with the preparation for publication of the Eminent Persons Group report in 2011, the FCO is certainly capable of delivering. The efforts of the FCO to promote the EPG’s findings and recommendations were appreciated by the Group, Senator Segal telling us that in all the activities that the EPG undertook, including visits to Africa and elsewhere, the FCO and the British Council had gone “out of their way to be constructive and to facilitate broad public discussion and public diplomacy”. He said he had no complaints about the UK’s diplomatic support over that period.⁸⁸

60. Mark Robinson argued that Commonwealth membership was important to the success of many bilateral visits.⁸⁹ The Ramphal Institute was, on the other hand, sceptical of the diplomatic value of Commonwealth connections, observing that “Other governments do not look first to the Commonwealth in seeking to build alliances.”⁹⁰ The Commonwealth Advisory Bureau more generally expressed concern that “the UK continues to have an uneasy relationship with the Commonwealth,” and was still sometimes seen by other Commonwealth governments and commentators, as “clumsy’ or worse, as a ‘bully’”.⁹¹ Tellingly, we did not hear, for instance, on any of our visits to Commonwealth countries or from our witnesses, of any occasion on which the fact of shared Commonwealth membership had proved crucial in achieving any of the United Kingdom’s key diplomatic goals in, for instance, the United Nations Security Council.

61. There are also questions over the Government’s long-term strategy for the Commonwealth. The Commonwealth Advisory Bureau was highly critical, saying that currently, the UK Government was full of “warm words for the Commonwealth”, but that it lacked any sort of engagement strategy.⁹² Richard Bourne pointed to the range of

85 Q 104

86 Ev 149

87 Ev 91

88 Q 14

89 Ev 157

90 Ev 149

91 Ev 63

92 *Ibid.*

Government departments with an interest in Commonwealth matters, and called for a joined-up Government strategy to focus on long-term diplomatic and political goals where the Commonwealth adds value.⁹³

62. Despite Lord Howell’s enthusiastic advocacy, we are concerned that the UK Government as a whole has not had a clear and co-ordinated strategy for its relations with the Commonwealth. The several Government departments with an interest in Commonwealth matters should work together to develop a strategy for engagement with the Commonwealth, aimed at ensuring that the UK makes the most of the opportunities presented by the Commonwealth. The FCO needs to ensure its ‘warm words’ are substantiated by its actions.

63. Confidence in the ability of the UK and other member states to influence key Commonwealth decisions was shaken by suggestions that the Eminent Persons Group report had been suppressed at the Perth CHOGM. Sir Malcolm Rifkind described the delay to publication of the EPG report as “certainly a mistake”. He noted that the EPG report was a report that the Group had been asked to provide for the Heads of Government. The Group did not itself have the authority at that stage to publish it, but they had sent it to the Heads of Government some time before the conference. He said that the Group had “strongly recommended” that the whole report should be published at an early date so that there could be a wider debate among Commonwealth organisations. They had wanted to make it as wide a debate as possible, “not simply a private debate between ourselves and the Heads of Government.”⁹⁴

64. Sir Malcolm said that:

To our disappointment, some countries blocked the advance publication of our report. When the Heads of Government went into their private retreat on the second day, it had still not been published and we believed that that was grossly improper ... We called a press conference, and handed the press copies of the report. We said that it was not the private property of the Heads of Government, and that it should be available to the Commonwealth as a whole. Within an hour of our doing that, the Heads of Government decided, after all, that it was timely to publish the report—so crisis resolved.⁹⁵

65. Lord Howell denied that there was a deliberate attempt to suppress the report, but he believed that there had been “an administrative mistake.” The Group had argued that the Report should be published early on, but the Commonwealth Secretariat, “advised by a whole range of Commonwealth members”, had argued that, as it was a report to the heads of Government, it should be delayed until it was produced at Perth, by which time, predictably, it had leaked to several papers anyway. Lord Howell’s view was that “it was the wrong decision”.⁹⁶

93 Ev 112

94 Q 213

95 *Ibid.*

96 Q 163

66. Mr Sharma admitted that there was “possibly an issue at Perth”, when it was decided by the member states that this report should be first seen by the Heads, “because the Heads had asked for the report before it was publicly released”. However, Mr Sharma said that “It was not, by any stretch of the imagination, an effort to suppress the report.”⁹⁷

67. We conclude that the treatment of the Eminent Persons Group report by a number of Heads of Government at Perth has damaged the Commonwealth’s reputation.

The role of Ministers

68. British diplomacy will only be effective in Commonwealth circles if Ministers, and not just Ministers from the FCO, take it seriously. Mr Mark Robinson urged the FCO to do more to make sure that Departments are “properly represented”⁹⁸ at Commonwealth ministerial meetings. He gave the example of a Commonwealth Education Ministers’ meeting, at which he was struck by the expression on “the High Commissioner’s face when he heard that there was not even going to be a Minister from Britain.” Luckily, Mr Robinson said, that was corrected, and although the Whips would only allow the Minister, David Lammy, to come for a day, “his presence during that day was enormously appreciated”.⁹⁹

69. Professor Murphy noted the benefits of allowing Ministers—Finance Ministers, Foreign Ministers, Defence Ministers—to attend Commonwealth meetings, warning that if UK Ministers at a senior level are not using that facility, “they are missing something very important in the Commonwealth.”¹⁰⁰ Stuart Mole was concerned that the Commonwealth is just seen as “the briefest of stops on the Ministerial itinerary.” He said that there had to be “genuine, sustained engagement”.¹⁰¹

70. Mr Robinson urged a more concerted approach to ministerial attendance at Commonwealth meetings, with the Foreign Office taking responsibility for making sure that other Departments of State “connect when Commonwealth meetings come up”.¹⁰² The Commonwealth Advisory Bureau also called for a more organised approach to diplomatic contacts with the Commonwealth, complaining that governments—including the UK Government—did not have a comprehensive strategy for maximising the opportunities that these meetings afford—such as advancing bilateral relations, and advancing foreign policy objectives. The Bureau suggested that “If the UK is about to enter into tricky negotiations on any global issue, it could work with other key and influential Commonwealth governments to call a meeting of Commonwealth Ambassadors/High Commissioners in the relevant capital to hear all the major arguments and build consensus.”¹⁰³

97 Q 207

98 Q 104

99 *Ibid.*

100 Q 29

101 Q 64

102 Q 105

103 Ev 62

71. The Foreign and Commonwealth Office should be much more proactive across Whitehall in ensuring that Ministers participate in Commonwealth meetings where there is a clear UK interest in the outcome.

Resources for the diplomatic effort

72. Some witnesses questioned whether the Government was devoting enough human and financial resources to support work on Commonwealth issues. Stuart Mole said that he did not believe the amounts spent by the FCO on Commonwealth diplomacy were adequate, describing the money spent by the FCO on the Commonwealth as “a minuscule amount”¹⁰⁴ Comparing expenditure on the Commonwealth with the amounts spent by the UK on some other international organisations is instructive. In 2011–12, the FCO subscription for the Commonwealth Secretariat was £5.74 million, against equivalent figures of £98.14 million for the United Nations, £26.53 million for the Council of Europe and £12.45 million for the Organisation for Economic Cooperation and Development.¹⁰⁵

73. Dr Danny Sriskandarajah saw the situation positively, viewing the Commonwealth as “incredible value for money” The size of the UK publicly-funded commitment to Commonwealth institutions, he said, was “tiny”, but the value that Britain derived from the Commonwealth was “immense”.¹⁰⁶ The FCO told us that the Government had “demonstrated [its] renewed commitment [to the Commonwealth]” in May 2010 partly by increasing the size of the FCO Commonwealth Unit from two to six officials.¹⁰⁷ This number is still, however, smaller than the seven which was the complement of the Commonwealth Co-ordination Department of the FCO when our predecessor Committee carried out an inquiry into the issue in 1996.¹⁰⁸ Richard Bourne observed that in practice the FCO interest in the Commonwealth was narrowly-focussed, largely concentrated on the biennial CHOGMs and on interaction with the Commonwealth Secretariat.¹⁰⁹

74. While there has been a modest increase in FCO-based resources dedicated to Commonwealth matters, closures of diplomatic posts and other reductions in British influence have occurred in Commonwealth countries, as elsewhere. Stuart Mole in particular lamented the loss of High Commissions and other missions in the Pacific which, he said, had saved “a relatively small amount of money” but was “hugely noticed in the Pacific” and damaged British interests.¹¹⁰ The Commonwealth Advisory Bureau also voiced concern at the closure of a number of diplomatic posts in smaller Commonwealth countries, especially in the Pacific, and Lord Howell expressed regret that such closures had taken place.¹¹¹ Other countries were said to be ready to fill any vacuums that arose across the Commonwealth. On our visit to the Caribbean we heard a great deal about reductions

104 Q 54

105 Foreign and Commonwealth Office: *Annual Report and Accounts 2011–12*, HC 59, p.94

106 Q 119

107 Ev 84. On 31 March 2012 the FCO had 4,581 UK based civil service staff. *FCO, Annual Report and Accounts 2011–12*, p 53

108 Foreign Affairs Committee, First Report of Session 1995–96, *The Future Role of the Commonwealth*, HC 45, para 38

109 Ev 114

110 Q 56

111 Ev 63, Q 150

in British support for defence force training and increasing Canadian involvement; it was observed, for instance, that Canada had four permanent staff at the Caribbean military training college, while there was only one UK staff member.

75. Quality as well as quantity of diplomatic effort concerned Dr Sriskandarajah, who urged the Government to be more imaginative and Commonwealth-minded in its approach in individual countries. He praised the work of Diane Corner, the British High Commissioner to Tanzania, who “thought it odd that she never really got together with her Commonwealth colleagues who were based in Dar es Salaam”. He said that for the past year or so, informally, many of the Commonwealth High Commissioners in Dar es Salaam now “get together to talk about issues and start to act like a community.” He welcomed the fact that such initiatives were now happening in many other parts of the world.¹¹²

76. We believe that the Government already makes a good return on its modest investment in relations with the Commonwealth. Given the unrealised potential of the Commonwealth, the UK could usefully invest more. In its programme of reopening posts across the world, and in the plans for the staffing of Whitehall departments, the Government should maintain and strengthen links with the Commonwealth. The Committee praises the recent announcement by the Foreign Secretary that the UK and Canada will share premises and services at missions abroad.

77. The virtues of the unofficial Commonwealth were emphasised to us by Dr Sriskandarajah. He suggested that by going beyond formal diplomacy the Government could achieve better value for money, using more of its very limited funds to “pump-prime the people’s Commonwealth.” He said that with proper funding a “robust and independent civil society ... can be an incredibly effective way of pursuing soft power objectives” In this way, strengthening informal networks could help the Foreign Secretary “perhaps almost hedge [his] bets against failure of reform at the intergovernmental level”.¹¹³ The value of sporting links was mentioned by several of our witnesses, and Richard Bourne argued that the Commonwealth Games in Glasgow in 2014 could provide the opportunity for the Government to launch a strategy for youth involvement which he saw as “as crucial for the long-term health of the Commonwealth.”¹¹⁴

78. We urge the Government to make the fullest possible use of the Commonwealth’s informal networks. Although formal diplomatic processes will always be important, the highly developed and well-established networks of “the people’s Commonwealth” offer excellent opportunities for the exercise of “soft power”, which can also be more cost-effective than the work of the official institutions of the Commonwealth. We would welcome a clear statement of the UK Government strategy for engagement with the informal Commonwealth.

112 Q 140

113 Q 139

114 Ev 112

Accountability to Parliament

79. We were urged by Richard Bourne to strengthen the accountability of the FCO to Parliament for progress on Commonwealth issues, and especially to arrange more regular evidence sessions with the Foreign Secretary on the outcomes of key meetings.¹¹⁵

80. Parliament, and especially this Committee, can play a part in a more serious and sustained UK approach to Commonwealth issues. After every CHOGM and other major Commonwealth meeting, we will invite the Foreign Secretary and FCO Permanent Under Secretary to report on the outcome of that meeting and to report on what governments, the Secretariat and other Commonwealth agencies have done to implement previous Commonwealth decisions.

BBC World Service cuts

81. Another recent development which risks undermining the Government's profession of support for a stronger Commonwealth was the decision to close some sections of the BBC World Service. In our April 2011 report on the issue we were especially critical of the planned closure of the BBC Hindi shortwave service, describing it as:

a matter of deep concern ... We note that India is a major rising economic power and that the Government has professed its wish to improve bilateral relations as a priority. We further note that the estimated savings from reducing World Service operations in India, at £680,000, are small in relation to the nearly 11 million listeners that will be lost.¹¹⁶

In the event, after publication of our report, money was found to pay for the continuation of the Hindi shortwave service.¹¹⁷

82. Other BBC World Service cuts to affect Commonwealth countries were the complete closure of the Caribbean service and the Portuguese for Africa service and the reduction in the Urdu service. During this inquiry we heard some criticism that the cuts would seriously diminish the UK's ability to exert 'soft power' across large parts of the Commonwealth.¹¹⁸ However, Lord Howell did not agree, restating the Government's belief that "these cuts could be consolidated and managed without damaging the momentum and effectiveness of the BBC World Service." He told us that when the World Service went under the direct management of the BBC after 2014, would be "more effective still".¹¹⁹

83. In our report on the BBC World Service we concluded that the Service had suffered "a disproportionate reduction in its future Grant-in-Aid under the Spending Review settlement, by comparison with that of the 'core FCO'" and warned that "the relatively

115 Ev 112

116 Foreign Affairs Committee, Sixth Report of Session 2010–11, *The Implications of Cuts to the BBC World Service*, HC 849, 13 April 2011, para 39

117 HC Deb, 22 June 2011, col 15W

118 Q 44

119 Q 150

small monetary savings to be achieved through this ... reduction in spending ... are disproportionate to the World Service's actual worth to the UK".¹²⁰

84. We stand by the conclusions of our previous report on the BBC World Service. The Government needs to see the big picture when considering the funding of the BBC World Service, not least the fact that the vacuum left by departing services could quickly be filled by others. Modest savings achieved through ill-thought-out cuts could lead to a damaging loss of influence in highly important countries, including a number of Commonwealth countries.

120 Foreign Affairs Committee, *The Implications of Cuts to the BBC World Service*, para 15

5 Developing and broadening opportunity

Losing credibility on development

85. We took considerable evidence on progress towards another of the Harare aspirations—“the promotion of sustainable development and the alleviation of poverty in the countries of the Commonwealth”. It is clear to us that there are serious questions over the Commonwealth’s credibility as a provider of development assistance. For example in 2011 the Multilateral Aid Review (MAR) conducted by the Department for International Development (DFID) found that the Commonwealth Secretariat had not fully delivered on its potential for contributing to international development objectives, and assessed it as offering poor value for money. UK Ministers placed the Secretariat under ‘special measures’, which means that DFID funding will only continue if the Secretariat’s performance improves. DFID’s future funding levels for Commonwealth Secretariat development programmes will be informed by progress made against key associated reforms.¹²¹

86. The Ramphal Institute, which describes itself as “an independent intellectual hub on policy issues for the Commonwealth and its 54 member states as well as for the wider world”, told us that the Commonwealth was “no longer playing a significant role” in the provision of socio-economic development. DFID’s doubts were shared by other agencies, such as the Canadian International Development Agency and AusAid, the Australian equivalent.¹²² This view was not confined to development professionals. In several of the countries we visited, we were told by politicians of a growing perception that the Commonwealth provided no tangible benefits for its members and now needed to play a greater role in international development.

87. This critical judgement on the Commonwealth and development must however be slightly modified; we heard of some successful and well-targeted development projects arranged bilaterally between Commonwealth members. Professor Richard Crook, of the Institute of Development Studies, for instance told us of support for improvements to public procurement in the Pacific island states provided by Australia and New Zealand,¹²³ and Senator Segal drew attention to effective aid given by Canada to Commonwealth Caribbean states, especially for training of the military and police.¹²⁴

88. The Commonwealth’s performance as a provider of development aid has been disappointing in recent years, and needs to improve substantially if its reputation is to be restored. We look to the UK Government to keep the development performance of the Secretariat under close scrutiny and to keep to its stated intention to provide further funding only on convincing evidence of improvement.

¹²¹ Ev 88. The National Audit Office largely endorsed the methodology and judgements of the MAR in a report published in September 2012. C&AG’s Report *The multilateral aid review*, Session 2012–13, HC 594, pp. 27–29

¹²² Ev 149

¹²³ Ev 122

¹²⁴ Q 18

Enabling trade and investment

89. In the last 20 years aid has been to some extent replaced by trade as an engine of development in the Commonwealth.¹²⁵ Underlying this are signs of a fundamental shift in the balance of the world economy from Europe and the United States to growing Asian economies, and parts of South America and Africa, bringing them not only economic success but growing global influence. Lord Howell, who chaired a previous Foreign Affairs Committee when it carried out the last inquiry into the Commonwealth in 1996, took pride in the fact that his Committee had foreseen rapid growth in several Commonwealth countries.¹²⁶

90. The facts are impressive. The Commonwealth's membership includes two of the world's largest 10 economies (the UK and India), two members of the G7 (Canada and the UK) and five members of the G20 (the UK, India, Canada, Australia and South Africa). Ian Milne, representing Global Britain, observed that in the next 40 years the Commonwealth will be where much of global GDP growth, and hence of growth in propensity to import, will occur.¹²⁷ Dr Srisankarajah argued that there was already in fact a "Commonwealth advantage" in trading. He observed that "the trading volume between two Commonwealth members is likely to be a third to a half more than trade between a Commonwealth member and a non-Commonwealth member." That figure, he said, was arrived at after correcting for similarities in terms of language, history, proximity and a whole range of other Commonwealth factors.¹²⁸ While accepting that "the role of the Commonwealth as a trading bloc has long passed", our predecessor Committee said in 1996 that "it remains an invaluable asset to all its members as an 'enabler' of contacts ..."¹²⁹

91. On our visits to member countries we heard a number of times that the Commonwealth should do more to exploit this apparent advantage, encouraging trade and investment between its members and more widely.

92. The evidence for the existence of a special "Commonwealth factor" in trade and investment is not conclusive, despite the sustained and vigorous growth in many of the Commonwealth's emerging markets, but the potential for this to develop in the years ahead is enormous and should be given a high priority by H.M. Government.

The UK interest in trade and investment with the Commonwealth

93. There are clear implications for the UK in the changing balance of the world economy. Britain already does a great deal of trade with the Commonwealth; in 2010, total exports of goods and services to the major Commonwealth countries were nearly £37bn, over 8% of the total UK trade. However Ms Ruth Lea argued that much more could be achieved in Commonwealth trade, saying that exports to Commonwealth countries were "dwarfed" by exports to the US (£72bn) and in particular to the EU27 (£210bn). The equivalent figures

125 Q 53

126 Q 143

127 Ev 106

128 Q 122

129 Foreign Affairs Committee, First Report of Session 1995–96, para 82

for imports were £36bn from the Commonwealth, £46bn from the US and nearly £243bn from the EU27.¹³⁰ Ian Milne of Global Britain outlined the opportunities for the UK in coming decades, with the rest of the Commonwealth representing a market over nine times greater than that of the rest of the EU by 2050. He said that competition to export to and invest in the developing world will be “fierce”. He concluded that the Commonwealth “has the potential to become a valuable component of British trade policy”.¹³¹

94. Professor Philip Murphy said however that he was sceptical “about the value that the Commonwealth adds as a living, breathing organisation.” He accepted that research suggested that there was “a kind of Commonwealth effect” but he observed that it tended to be more pronounced “among smaller, weaker nations.” He told us that the proportion of trade that Commonwealth countries do with the rest of the Commonwealth, “varies wildly—from over 90% in some cases to less than 10% in the case of Britain, Canada and some other major economies. It is very difficult to extrapolate anything from an average”.¹³²

95. We heard evidence that the UK, and the Commonwealth as a whole, may be failing to make the most of the opportunities opened up by the Commonwealth connection.¹³³ Lord Howell considered some ways in which the Commonwealth connection could be put to better use by the UK, urging British business and Government to “think much more in our investment, project capital development and huge new development programmes of the Commonwealth connection.” He urged British business to use Commonwealth connections to tap new sources of capital for infrastructure projects. Sovereign wealth funds of “these very prosperous Asian nations, and of course the oil-producing nations of the Middle East, are the wealth funds that we need to develop our dilapidated infrastructure”.¹³⁴ Lord Howell told us that it would be wise to invest more UK time and effort in making use of the Commonwealth network and “the gateways it provides to other giant new markets, which are next door to the Commonwealth, like China and like Brazil”.¹³⁵ Ms Kirsty Hayes, Head of the International Organisations Department in the FCO, noted that the Department was responding to Asian growth by opening a number of additional subordinate posts in India “to take advantage of the prosperity agenda there and also strengthening posts within south-east Asia”.¹³⁶

96. However, in the current climate of austerity the scope for increasing the diplomatic effort in this area must be limited. It is not surprising therefore that the FCO should stress the potential of greater contacts with the Commonwealth Business Council, which has many private sector members and is a self-funding part of the “unofficial Commonwealth”. The CBC says that it “strives to provide a bridge between the private sector and governments, between emerging markets and developed markets, and between small businesses and the international private sector.” Its goal is to “achieve economic

130 Ev 72

131 Ev 106

132 Q 42

133 Ev 72

134 Q 170

135 Q 145

136 Q 151

empowerment for shared global prosperity through the enhancement of the private sector contribution to social and economic development.” The Council’s activities include the submission of papers on business issues to Commonwealth governments and the organisation of events (around 70 events per year). The CBC also provides some consultancy services to businesses. The CBC’s largest event is the Commonwealth Business Forum which precedes each CHOGM; the 2011 Forum in Perth was the largest to date.

97. The FCO told us that it was hoping to use the forthcoming appointment of a new CBC director general as “the starting point for renewed dialogue on cooperation”.¹³⁷ However there is clearly much work to be done; the FCO voiced doubts about whether the potential of the CBC was being fully exploited by UK businesses, telling us that “across the board, the value of the CBC’s work to the UK has been seen by some as limited” although a number of large UK firms did “recognise the networking opportunities the CBC can offer and are active participants in their events”.¹³⁸

98. We are not convinced that member states are making the most of the economic and trading opportunities offered by the Commonwealth. There may not be a distinctive “Commonwealth factor” in trade and investment, but the Government should do more to help create such a factor. In particular, we agree with Lord Howell’s remark that the UK should “concentrate ... very much more” on seeking finance for infrastructure projects in the UK from sovereign wealth funds, including those in fast-growing Commonwealth countries.

99. We also note with concern the doubts about the current value to the UK of the Commonwealth Business Council (CBC), and welcome the FCO’s intention to take the opportunity of the appointment of a new Director General of the CBC to explore the possibility of a closer and more fruitful relationship. However, we do not believe that this limited initiative will make the most of the economic opportunities offered by the Commonwealth. We recommend that the Government should set out, by the end of 2012, a five-year strategy to increase the benefits to the UK of trade and investment with Commonwealth countries.

A Commonwealth Free Trade Area?

100. Ms Ruth Lea, representing the Arbuthnot Banking Group, urged the Government to take a radical step to make the best use of the potential advantages of our Commonwealth and other connections. She proposed that the UK should consider “having free trade areas with the growing parts of the world economy, including the Commonwealth”.¹³⁹ Ms Lea described the hurdles which needed to be overcome if such free trade areas were to be established, especially the fact that at the moment, the UK cannot negotiate its own free trade agreements because of its membership of the EU customs union. To be able to develop those free trade agreements, the UK would have to withdraw from the EU customs union.¹⁴⁰ Ms Lea denied that leaving the EU customs union would lead to a loss of UK

137 Ev 93

138 *Ibid.*

139 Q75

140 *Ibid.*

exports to the EU, arguing “of course they will trade with us. If they have a £30 billion surplus, they will trade”.¹⁴¹ She also told us that if the UK developed a free trade agreement with Canada, Australia or India, “there is no reason why we should not continue to trade fully with the EU countries, as indeed Switzerland does”.¹⁴²

101. On the other hand we heard evidence to suggest that the complexities of present-day international trade arrangements would make it difficult to set up a Commonwealth free trade area. Professor Murphy was sceptical of the idea of such an area, citing obstacles in the rules of the World Trade Organisation. He observed that “the Commonwealth as a great economic bloc was never a starter even in the heyday of the empire”.¹⁴³ Although a free trade area might be possible, we also heard evidence that the political will might not be present across the Commonwealth to make it a reality. On our visit to the Caribbean it was observed that plans for a common market among Caricom countries¹⁴⁴ had not been realised; this was said to demonstrate the difficulties inherent in trade integration among Commonwealth countries. Lord Howell told us that the idea of a free trade area with Commonwealth countries was “a bit out of date, because the nature of world trade has changed totally.” He said that the “drivers” of development and economic activity were instead increasingly investment and capital movements.¹⁴⁵

102. There is currently much debate about a possible re-evaluation of the relationship between the UK and the EU, and the economic opportunities presented by the Commonwealth certainly play a part in that debate. However, many other considerations, including for instance economic relations with such countries as China and the United States, will undoubtedly play a bigger role. It is clear that the creation of a free trade area with Commonwealth countries would require a fundamental and potentially risky change in the UK’s relationship with the European Union, and the benefits may not outweigh the disadvantages.

Education and Scholarships

103. The Commonwealth provides many opportunities for the education of the citizens of member states. In particular we took evidence illustrating the importance of the Commonwealth in supporting tertiary education. Of those countries listed as each receiving more than 5% of all foreign students worldwide, three are Commonwealth member states—Australia, Canada, and the UK. The Association of Commonwealth Universities (ACU) noted that some 77% of Indian citizens enrolled abroad study in just three countries—Australia, the UK, and the US. The Association identified the key motivating factors in this as the use of English, the quality of education, and cost.¹⁴⁶

141 Q 89

142 Q 80

143 Q 43

144 CARICOM Countries are Antigua & Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago.

145 Q 157

146 Ev 125

104. Commonwealth Scholarships play a major role in this exchange of students. Over 29,000 Commonwealth Scholars and Fellows across the Commonwealth have benefited from the Commonwealth Scholarship and Fellowship Plan (CSFP) since 1959. The ACU told us that “the substantial indirect impact” through the spread of values, sympathies, and cultural/intellectual exchange, as well as the direct benefits of individual career development, had been identified in a series of evaluation studies.¹⁴⁷

105. The interests of the UK in this are clear. Many overseas students come to the UK on Commonwealth Scholarships. In 2008–09, the UK awarded the largest number of Scholarships, with Canada, New Zealand and India coming next. The Commonwealth Scholarship Commission in the United Kingdom (CSC) is responsible for managing Britain’s contribution to the CSFP. Awards are funded by the Department for International Development (for developing Commonwealth countries), and the FCO, the Department for Business, Innovation and Skills and the Scottish Government (for developed Commonwealth countries), in conjunction with UK universities. CSC scholarships cover PhD research, including the Commonwealth Cambridge Scholarship; Masters programmes; academic fellowships; split-site Scholarships for PhD students to spend up to one year in the UK; professional Fellowships for mid-career professionals in developing countries; distance Learning Scholarships for developing country students to study UK Master’s degree courses while living in their own countries; and shared scholarships.

106. The FCO told us in written evidence that in some cases, universities support Commonwealth Scholarships with joint funding.¹⁴⁸ Although the FCO said that it was too early to give a precise figure for the number of new Commonwealth Scholarship awards in the current financial year, this was estimated by the FCO to be approximately 800. The Department told us that “overall, funding for Commonwealth Scholarships has increased in the past two years, and a four year settlement has ensured that this trend will continue until 2015”.¹⁴⁹ They said that, when compared on a like for like basis, Commonwealth Scholarship award numbers were increasing and that therefore funding would increase in real terms over the period 2011–15. The FCO also told us that about a third of Chevening Scholarships, which “support FCO objectives by creating lasting positive relationships with future leaders, influencers and decision makers,” go to Commonwealth countries, with India among the top five recipient states.¹⁵⁰

107. The FCO argued that while the “main purpose” of the Commonwealth Scholarship programme remains that of international development, it also brings more direct benefits to the UK. The results of recent evaluations, for example, show that Commonwealth Scholarships “contribute significantly to the public diplomacy activities of the FCO”.¹⁵¹ Many Commonwealth Scholars go on to great things, and could become crucial interlocutors with the UK in the future. Mr Mark Robinson, currently alternate Chair of the Commonwealth Consortium for Education (and a member of this Committee’s predecessor from 1983 to 1985), told us that some former Commonwealth Scholars were

147 Ev 124

148 Ev 176

149 *Ibid.*

150 *Ibid.*

151 Ev 94

playing highly influential roles, becoming Prime Ministers, Permanent Secretaries or Chief Executives in industry.¹⁵² Successful alumni of the programme who were funded by the UK Government include Dr Kenny Anthony, Prime Minister of St Lucia, Asheesh Advani, former CEO of Virgin Money USA, Mark Carney, Governor of the Bank of Canada and Professor Crispus Kiamba, Permanent Secretary of the Kenya Ministry of Higher Education, Science and Technology.¹⁵³

108. In 2008 the FCO cut funds for the Commonwealth Scholarship and Fellowships, but Mr Robinson told us that he was pleased that the gap had been bridged by additional Government support, along with funding from universities. The result was, according to Mr Robinson, that the Scholarship fund had “more or less held its own” in recent years.¹⁵⁴

109. We note that part of the funding for Commonwealth Scholarships now comes from institutions of higher education. We are concerned that this could develop into an unsustainable burden on the limited funds available to those institutions. We recommend therefore that, recognising the importance of the Scholarships for the achievement of the UK’s objectives, the Government should guarantee to maintain at least the current level of funding in real terms.

110. Proposals were put to us for an increased number of scholarships with a Commonwealth theme. For example Professor David Dilks recommended “a substantial number of ‘Queen’s Jubilee Scholarships’”. These did not need to be fully-funded by the taxpayer, Professor Dilks told us; he believed there should be an opportunity for businesses and for individuals to contribute.¹⁵⁵ Frank Field MP agreed with Professor Dilks’s suggested scheme, adding that for the scheme to have maximum impact, it would be important to engage the interest and enthusiasm of the younger members of the immediate Royal Family in this task, “and for them to take a personal responsibility for the scheme’s success”.¹⁵⁶

111. We believe that Commonwealth Scholarships are a cost-effective way of widening opportunities for young people across much of the Commonwealth. They also help the UK to achieve some important diplomatic goals. If the Government’s commitment to revitalising the UK’s relationships with the Commonwealth is to mean anything, the numbers of Commonwealth scholarships should increase. A special new scholarship scheme would be a very fitting way to mark the Queen’s Jubilee. The suggestions made for part-funding by the private sector are promising. We urge the Government to announce a competition for the first Queen’s Jubilee Scholarships.

112. Professor David Dilks also made a number of other proposals for strengthening the educational activities of the Commonwealth. His suggestions included exchanges and short-term secondments of teachers, youth exchanges, medical collaborations such as

152 Q 100

153 <http://www.cscuk.org.uk/onlinedirectory/>

154 Q 99

155 Ev 171

156 *Ibid.*

short-term secondment of doctors in training and a place for the Commonwealth in school curricula.¹⁵⁷

113. The suggestions made to us by Professor Dilks for strengthening the education and engagement work of the Commonwealth, through such means as medical, teacher and youth exchanges, and greater attention to the Commonwealth in school curricula, deserve serious consideration. They appear to be cost-effective ways of raising the public profile of the Commonwealth. The Government and the Commonwealth Secretariat should urgently examine their feasibility.

114. However several witnesses saw contradictions between some UK domestic policies and the Government's stated aim of strengthening links with the Commonwealth through education.¹⁵⁸ For instance, educational schemes could face an uphill struggle to make an impact in light of recent changes to the UK visa regime and high tuition fees. Mr Mark Robinson expressed concern that PhD fellows, who were making a contribution both in the UK and in their home countries, did not always find it easy to travel because of problems with their visas. He also said that Commonwealth participants in symposiums in the UK could run into problems because they could not get a visa in time.¹⁵⁹ Mr Field saw a need to correct what he described as the "bias" caused by the UK's differential fees and the immigration regime against students who are citizens from countries which "have loyally fought with this country through two world wars".¹⁶⁰ We were told by many of our hosts in Commonwealth countries that the UK visa regime was a cause for concern, for those in public life, for business people and for students.

115. Moreover, the UK is no longer regarded as the only Commonwealth country with first-class Universities.¹⁶¹ The challenge to the UK's universities also comes from Europe, according to the Commonwealth Scholarship Commission in the United Kingdom, which pointed to a recent study demonstrating that other European countries, most notably France and Germany, are "significantly more generous than the UK" in encouraging international study amongst citizens from countries with which they share close historical ties.¹⁶²

116. When considering its policy on immigration, the Government must bear in mind the possibly serious effects of a restrictive student visa policy on the wider interests of the UK, including the economic and diplomatic benefits brought to the country by Commonwealth students.

157 Ev 170

158 Ev 63

159 Q 111

160 Ev 171

161 Ev 63

162 Ev 119

6 The future membership of the Commonwealth

117. A number of countries have applied to, or are considering applying to, join the Commonwealth. Rwanda is the newest member of the Commonwealth, having joined at the 2009 CHOGM. Witnesses were divided on whether this addition to the ‘family’ had been a positive step for the Commonwealth, or for Rwanda. Lord Howell observed that Rwanda’s leader had told him that joining the Commonwealth had been the best thing it had ever done; it was “attracting all sorts of interest” and was “a powerful pressure for political reform inside the country”.¹⁶³ On the other hand Professor Philip Murphy was not convinced, saying that it had been a mistake to allow countries like Mozambique and Rwanda to join when they lacked “an historical constitutional link with Great Britain”.¹⁶⁴ The FCO has expressed continuing uncertainty about Rwanda’s commitment to certain Commonwealth values, stating in a September 2012 update to its 2011 Annual Human Rights Report that “Freedom of expression and association have remained issues of concern in Rwanda during 2012.”¹⁶⁵

118. An expression of interest in membership by South Sudan was received in August 2011, and the Secretary-General, on behalf of the Heads of Government, is making an appraisal of South Sudan’s “eligibility and readiness for membership”. Lord Howell told us of the interest he had encountered from non-members, including Algeria and Suriname. He noted that on a recent visit to Kuwait, the first question that he was asked was about the Commonwealth.¹⁶⁶

119. Membership is only granted under certain conditions. In 2007 the Patterson Committee on Commonwealth membership came to the view that, “provided an aspirant member was a sovereign state, had a historic constitutional link with an existing member or a group of its members and adhered to the Commonwealth’s fundamental principles, values and norms, a modest expansion in membership would be in the interest of the Commonwealth’s strategic engagement with the wider world”.¹⁶⁷ Emphasising the need for these fundamental principles and values to be the core criteria for new members, the Committee proposed the following basic conditions to be met by an applicant country:

- (a) an applicant country should, as a general rule, have had an historic constitutional association with an existing Commonwealth member, or a substantial relationship with the Commonwealth generally, or a particular group of members, for example, in a common regional organization;

163 Q 185

164 Q 46

165 FCO Human Rights: Quarterly update: Rwanda, 30 September 2012: <http://fcohrdreport.readandcomment.com/promoting-british-values/democracy/freedom-of-expression/case-study-rwanda/quarterly-updates-rwanda/>

166 Q 143

167 The Committee was convened in 2006 by the Commonwealth Secretariat and chaired by Mr P J Patterson, former Prime Minister of Jamaica. There were seven other members. Commonwealth Secretariat: *Membership of the Commonwealth: Report of the Committee on Commonwealth Membership*, November 2007, p. vi

(b) an applicant country accepts and complies with Commonwealth fundamental values, principles, and priorities as set out in the 1971 Declaration of Commonwealth Principles and contained in other subsequent declarations;

(c) among the criteria an applicant country must meet would be a demonstrable commitment to: democracy and democratic processes, including free and fair elections and representative legislatures; the rule of law and independence of the judiciary; good governance, including a well-trained public service and transparent public accounts; protection of human rights, freedom of expression, and equality of opportunity;

(d) an applicant country should accept Commonwealth norms and conventions, such as the use of the English language, as the medium of inter-Commonwealth relations and acknowledgment of the Queen as Head of the Commonwealth;

(e) new members should be encouraged to join the Commonwealth Foundation, and to promote vigorous civil society and business organizations within their countries, and to foster participatory democracy through regular civil society consultations.

120. Senator Segal urged an expansive approach to membership, suggesting that the Commonwealth should have an “expansion plan”, which should be to look at countries that have had “a similar historical evolution” to current members. He argued that “Whenever you decide that you have reached your plateau, that often produces the Sleepy Hollow effect, which is deeply unhelpful.”¹⁶⁸ Stuart Mole was also “generally supportive” of the idea of the Commonwealth developing its membership, but cautioned that with expansion there might come a point at which it would be increasingly difficult to maintain the intimacy of Heads of Government meetings and other gatherings. Among Mr Mole’s “obvious candidates” for new (or returned) members were Ireland and Burma.¹⁶⁹

121. But we also heard voices cautioning against expansion to countries that had never been part of the original Commonwealth ‘family’. Professor Murphy said that too often in discussions about membership, “the very immediate historical links” between long-standing Commonwealth members were played down too much.¹⁷⁰

122. We welcome the fact that the Commonwealth continues to attract interest from potential new members, and see advantages in greater diversity and an extended global reach for the Commonwealth. However it is crucial that the application process is rigorous and that any new members are appropriate additions to the Commonwealth ‘family’, closely adhering at all times to its principles and values. The UK Government must ensure that these membership criteria are fully observed with every application, if necessary employing its veto in suitable cases.

168 Q 17

169 Q 69

170 Q 49

The status of the Crown Dependencies and Overseas Territories

123. Our inquiry considered in particular one special aspect of Commonwealth membership: the status of the Crown Dependencies and the UK Overseas Territories. These are two different groups of constitutional entities, but in some cases the arguments about their relationship with the Commonwealth are similar.

124. The Crown Dependencies are the Bailiwick of Jersey, the Bailiwick of Guernsey and the Isle of Man. The Bailiwick of Guernsey includes the separate jurisdictions of Alderney and Sark. Jersey, Guernsey and the Isle of Man are not part of the UK but are self-governing dependencies of the Crown. This means they have their own directly elected legislative assemblies, administrative, fiscal and legal systems and their own courts of law. The Crown Dependencies are not represented in the UK Parliament. The Crown Dependencies have never been colonies of the UK.

125. There are 14 Overseas Territories—Anguilla; Bermuda; British Antarctic Territory; British Indian Ocean Territory; Cayman Islands; Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus; Falkland Islands; Gibraltar; Montserrat; Pitcairn, Henderson, Ducie and Oeno Islands (commonly known as the Pitcairn Islands); St Helena, Ascension and Tristan da Cunha; South Georgia and the South Sandwich Islands; Turks and Caicos Islands; and Virgin Islands (commonly known as the British Virgin Islands). While after the Second World War most British colonies and dominions became new independent states and members of the Commonwealth. A number of small territories retained links of various kinds to the UK, including some territories directly dependent on the UK for budgetary aid, linked to the UK as the FCO says, “because of the wishes of the inhabitants or, in some cases, maintained as military bases or for their longer term strategic value”.¹⁷¹ Although many of the Territories have very small populations (and some are uninhabited), others, including Bermuda (with nearly 65,000 people) have larger populations than a number of independent states.

126. The FCO told us that, as the only category of membership in the Commonwealth is that of a sovereign state as full member: “The Overseas Territories and Crown Dependencies are not therefore members of the Commonwealth in their own right, although they are associated with it through their connection to the UK.” The FCO points out that “there are already linkages between the Territories and Crown Dependencies and the Commonwealth.” For example, they have their own branches of the CPA and the Commonwealth Games Federation, and they send teams to the Commonwealth Games. They attend other meetings such as the Commonwealth Finance Ministers’ and Sports Ministers’ meetings, and other Ministerial meetings, as part of the UK delegation.¹⁷²

127. The Government told us in written evidence it was “keen to re-open discussions with the Commonwealth Secretariat and member states on different categories of membership, such as observer status.” It said that there were “some clear advantages for introducing observer status”, including “the benefits of a more diverse membership bringing a greater

¹⁷¹ Foreign and Commonwealth Office: *The Overseas Territories: Security Success and Sustainability*, June 2012, Cm 8374, p 11

¹⁷² Ev 94–95

breadth of expertise to the Commonwealth” and “enabling countries seeking full membership to gain experience of how the Commonwealth works”.¹⁷³

128. In particular, the FCO says that Overseas Territories and Crown Dependencies could “benefit from increased engagement with the Commonwealth”.¹⁷⁴ The FCO Memorandum concludes by saying that the UK will re-open discussions on this issue by approaching Australia as Commonwealth Chair-in-Office, and the Commonwealth Secretariat, before opening the discussion up to other member states.¹⁷⁵

129. Stuart Mole argued for a fresh look at the relationship between the Commonwealth and both the Crown Dependencies and Overseas Territories, and criticised the Patterson inquiry for its “very conservative” approach to expansion. He believed the Commonwealth “could be much more imaginative in looking at different layers and levels of engagement”.¹⁷⁶ For example, he urged greater involvement of territories such as Bermuda, the Cayman Islands and Gibraltar in hosting Commonwealth meetings.¹⁷⁷

130. Professor Philip Murphy however urged caution, explaining what he saw as the reasoning behind the principle that Commonwealth countries should be sovereign and independent. His argument was based on “ongoing concern” among Commonwealth members that Commonwealth membership might seem in some way to subordinate them to the British Government.

What they have always been able to say is, “That is not the case because a key criterion is that we are completely independent.” It would not be popular within the Commonwealth to allow states in like the Falklands that are not properly independent.¹⁷⁸

131. The Editorial Board of *The Round Table* also underlined the importance of sovereignty as a defining characteristic of a Commonwealth state. It believed that the bar of sovereignty, rather than nationhood and self-determination, as a condition of Commonwealth membership was unlikely to change.¹⁷⁹ *The Round Table* also raised some other constitutional questions, first putting the issue in the context of the debate about the future of the United Kingdom. It told us that:

short of independence, it would be difficult to contemplate a higher status for the Turks & Caicos Islands within the Commonwealth, for example, than for the Scottish nation (due to host the Commonwealth Games in 2014). The devolved institutions of the United Kingdom have also begun to demonstrate a larger, more independent role within the Commonwealth, although would undoubtedly wish for

173 Ev 89

174 Ev 90

175 *Ibid.*

176 Q 69

177 Q 72

178 Q 46

179 Ev 70

more. They certainly would not want an inferior status to anything that might be secured by the Overseas Territories.¹⁸⁰

132. *The Round Table* also pointed out that a new status would have wider implications for other Commonwealth countries. It argued that creating a new category of membership which included the provinces of Canada, the states of India, South Africa, Malaysia and Australia, as well as Scotland, Wales and Northern Ireland (and the overseas territories and crown dependencies) “would involve considerable challenges for limited benefit”.¹⁸¹

Crown Dependencies

133. The Crown Dependencies are not sovereign states and the UK Government is responsible for representing them internationally and for their defence. The Ministry of Justice is responsible for the UK Government’s relationship with the Crown Dependencies, but the responsibility for their international representation is shared across the UK Government. Our evidence clearly demonstrates that there is unhappiness within some of the Dependencies with the working of this arrangement.

134. In international negotiations the UK has to represent both the interests of the UK and those of the Dependencies. The States of Jersey argued that this was an unsatisfactory arrangement, which “does not reflect the increasing role that Jersey plays in international affairs”. The fact that the Island depends on the UK representative to make its contribution presents “inherent difficulties”. The States argued that this was because, given that the UK has far more extensive national interests than Jersey, its representative may not place the same weight on issues affecting the island as a Jersey representative would “and might choose to focus his/her energies on matters more important to the UK”.¹⁸² In evidence to the Justice Committee of this House in 2009 and 2010, the then Minister responsible for these issues in the Ministry of Justice acknowledged that, where there was a conflict between those interests, those of the UK would take precedence.¹⁸³

135. The UK has agreed with each Crown Dependency an “International Identity Framework” (similarly worded in each case) in which the relationship between the UK and each jurisdiction is set out.¹⁸⁴ Among the key principles of the Guernsey framework for instance are:

- The UK will not act internationally on behalf of Guernsey without prior consultation.
- The UK recognises that the interests of Guernsey may differ from those of the UK, and the UK will seek to represent any differing interests when acting in an international capacity.

136. In its evidence to us, the UK Government recognised that in light of their growing international identity, the Crown Dependencies might legitimately seek to deepen their

180 Ev 70

181 *Ibid.*

182 Ev 144

183 *Ibid.*

184 Justice Committee, Eighth Report of Session 2009–10, *Crown Dependencies*, HC 56, Appendix 4

connections with the Commonwealth. The FCO said that “Should the Crown Dependencies want to seek any changes in how they are represented at Commonwealth events, the UK would be willing to discuss this with them.”¹⁸⁵ However the FCO also said that: “The Crown Dependencies have made no request to join or have greater engagement with the Commonwealth.”¹⁸⁶

137. We were surprised to see this categorical statement from the FCO, in light of the fact that the three Crown Dependencies have argued for just such greater engagement in their evidence to us. The most detailed case was made by the States of Jersey, which urged that the Foreign Secretary should request that the Commonwealth Heads of Government “consider granting associate membership to Jersey and the other Crown Dependencies as well as any other territories at a similarly advanced stage of autonomy”.¹⁸⁷ The States of Guernsey and the Government of the Isle of Man made similar, if more modest, suggestions for closer Commonwealth connections.¹⁸⁸

Overseas Territories

138. Our predecessor Committee recommended in 2008 that “the Government should give consideration to whether it would be appropriate to support wider participation of Overseas Territories in Commonwealth meetings and conferences, including the Commonwealth Heads of Government Meeting”.¹⁸⁹ In its response, the Government noted that it “actively supports and invites the Overseas Territories, where appropriate, to participate in Commonwealth meetings as part of the United Kingdom’s delegation”, but said:

The Commonwealth is an association of sovereign member states who are equal in all respects. Full participation in all Commonwealth meetings is based on membership of the Commonwealth. The Overseas Territories are not member states of the Commonwealth although they are associated with it through their connection to the UK.¹⁹⁰

139. The Government set out for us in written evidence its approach to the relationship between the Overseas Territories and the Commonwealth. This was based on ensuring that the Territories were able to make the most of the opportunities offered by the Commonwealth, including both formal and informal bodies. The FCO told us that the Government sees an opportunity to “redefine and establish more tangible and beneficial links between the Territories and the Commonwealth.” This was because:

185 Ev 95

186 *Ibid.*

187 Ev 146

188 Ev 129–32, Ev 151–55

189 Foreign Affairs Committee, Seventh Report of Session 2007–08, *Overseas Territories*, HC 147, para 144

190 Foreign and Commonwealth Office, Response of the Secretary of State for Foreign and Commonwealth Affairs to the Seventh Report of the Foreign Affairs Committee Session 2007–08: *Overseas Territories*, Cm 7473, September 2008, p 18

The range of issues faced by some of the Territories, such as good governance, climate change and economic diversification, are also being faced by several small Commonwealth nations whose experience could be usefully shared, for example through the Commonwealth Secretariat's assistance to Small States. This would benefit the UK through the gradual reduction in our liability, and improved self-sufficiency for the Territories.¹⁹¹

140. In giving evidence to this Committee, Lord Howell said that “Whether we should talk about status change is not something we have considered for the moment. The Foreign Secretary has stated our commitment to increasing OTs’ engagement in the Commonwealth and all sorts of ideas are around: associate status, observer status and generally ensuring that they get a very good welcome and their voice is properly heard.”¹⁹²

141. In a White Paper of June 2012 the Government again set out its vision for the development of these connections, reiterating the UK’s desire to strengthen links between the Commonwealth and the Territories. It repeated that it was “exploring the possibility of creating observer or associate member status of the Commonwealth from which the Territories might benefit”.¹⁹³

142. We conclude that there are substantial arguments in favour of stronger connections between the Commonwealth and the Crown Dependencies and Overseas Territories, all of which can benefit from closer relationships, especially with the smaller independent states of the Commonwealth. We note the apparently increasing interest in the Crown Dependencies in stronger connections with the Commonwealth, in some cases including associate status.

143. However, we are also aware of the constitutional objections, both in the UK and in other countries across the Commonwealth, to the institution of a wholly new category of Commonwealth member. We are currently conducting an inquiry into the foreign policy implications of and for a separate Scotland, and some related issues will be considered during the course of that inquiry.

144. The main objective of Government policy towards the Overseas Territories on Commonwealth matters is clear; it wishes to strengthen the capacity of the Territories to run their own affairs and thereby to reduce their dependence on the UK and the financial and other liability that they incur. This is a reasonable objective, but it is disappointing that the Government’s discussions with the Commonwealth over an enhanced status for Overseas Territories have continued for some time, with no concrete outcome as yet. The FCO should update the Committee on progress on these discussions by the end of December 2012.

191 Ev 95

192 Q 183

193 Foreign and Commonwealth Office, *The Overseas Territories*, p 83

7 Conclusion

145. We conclude that the Commonwealth benefits from the involvement of the United Kingdom and that the United Kingdom benefits from its membership of the Commonwealth. The benefits emerge in many ways, ranging from strong trade and investment links to cultural contacts. Recent profound changes in the balance of global political, diplomatic and economic power have greatly enhanced the prosperity and political influence enjoyed by many Commonwealth countries. The Commonwealth clearly could have a bright future.

146. But we are deeply concerned that, despite all these advantages, the Commonwealth is failing to realise its great potential. In recent years it has been too often both silent and invisible: silent on occasions when members flout its principles, and invisible to its people. Too many of the benefits of the Commonwealth are intangible, as we discovered from our evidence sessions and our visits to Commonwealth countries.

147. It is also difficult accurately to measure the benefits of the Commonwealth to its member states including the UK; it is not easy to assess increased influence in the world or to attribute that increase to the Commonwealth rather than to bilateral relationships. We conclude that the FCO's rhetoric about the importance of the Commonwealth is not being matched by its actions. The past closure of diplomatic missions, particularly in the Pacific, cuts to the BBC World Service and changes to the UK visa regime are prime examples. We urge the Government to address this gap between words and deeds.

148. We conclude that the Commonwealth must move quickly along the road to reform if it is to make the most of its natural advantages and demonstrate its value to its members. We expect the UK to play a prominent role in this process, and to show that it can match its pro-Commonwealth rhetoric with effective action. If the Commonwealth takes the right decisions in the next few months, we are confident that it can protect and promote its values and benefit the interests of all of its members, including Britain.

Formal Minutes

Thursday 1 November 2012

Members present:

Richard Ottaway, in the Chair

Mr John Baron
Mike Gapes

Andrew Rosindell
Mr Frank Roy

Draft Report (*The role and future of the Commonwealth*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraph 1 read, amended and agreed to.

Paragraphs 2 to 10 read and agreed to.

Paragraph 11 read, amended and agreed to.

Paragraphs 12 to 21 read and agreed to.

Paragraph 22 read.

Amendment proposed, in lines 4 and 5, to leave out the words “and that the Commonwealth’s best years as a promoter of democracy and human rights in its own member states were behind it”.—(*Andrew Rosindell*.)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Noes, 2

Mr John Baron
Andrew Rosindell

Mike Gapes
Mr Frank Roy

Whereupon the Chair declared himself with the Noes.

Amendment accordingly negatived.

Paragraph agreed to.

Paragraphs 23 to 29 read and agreed to.

Paragraph 30 read, amended and agreed to.

Paragraphs 31 to 34 read and agreed to.

Paragraph 35 read.

Amendment proposed, in line 3, to insert after “for” the words “and what it means to be a Commonwealth Citizen in 2012”.—(*Andrew Rosindell*.)

Question proposed, That the Amendment be made:—Amendment, by leave, withdrawn.

Paragraph agreed to.

Paragraphs 36 to 42 read and agreed to.

Paragraph 43 read, amended and agreed to.

Paragraph 44 read, amended and agreed to.

Paragraph 45 read.

Amendment proposed, in line 4, to leave out “invisible” and insert “inactive”.—(*Andrew Rosindell.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 3

Noes, 1

Mr John Baron
Andrew Rosindell
Mr Frank Roy

Mike Gapes

Amendment accordingly agreed to.

An Amendment made.

Paragraph, as amended, agreed to.

Paragraphs 46 to 51 read and agreed to.

Paragraph 52 read, amended and agreed to.

Paragraphs 53 to 60 read and agreed to.

Paragraph 61 read, amended and agreed to.

Paragraph 62 read, amended and agreed to.

Paragraphs 63 to 70 read and agreed to.

Paragraph 71 read, amended and agreed to.

Paragraph 72 read, amended and agreed to.

Paragraphs 73 to 75 read and agreed to.

Paragraph 76 read, amended and agreed to.

Paragraphs 77 to 83 read and agreed to.

Paragraph 84 read, amended and agreed to.

Paragraphs 85 to 91 read and agreed to.

Paragraph 92 read.

Amendment proposed, in line 3, to add after “markets” the words “, **but the potential for this to develop in the years ahead is enormous and should be given a high priority by H.M. Government**”.—(*Andrew Rosindell.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Noes, 2

Mr John Baron
Andrew Rosindell

Mike Gapes
Mr Frank Roy

Whereupon the Chair declared himself with the Ayes.

Amendment accordingly agreed to.

Paragraph, as amended, agreed to.

Paragraphs 93 to 97 agreed to.

Paragraph 98 read, amended and agreed to.

Paragraphs 99 to 106 read and agreed to.

Paragraph 107 read, amended and agreed to.

Paragraphs 108 to 116 read and agreed to.

Paragraph 117 read, amended and agreed to.

Paragraphs 118 to 121 read and agreed to.

Paragraph 122 read.

Amendment proposed, in line 5, to insert after “Government” the words “**should actively encourage nations with a historical connection to the British Isles to apply for membership of the Commonwealth but**”.—(*Andrew Rosindell.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Noes, 2

Mr John Baron
Andrew Rosindell

Mike Gapes
Mr Frank Roy

Whereupon the Chair declared himself with the Noes.

Amendment accordingly negatived.

Paragraph agreed to.

Paragraph 123 read, amended and agreed to.

Paragraph 124 read.

Amendment proposed, in line 3, to leave out after “Sark” the words “and the islands of Herm, Jethou and Lihou. The island of Brecqhou is part of Sark.”—(*Andrew Rosindell.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 3

Noes, 1

Mr John Baron
Andrew Rosindell
Mr Frank Roy

Mike Gapes

Amendment accordingly agreed to.

Paragraph, as amended, agreed to.

Paragraph 125 read, amended and agreed to.

Paragraphs 126 to 141 read and agreed to.

Paragraphs 142 and 143 postponed.

Paragraph 144 read.

Amendment proposed, in line 8, at end, to add “**Despite objections that may exist, the U.K. has a duty to the Overseas Territories and Crown Dependencies and therefore we recommend that H.M. Government should actively promote the creation of a new ‘Territory Status’ of members of the Commonwealth. This status should be open to all British Overseas Territories and Crown Dependencies in addition to the territories of the other Commonwealth Realms.**”—(*Andrew Rosindell.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 2

Andrew Rosindell

Mike Gapes
Mr Frank Roy

Amendment accordingly negatived.

Paragraph agreed to.

Paragraphs 145 and 146 read and agreed to.

Paragraph 147 read, amended and agreed to.

Paragraph 148 read and agreed to.

Postponed paragraphs 142 and 143 read.

Motion made, to leave out paragraphs 142 and 143 and insert the following new paragraph:

“142. **We conclude that there are substantial arguments in favour of stronger connections between the Commonwealth and the Crown Dependencies and Overseas Territories, all of which should be given the opportunity to become part of the Commonwealth family. We note the apparently increasing interest in the Crown Dependencies in stronger connections with the Commonwealth, in some cases including**

associate status. We are currently conducting an inquiry into the foreign policy implications of and for a separate Scotland, and some related issues will be considered during the course of that inquiry.”—
(Andrew Rosindell.)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Andrew Rosindell

Noes, 2

Mike Gapes
 Mr Frank Roy

Amendment accordingly negatived.

Paragraphs 142 and 143 agreed to.

Summary read.

Amendments made.

Amendment proposed, to leave out from “fundamental” in line 35 to “We” in line 1, and to insert “change in the UK’s relationship with the European Union, and an assessment of the potential benefits and disadvantages should take place”.—*(Andrew Rosindell.)*

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Mr John Baron
 Andrew Rosindell

Noes, 2

Mike Gapes
 Mr Frank Roy

Whereupon the Chair declared himself with the Noes.

Amendment accordingly negatived.

Summary, as amended, agreed to.

Resolved, That the Report, as amended, be the Fourth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence was ordered to be reported to the House for printing with the Report, together with written evidence reported and ordered to be published on 31 January 2012, in the previous Session of Parliament.

[Adjourned till Tuesday 6 November at 1.45 pm.]

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Oral evidence

Taken before the Foreign Affairs Committee on Tuesday 21 February 2012

Members present:

Richard Ottaway (Chair)

Mr Bob Ainsworth
Mr John Baron
Sir Menzies Campbell
Ann Clwyd
Mike Gapes

Andrew Rosindell
Mr Frank Roy
Sir John Stanley
Mr Dave Watts

Examination of Witness

Witness: **Senator Hugh Segal**, Canadian Special Envoy for Commonwealth Renewal, gave evidence.

Q1 Chair: For the benefit of the public, we are now switching inquiries. The last witness was on FCO performance and finances; we now come to the first session of our inquiry on the role and future of the Commonwealth. It is intended to give members of the Committee an overview of the findings of the Eminent Persons Group.

I am particularly pleased to welcome Senator Hugh Segal, who was Canada's representative to the Eminent Persons Group, and who currently holds the position of Canadian Special Envoy to the Commonwealth. He was appointed to that unpaid role by the Canadian Foreign Secretary to press for full implementation of the EPG recommendations and to represent the Canadian Foreign Secretary in public outreach on Commonwealth renewal which, Senator, makes you a particularly good witness from our point of view, and a particularly good witness for our first session. On behalf of the Committee, welcome. Is there anything that you would like to say by way of opening remarks?

Senator Segal: Thank you, Chair. I do have about three or four minutes of opening comments, and then I will be in your hands.

For Canada, the Commonwealth is a very important international association. The notion that it spreads across almost every continent, has 2.1 billion people and includes the wealthiest, the poorest, the largest and the smallest of countries makes it an important part of the network that Canada tries to work in, on an ongoing basis, in support of democracy, the rule of law, economic development and human rights. As you will know, the Eminent Persons Group was charged in Port of Spain in 2009 with carrying out a detailed review of why the Commonwealth was losing its relevance, why its impact was diminishing, and how the situation could be improved. Our 106 recommendations dealt with the things that we as a group thought were necessary.

The 10 countries represented were from all parts of the Commonwealth. Those of us who worked round that table for many, many meetings and hundreds of hours, and who heard submissions from many Commonwealth groups, represented different faiths, backgrounds, professional activities and generations, but we came together because we believed the need

for reform was compellingly urgent. We particularly believe that the Commonwealth has to up its game on issues such as the rule of law, human rights and democracy, and that it had gone quiet for a period of time, unconstructively; that is quite different from the circumstances around apartheid.

We took the view that the mix between development and democracy has never mattered more. We now face a circumstance, perhaps for the first time in recent history, where the largest economic power in the world is not a democracy or particularly devoted to democratic values. The fact that 2.1 billion human beings are part of a Commonwealth family that does believe in democracy and the rule of law, with roots right here in Westminster, we see as a very important countervail, with a development strategy that is in fact rooted in democracy, human rights and respect for differences.

The EPG took a very strong view on public health issues, which are made worse by the lack of recognition for various minority groups across the Commonwealth. We are concerned about the treatment of women in some countries—about, for example, forced marriage being imposed on young women. We are concerned about the criminalisation of homosexuality and the fact that, even though the Commonwealth has within it one third of the population of the world, 60% of HIV/AIDS sufferers can be found in Commonwealth countries, largely because of some old colonial anti-sodomy laws that make self-identification for the purpose of treatment of HIV/AIDS a very risky proposition in far too many of our countries.

We believe that the relevance of the Commonwealth will only be sustained if the Commonwealth is clear about these values, advances them precisely, and has an activist position on them around the world. I think it was your Foreign Minister who said that the Government wished to put the C back into FCO. From Canada's perspective, the Commonwealth is a very important network, but one that must be based on principle and performance.

Our Government are working very hard on the remainder of the EPG recommendations that have yet to be formally approved. Thirty of the 106 were approved, 12 were approved in principle and await

21 February 2012 Senator Hugh Segal

more detailed costing, and some 40 are in abeyance for further study. We are working very hard to get as many of those recommendations as possible through, because we think they are essential for the survival and impact of the Commonwealth. Mr Chairman, I am in your hands.

Q2 Chair: Thank you very much. That is helpful, and it poses a number of questions. To a degree, you have answered this, but looking at the role of the Commonwealth, it is very disparate, and it is spread across the globe, with a wide number of outlooks. Is it possible to pull it together, to have a role? In 10 years from now, where do you think the Commonwealth will be?

Senator Segal: The Commonwealth Ministerial Action Group, which is the Commonwealth's equivalent of the Security Council, but with no P5 and no veto, is the body of countries' Foreign Ministers, who decide from time to time, when there are difficulties, how one might act through sanctions and various other engagements. That was the case when Pakistan was suspended some years ago, until a measure of democracy returned and it was readmitted. The Commonwealth has had a strong view on Fiji, and continues to work to try to bring in a constituent assembly and democratic evolution after the military junta, but Fiji was expelled when it took the role of the military junta.

As we speak around this table, we have a challenge with Sri Lanka, a subject that I am glad to pursue, if you choose. Looking at what happened with apartheid, it is clear that a preventive organisation such as the Commonwealth is at its best when it is working as a prophylactic international organisation to avoid the worst possible extremes and violence through good governance, democratic practice, rule of law, and development. It is the sort of organisation that works to keep the worst from happening. When the worst happens, and bodies are piled as high as cordwood, that is when the UN Security Council, NATO or others engage, as they did recently, to prevent matters from getting even worse. As for preventing things from getting to that stage, the Commonwealth is an organisation that, if properly led, motivated and resourced, can make a huge difference in almost every part of the world.

In a perfect world, Mr Chairman, in response to your question, in 10 years' time, the Commonwealth will be seen as a robust force for good, a robust instrument for development, which it is not now as we speak, and a robust source of good governance, development, democracy and the rule of law in a way that strengthens societies and the economic opportunity for the people living in those societies.

Q3 Mr Watts: Senator, you have spelled out the aims and objectives—human rights, health, the possibility of expanding trade, and so on. People might say that you could have said that 20 or 30 years ago, and that they are laudable aims and objectives, but that the Commonwealth has failed. How do you think that what you are doing at present will make a real impact on the effectiveness of the Commonwealth?

Senator Segal: Our view is that if a majority of the Eminent Persons Group recommendations are put into effect and a granular implementation programme follows, the Commonwealth will not be seen to be failing quite as frequently as it has in the past. It will be seen to be engaging constructively. For example, as we speak, our foreign aid agency, CIDA, your foreign aid agency, DFID, and the Australians have all said that the Commonwealth Secretariat is no longer a tier 1 development agency. It does not do that job sufficiently well. I think the response in the Secretariat was to compose a letter to all three agencies about why they got it wrong. The response should have been, in Canada's view, to figure out how to make it better, and how to be more effective in the process. The notion of effectiveness, and the notion of reorganising the Secretariat so that it is fit for service and delivers in those areas where it has advantage, as opposed to trying to replicate activities done better in other organisations, is one of our key recommendations, and one of the things Canada intends to push hardest for.

Q4 Mr Watts: Let us pick one issue that you have talked about: homosexuality, and the fact that many Commonwealth countries penalise people who practise it. How will you get those Commonwealth countries to change their policies and what they do, given that it has for some time been an aim of the Commonwealth's to do that, and that it has not achieved anywhere near the level of success that you would have hoped for?

Senator Segal: There is a way in which the Commonwealth would usually work. There are two recommendations specifically in respect of HIV/AIDS. The first is that the Commonwealth Secretariat develops a clear sense of the best practices on remedial pharmaceutical work being done, and shares that with all member countries, in a way that could be constructive. The second one, which is now being held in abeyance, says that the Commonwealth should take a firm position for the repeal of all those laws that criminalise homosexuality.

The Commonwealth does not legislate for any of its members. All its members are sovereign and, by and large, democratic. If the Commonwealth had an advocacy position and was continuing to push on that front, and—as the report recommends—had to report to every single CHOGM and CMAG meeting about what progress is or is not being made, that would be positive pressure. However, unless it is prepared to do that in a focused way, your worry about ineffectiveness is quite sustained.

Q5 Mike Gapes: You mentioned Sri Lanka. The next Commonwealth Heads of Government meeting is supposed to be held there. I understand that last year, when the whitewash report from the Lessons Learnt and Reconciliation Commission came out, your Prime Minister said he would not attend, on the basis of what he felt at that time. Your Foreign Minister has subsequently slightly modified that to say that there needs to be significant change in Sri Lanka before he will attend. If Canada's Prime Minister—and potentially those of other countries—do not attend,

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will it not indicate that the decision to hold the meeting in Sri Lanka was a mistake in the first place?

Senator Segal: I believe that the decision to hold the meeting in Sri Lanka was made at Port of Spain, back in 2009. They tend to work two meetings ahead. Our Prime Minister made his comment—of which I am quite proud—when questioned by Canadian media about a UN specialist report that suggested there was credible evidence of war crimes in Sri Lanka. He said that, based on what he then knew, he would not be going to Colombo. Think about the notion of the meeting in Perth, where we would talk about human rights and the rule of law and then say, “See you in Colombo next time.” That is a touch problematic.

Having so indicated, the truth is that the opportunity that the CHOGM meeting now provides, scheduled as it is for Colombo, is for constructive leverage to be applied in a co-operative and direct way to the Sri Lankan Administration. As you will know, there is a meeting of the Human Rights Council of the UN in March. There is to be a resolution on Sri Lanka, based on further analysis of the facts that emerge therefrom. Canada is hopeful that the resolution will be very precise, based on the most recent Lessons Learnt and Reconciliation Commission report, which was not quite a whitewash, although it did not deal with accountability. The accountability issue is very important.

We are hopeful of two things. The first is that worries about maintaining the Colombo meeting will push the Sri Lankan Administration into further follow-on activities, with respect to what transpired near the end of that war. Secondly—this is a point that came up at the meeting of Commonwealth journalists in Malta—we are very hopeful that the Secretariat, using the precedent of the International Olympic Committee’s negotiations with Beijing, will insist on full press freedom and full access to all Sri Lanka by members of the Commonwealth press who choose to go to Colombo to cover that CHOGM meeting. It is important that they are not hived off in a small hotel and denied the access to reality on the ground that the media were largely permitted to have in China. We see this as an opportunity for constructive leverage, and we hope it is used for that reason.

Q6 Mike Gapes: Can I press you on that? You mentioned the UN Human Rights Council. You will know that the last time the Human Rights Council considered these issues there was a two-to-one vote in favour of the Sri Lankan Government’s position. They were actually praised for the way that they had dealt with the conflict in 2009. How do you expect the Commonwealth, which is based on a consensus approach, to come up with anything, even something inadequate, given that Sri Lanka is part of the discussion? Are the Sri Lankan Government going to agree to any statement that in any way criticises their position?

Senator Segal: The Sri Lankan Government have to make their own decisions about where they stand in the world, how they are assessed and how their human rights record will be perceived. Other Commonwealth countries have a duty to keep on pushing, however. If there is leverage around that meeting in Colombo, and

if there is a risk that the meeting’s circumstance and location have to be changed, that may be a source of some constructive engagement with our friends in Sri Lanka, so that they address the accountability issue further.

As you know, the Commonwealth is not a military or a treaty organisation; it is an organisation of voluntary association. Some limitations come with that, but we are not convinced that the remit of the Commonwealth and all the various statements that have been made—Harare, Singapore and others—are being used as effectively as they might or should be with respect to the Sri Lankan circumstance. Canada would very much like to see that intensify.

Q7 Mike Gapes: Thank you, Senator. I agree that they are not being used, but I am a little more sceptical than you appear to be.

Senator Segal: In my present role, optimism is a defining proposition.

Chair: On that note, I call Ming Campbell.

Q8 Sir Menzies Campbell: I had grave difficulty in not shouting “Bravo!” when you came to the end of your opening remarks, Senator, but when you were talking about the potential for the Commonwealth, you referred to the question of resources. I wonder whether we could explore that for a moment or two. Resources often have a direct impact on effectiveness—not always, but often, there is a direct relationship. I interpret from what you said that you are critical of the Secretariat. Is your criticism based on the Secretariat’s lack of resources or the unwillingness of the Commonwealth as a whole to give it the authority to advance in areas like human rights?

Senator Segal: Neither. Our view is that some very good people work at the Secretariat. I have a high regard for Kamallesh Sharma, the Secretary-General, who is a very distinguished Indian diplomat doing great work under difficult circumstances. The Secretariat has less staff than the UN cafeteria—just so we’re clear. Although we do not believe that it is likely that subscribing countries will up their contribution to the Commonwealth in these straitened times—Canada, as you will know, is the second largest financial contributor to the Commonwealth—we do believe that the Commonwealth can reorient its Secretariat priorities. Not all the work being done in the Secretariat is as vital as other areas that need to be pursued.

Q9 Sir Menzies Campbell: Would you like to give us an illustration of that?

Senator Segal: For example, over time, the amount of money that has been devoted to development has clearly been ineffective, based on the assessments of DFID and others. It is not clear that the Commonwealth’s primary role at the Secretariat level is development. In our judgment, it has a significant role around those things that make development accountable and possible—democracy, rule of law, accountability and so on. We would like to see more resources put into that kind of commitment. We believe that more should be done on HIV/AIDS

because of the ability to influence public policy in that respect.

We are not talking about diminishing the scope—quite the contrary. We are saying that every organisation has to pick priorities. Those priorities, going forward, may not be precisely the ones that have been pursued, perhaps in the context of comfort, for the last 10 or 15 years. That kind of tough reorganisation is called for, and that is what the EPG report basically recommended.

The new ideas that were brought to the table by the EPG in terms of other activities, Sir Menzies, would have involved a 5% reallocation of expenditures. My Government are going through that 5% reallocation Department by Department at a bare minimum as we speak; your Government are going through something even more challenging than that. The notion that the Secretariat can do that without having to get large amounts of more money strikes us as completely reasonable under the circumstances.

Q10 Sir Menzies Campbell: Where should these priorities be set? By the Secretariat or by the membership? If by the membership, how difficult or easy is it to get consensus?

Senator Segal: Two parts of the organisation meet regularly. The first is the so-called Committee of the Whole, or the Board of Governors, which looks at the quarterly expenditure plans. That is made up, essentially, of High Commissioners here in London, who meet on a regular basis with the Secretary-General and his senior staff. Then, of course, CMAG is at the call of its Chair. As we speak, CMAG has been meeting on the Maldives, where there was—shall we say?—a precipitous change of Government recently.

Q11 Sir Menzies Campbell: That is a very elegant description, if I may say so.

Senator Segal: Thank you. There is now a ministerial team in the Maldives, which will report back this week, and CMAG will have another extraordinary meeting. So, between CMAG and the Committee of the Whole, you have an ongoing management leadership working with the Secretary-General, who can establish these priorities, but, as a general premise, the broad priority should be approved by the Heads of Government when they meet every two years. The implementation of those priorities should be followed by these two groups on a go-forward basis. In our view, that would be the best way to make this a more efficient and focused organisation.

Q12 Ann Clwyd: It is refreshing to hear you speak so bluntly about the problems of the Commonwealth, Senator. You mentioned homosexuality, and 41 countries in the Commonwealth still discriminate against homosexuals. It seems to me that it is going to take a very long time to change the mind of those countries, since we have all been trying to do so for some time. How can you see that accelerating?

Senator Segal: As you will know, the level of enforcement of those laws is quite different country by country. Some countries do not take the laws

desperately seriously and sort of operate on a live-and-let-live basis; other countries have been a bit more focused in ways that are quite unpleasant and difficult. Each country will have to come to its own conclusion about how to change that legislation. We believe, at the meetings of the EPG, that the public health imperative was the best way to open up that discussion. So, it is not a difference of opinion about the Old Testament, the New Testament, Sharia law or whatever; it is actually about public health. I do not know of any religious text of any faith that says that someone whose life can be saved through the appropriate provision of medication should be allowed to die. That is what is happening in some of those countries.

Some of the push-back to the EPG has been that some folks have taken the position that this new focus on human rights and the protection of minorities is really a new imperialism being imposed on the developing world by those countries that have taken a different view over time. I think the worst imperialism, if I may say so, would be to allow old, 18th century or 19th century anti-sodomy laws that were found in colonies that have emerged into democracy to continue to define how they live their lives when the world has changed quite radically.

We believe, for example, that our friends in South Africa have quite an enlightened view on this issue. South Africa, of course, has a very important, strong influence in Africa among other Commonwealth countries. We are hopeful that countries such as South Africa—which, for example, as we speak, has a very important part in engaging with Sri Lanka on what a real Truth and Reconciliation Commission, with teeth, would look like—could also be a source of leadership on this minority-rights issue throughout Africa. It is part of ensuring that leadership comes from different sources in the Commonwealth, rather than just the same three or four countries all the time.

Q13 Ann Clwyd: The FCO described the outcome of the Perth CHOGM as positive. Is that your view?

Senator Segal: Our view is that we came away with a little bit less than half a loaf, but the nature of the 106 recommendations was a very high-fibre, high-protein loaf. Digestion, therefore, is somewhat more challenging. Because the leaders and their Foreign Ministers put a process in place to crunch the remaining recommendations within a fixed period, we think there is a real chance to make what was a positive meeting an actual turning point in Commonwealth development if we follow through. That is why Canada has decided to have a special envoy working this file on an intensive basis.

Q14 Ann Clwyd: Before the start of the conference, do you think that the FCO could have done more to promote the EPG report and prepare people for the findings?

Senator Segal: That is a very good question. I must say that, in all the activities that the EPG undertook, including visits to Africa and elsewhere, the FCO and the British Council went out of their way to be constructive and to facilitate broad public discussion and public diplomacy, so I do not have a word of

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criticism to offer on that front. I think that the decision by the incoming Chair and the outgoing Chair-in-Office not to allow the report to be published—your colleague and ours on the EPG, Sir Malcolm Rifkind, waxed eloquent about that when all of us had a press conference to release our own report, because we thought that the public had the right to see what was in it—was a disastrous mistake that facilitated almost no public discussion of the recommendations. We felt badly for, for example, the 300 citizens' groups across the Commonwealth that had made submissions.

As it turns out, copies did get out. I do not know quite how that happens, but I am told that it does, so the content was not secret, although the broad public debate that should have happened beforehand did not happen, because the report was not released on a timely basis. I certainly do not blame the FCO for that.

Q15 Mr Roy: On that point, why do you think that the leaders did not want to publish the report and is it not the case that some of them have publically admitted that they did not even read it?

Senator Segal: I will not ascribe motive, but I think it fair to suggest that there were two rationales. One legitimate rationale was the belief that, as the EPG report was just completed in July and circulated in August, it had not had sufficient time to be digested and assessed, so releasing it before leaders and Governments had a chance to reflect on its contents would be counter-productive. I do not give a lot of credence to that rationale, but I think that it existed among some.

Among others, quite frankly, when we had our meetings in Kuala Lumpur under the chairmanship of Tun Abdullah Badawi, a former Prime Minister of Malaysia, we talked about the need for transparency in Commonwealth affairs and the need for a Secretary-General who spoke out publically about things that were going wrong in various countries. We said that silence was not an option. Well, clearly for some members of the Commonwealth, silence was the preferred option, and that was the other rationale that was working unconstructively in the process.

Now it is our hope that there will be a public discussion about process going forward and how the Commonwealth can be reformed. Many of the constituent groups—people who are involved, for example, with human rights, sports, young people, training and anti-discrimination activities—are doing their best now to circulate the contents of the report and try to build support in their own country for recommendations to proceed as quickly as possible.

Q16 Andrew Rosindell: Good morning, Senator Segal. It is good to see you. I have a question about your role. It is interesting that the Canadian Prime Minister has created the role of a special envoy to the Commonwealth. Two questions: how do you see that role long term and do you think that Britain should follow the example of Canada and also appoint a special envoy?

Senator Segal: I will not want to give any formal advice on your second question, but I will be glad to tell you what the full nature of my remit is. My remit is to act on behalf of the Minister in working with

other countries to see that as many of them as possible are able to support more of the recommendations being implemented and put through the process constructively—No. 1. No. 2 is that it is my job to report to the Minister on the nuances of that entire process so that he can engage, whenever he has the opportunity, in support of that same process. Thirdly, I am encouraged in my remit to speak publicly about the importance of the EPG report and why the underlying values of the Commonwealth in this time and place need to be supported and sustained.

My view, if I may say so, is that you already have, in Lord Howell, a Minister with direct responsibility for the Commonwealth and no responsibility for other parts of the world, so to speak. We do not have that structure, as we speak, in Canada, and I think to that extent my appointment is to, in a sense, try to do what Lord Howell does so well in his present role. He has been a tremendous force, if I may say so—and this is before he was even made a Minister of the Crown—for the Commonwealth as a very dynamic network—in a sense, the first world wide web of linkage and constructive co-operation. I think that the role that he plays is of great value to the Commonwealth and the world, and of great credit to the United Kingdom.

Q17 Andrew Rosindell: Do you see the Commonwealth as an organisation that has gone in the wrong direction in recent years? For example, the basis of the Commonwealth is that all the countries have a shared heritage. In recent years, countries have joined that have no link—Mozambique and Rwanda are examples—yet other countries that have a shared heritage and at some stage have been under the Crown are not part of the Commonwealth. Do you feel that it is time to refocus back to the basic idea of what the Commonwealth should be about?

Senator Segal: I will not speak about Mozambique, but with respect to Rwanda, I will say that their Government, for a whole series of historical reasons, decided that the Anglosphere was the sphere that represented the greatest amount of economic opportunity for their kids. Having English language education replace what had been the Francophone, Francophile world was important, and their decision to seek admission to the Commonwealth followed thereupon. They are also surrounded by Commonwealth countries, so strengthening those linkages makes solid trade, economic and strategic sense.

I think the Commonwealth should have an expansion plan, which should be to look at countries that have had a similar historical evolution to those of us who are in the Commonwealth. I remember being in a cab with Sir Malcolm Rifkind and Sir Ieremia from Kiribati and we were talking about the riots in Paris, which were going on at that point. We were yet to have that difficulty in our country or here in the UK, and someone in the car said, "I wonder why that is." I said, "Well, perhaps 'liberté, égalité fraternité' is a touch more evocative than peace, order and good government, which are the underlying principles in our constitution." Our friend from Kiribati replied, "Peace, order and good government—that's the same premise in our constitution."

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Of course, that premise of a common heritage on what government is for and how society is to be organised is very important, so we should have an expansion plan that is rational, but based on what a larger association of countries with that heritage would look like and what the benefits might be. Whenever you decide that you have reached your plateau, that often produces the Sleepy Hollow effect, which is deeply unhelpful, and I think that is the issue that leaders were responding to in Port of Spain, in terms of setting up the EPG to figure out how to revivify this particular undertaking.

Q18 Mr Roy: Senator, what benefit does Commonwealth membership bring to Canada, and does the shared Commonwealth membership strengthen the bilateral relationship between both our countries?

Senator Segal: There is no question but that when we look at the list of bilateral linkages between Canada and the United Kingdom, the common Commonwealth bond is a very large part of that. Military co-operation, technical assistance in both directions and expanding trade are also fundamental principles, but the reality of the Commonwealth connection, the fact that we have a similar legislative, democratic parliamentary system is of huge value. I see it as being a continuing source of opportunity for both countries to co-operate and work together in a host of areas. The Commonwealth scholarship programme, for example, has seen many Canadians come to study in the United Kingdom. Many people from less developed countries in the Commonwealth come to study here, or in Canada or Australia. Those are huge, powerful network linkages of great value to your trade aspirations and ours, and they need to be sustained and advanced.

In terms of Canada's own area of primary focus these days, which is its own hemisphere, the Commonwealth is a huge bond between the Caribbean countries and Canada. Our banking system, as you know, is very broad within the Caribbean system. It is a large part of why the Caribbean banking system fared better than other banking systems in the world, because it was essentially the Canadian system transplanted with local roots and leadership. The fact that Canada has done substantive training within various Commonwealth provisions of the Caribbean military and police was seen as being of great benefit when there was a hostage crisis in Jamaica. Jamaican police, who had been trained by Canadian special forces, were able to engage in a constructive way that brought that difficulty to an end without violence. The relationship between Canadian regulatory bodies—our Upper Canada Law Society in Ontario, the accountants and the certification of groups in the Caribbean—builds another strong, important bond.

Q19 Mr Roy: What I would like to get at is, for ordinary people, what does the Commonwealth matter to people in Victoria, Vancouver, Regina, Ontario—the place you were appointed for—and Quebec? Do they talk about the Commonwealth in the pubs and cafes in these towns? What is the relevance to ordinary people?

Senator Segal: I think the reality for average Canadians is the understanding that the balances that control our society—the balances between freedom and order, and between enterprise and common cause—are reflective of Commonwealth values. The fact that in Her Majesty the Queen we have a Head of State who is divorced from day-to-day political infighting, and whom we share with other Commonwealth countries, provides a measure of stability that has been a very substantive opportunity for economic growth and higher quality of life for more people. The linkages, for example, between the British trade union movement and the trade union movement in Canada are substantive and historical, and that is also true of investment back and forth between British and Canadian companies.

All of that is made more substantive by the Commonwealth presence. If you think of some of the countries that are in the Commonwealth, you might ask yourself “Why are they so desperate to stay in the Commonwealth?” Because it is a badge of respectability. It is a badge that says certain fundamentals are—not perfectly, perhaps—being preserved and advanced in a fashion that is in the broad public interest. Having those kinds of prophylactic associations worldwide, which maintain an aspirational effort in the right direction, we think is of great value in this very troubled world.

Q20 Mr Roy: One of the reasons I ask is because when I have been from one end of Canada to the other speaking to lots of families with Scottish connections, they speak about their closeness to Scotland, but I never hear them talking about their closeness to the Commonwealth. I am just trying to pull out whether you recognise the difference.

Mr Baron: He is mixing with the wrong company.

Mr Roy: Probably.

Senator Segal: I do not want to speak about your friends and relatives in Canada, because it would be inappropriate for me to offer a view on that, except to say that in our country, those associated with Irish, Scottish and English traditions are very firmly associated with the institutions in Canada that are tied to the Commonwealth, in many respects. We benefit immensely from that.

Mr Roy: Okay.

Q21 Mr Baron: May I say, Senator, that I was very heartened by your introduction and by your eloquent espousal of the potential of the Commonwealth? May I just press you on that for a moment? I think I am right in saying that you have said that the EPG recommendations should not be allowed to die in the long grass.

Senator Segal: That's right.

Q22 Mr Baron: I suppose I have a couple of questions really. First, how important do you think these recommendations are to the future of the Commonwealth, particularly the potential that the Commonwealth undoubtedly has but is not yet realising? Secondly, what more can Canada and the UK do to bring about the successful fruition of these

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recommendations? The last 40 recommendations certainly seem to be stuck in the quagmire.

Senator Segal: The title of our report was “Time for Urgent Reform” and we believe not only that the recommendations are urgent, but that if they are left to die in the long grass, the future of the Commonwealth itself as a viable international instrument may, in fact, be at risk. Just thinking about it for a moment, none of our Governments is in a position to fund activities for which there is no apparent benefit. Our recommendations were focused on making that benefit more apparent by forcing the Commonwealth and its institutions to step up to the plate and deal with some unpleasant circumstances, because in my view nothing good happens unless there is some unpleasantness.

I had occasion to ask a senior South African whether he was certain that without the Commonwealth, Robben Island would now be a museum, and he did not know the answer to that question. The truth of the matter is that on those sorts of issues, without bodies such as the Commonwealth prepared to engage where there is no apparent self-interest—there is no geopolitical interest other than seeing the right thing done—the world would be a more difficult place than it is.

What our Government hope to do, and what we hope our colleagues in the United Kingdom Government are able to do, is to work the various networks that they have. Australia has a network in various parts of the world, and so does the United Kingdom. The United Kingdom has such a rich heritage of linkages in many Commonwealth countries, which Canada has no history of having sustained or built up. If we work together constructively with others—I think for example of our friends in Ghana, Malta and the Seychelles, who have been very supportive of this reform agenda—we can help move the consensus to a place where a vast majority of those recommendations in the long grass get approved.

What has to follow thereupon is a focus on implementation, because nothing is worse than an approved recommendation about which nothing is done, so I have called for lawnmower committees across the Commonwealth at the Royal Commonwealth Society and other groupings. I guess one of my jobs on behalf of my Government is to carry one lawnmower through the long grass as long as I possibly can.

Q23 Mr Baron: Can I press you a little bit? We can agree that these recommendations are terribly important, but what will be the catalysts looking forward? What will be the timelines, if you like? What will be the events that try to bring these recommendations to fruition? There is a lot of good intent there and a lot of good will; I can see that you are working very hard towards it. You have talked about the probable co-operation between our two countries, but doesn't there have to be a little bit more than that?

Senator Segal: There is indeed a process that was established at CHOGM with respect to how these recommendations will be addressed. There is a senior meeting of officials from Commonwealth countries

underlying the ministerial taskforce established for this purpose. They will be meeting in April. CMAG will be meeting on the very important issue of a high representative on human rights and the rule of law. That recommendation was given back from CHOGM to be considered by the Secretariat and CMAG together for a way forward. That will take place in March. So there are actual threshold dates that have been put into place, the feeling being that it will all come together in a meeting of the senior taskforce of Ministers in the spring. They would make those decisions and there could be some final discussion when Commonwealth Foreign Ministers have their annual meeting in October adjacent to the United Nations General Assembly.

This is a process that sees 2013 starting with many more of these recommendations in place. As quickly as the 24th of this month the Board of Directors is to receive a report from the Secretariat about what their implementation plan is for the 30 recommendations that have been accepted. We are looking for that to be a very granular implementation plan so that we can begin to make progress right away. It is very much a combination of a watching brief and a serious timeline to move this kettle of fish along.

Q24 Mr Ainsworth: Senator, thank you very much for your refreshing evidence. I am glad to see that your version of gentle prodding is a bit more robust than most people would have thought. I want to tempt you into what may be quite a sensitive area. You have talked about hypocrisy potentially overtaking the purpose and you talked in your evidence just now of the defence that was put up of a new imperialism. What effectively was being said was that the white members of the Commonwealth were poking their noses into how the brown and black members of the Commonwealth should do their business. Do you accept that that was a defence—a preposterous defence in my view? How sensitive or how robust do you think we should be in taking on that kind of defence when it is put up?

Senator Segal: I had that same question put to me about a month ago at a meeting at the University of London, which was a review of the EPG activities, by a High Commissioner from one of the countries that might be deemed to be in the latter camp. I said that it struck me as the worst possible insult to suggest that our black and brown Commonwealth colleagues did not care about human rights or the rule of law or democracy. That was in every respect the worse kind of condescension. We have to be clear about that. Consider the leadership role Ghana has taken with respect to reform of CMAG and how our friends in some of the Caribbean countries have stepped up. Jamaica was very supportive of the EPG report. Leadership of the Commonwealth is now in the hands of a very competent and able diplomat from India, a country whose remarkable economic renaissance has not been hampered by democracy and the rule of law, however imperfect it is there as it is in our countries. I think we have to use these as positive arguments. There will be those who try to make this a war between the more developed countries and the less

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developed countries, and I think that that would be the most unfortunate typification of the discussion.

I believe that, in essence, the Commonwealth exists for the people who live in the Commonwealth. Governments deliver services to those people, based on a legitimate mandate. The Commonwealth is an intergovernmental organisation. We have the Commonwealth Parliamentary Association, where parliamentarians from different countries work together on an ongoing basis to improve parliamentary practice and to sustain democracy. That goes on without any regard to colour or to less or other developed. In my judgment, those are things that we have to push and to be very frank about, because if we don't tell the good story, clearly those who want to tell the other story will get more space, and that is counterproductive.

Q25 Mr Ainsworth: I totally agree. The last question is to tempt you back to where John Baron was a moment ago. Would I be misrepresenting you in saying that your attitude towards the Commonwealth is that it is an organisation that is well worth saving, but an organisation that really does need to be saved? If that is your view, how long do you think we have in order to get this organisation back on track?

Senator Segal: Mr Ainsworth, your typification of my view is quite accurate. My instinct is—it is funny how things sometimes come together in an interesting fashion—that the next stages of the Commonwealth debate will take place leading up to Sri Lanka.

Q26 Mr Ainsworth: So you really do see Sri Lanka as potentially a bit of a watershed.

Senator Segal: In terms of my country, for example, my Prime Minister has said that under present circumstances he is not planning to attend; he did not

say that Canada would not attend or that the Foreign Minister would not attend, but he did say that he was not planning to attend. I believe that if Sri Lanka is able to engage more constructively about what happened and about what accountabilities need in some way to be addressed, and use Commonwealth good offices to help in that process, it might be seen as a significant step ahead for the Commonwealth's remit and for its relevance in the world. Similarly, if no progress is made, if we end up in a circumstance where we are no further ahead, that will raise other questions about the utility of the Commonwealth.

It is not just about Sri Lanka. There are all kinds of good things going on between Commonwealth countries as we speak. In my own country, the Commonwealth of Learning for example, which is based in Vancouver, does remarkable distance education, such as pulling together animal husbandry specialists from the University of Guelph in Canada and from New Zealand to work with our Pakistani agricultural folks to deal with some of the herd issues they had to address after the flooding, and sharing technology in a fashion that was supported by the Pakistani Ministry of Agriculture as one of the most efficient ways of getting that constructive, day to day, on the ground, granular information into people's hands. There are so many of those things that can be going on and are going on, so it is not just about Sri Lanka; but you cannot walk away from that issue hoping that nobody will mention it. That is unlikely and inappropriate.

Chair: Senator, thank you very much indeed. I would like to think that you have given us a lot to think about—a good kick-start into our inquiry. Thank you very much indeed, it is much appreciated.

Senator Segal: Thank you, and good luck with your work on this issue.

Tuesday 27 March 2012

Members present:

Richard Ottaway (Chair)

Mr Bob Ainsworth
Mr John Baron
Ann Clwyd
Andrew Rosindell

Mr Frank Roy
Sir John Stanley
Rory Stewart
Mr Dave Watts

Examination of Witness

Witness: **Professor Philip Murphy**, Director, The Institute of Commonwealth Studies, gave evidence.

Q27 Chair: May I welcome members of the public to this sitting of the Foreign Affairs Committee. This is the second session of our inquiry into the role and future of the Commonwealth. We are particularly lucky today to have two distinguished witnesses: Professor Philip Murphy and Mr Stuart Mole from the Institute of Commonwealth Studies. We thought that we would take them in series, rather than in parallel, to give them a chance to express their views.

Professor Murphy, I warmly welcome you on behalf of the Committee. Is there anything you want to say by way of an opening remark?

Professor Murphy: Could I perhaps explain something about my organisation and my own area of expertise? I think that might be helpful to the Committee.

The ICS was established in 1949 and is a unique academic institution in the UK that focuses on the study of the Commonwealth and its members. Since the 1990s it has been part of the university of London's school of advanced study, and it is funded by the Higher Education Funding Council via the school to be a national research centre in the field of Commonwealth studies. That is to say that, principally, we are not a teaching organisation, although we do run a very successful MA in human rights. Our role is to provide a range of seminars, conferences, workshops and fellowships for academics in the UK and the rest of the Commonwealth. We also have a world-class Commonwealth affairs library and some very important archival collections.

An important part of the institute is the Commonwealth Advisory Bureau, which is a completely independent think-tank. It was established in 1999 and specialises in policy-relevant research in Commonwealth affairs. I know that you received a written submission from its director, Daisy Cooper, who, unfortunately, could not be here today. I am happy to respond to some of her points, but I should say that there isn't a fixed CA/B or institute line. We are completely independent, which is the thing I would like to stress. We are not part of the official Commonwealth. We provide a platform for a variety of different views and voices on the Commonwealth, and we feel free to say in certain circumstances that the emperor is distinctly under-dressed if we feel that that is true.

I am a historian of the Commonwealth and of post-war British decolonisation, which has been most of my work. I have also done some work on the British

and Commonwealth intelligence communities, and I am currently finishing a book on the monarchy and the post-war Commonwealth, which focuses on things such as the headship of the Commonwealth and the Commonwealth realms.

I am a relative newcomer to the Commonwealth community, certainly as it exists now—I have been director for only two and a half years. It has been fascinating to observe that community at close range, particularly last year at the Perth Commonwealth Heads of Government meeting.

I should say as a sort of parting shot that, as a historian, one cannot help but be aware of all the inquiries and study groups over previous decades that have tried to work out what on earth the Commonwealth is for and how it serves Britain's interests. Indeed, in the run-up to the 1971 Singapore CHOGM more than 40 years ago, the British diplomat Crispin Tickell wrote about the question of trying to re-energise the Commonwealth. He said that the trouble with producing ideas that are interesting, constructive and inexpensive was that the search had been on for about 20 years and all the obvious ones had already been found, exploited and, by and large, judged inadequate. I think if you spend too long in this area, it must be like being in a special circle of hell where you are constantly having to grapple with these questions. Although your inquiry is clearly a very useful and valuable exercise, I do not envy you in your task.

Q28 Chair: Thank you. How would you characterise the UK's relationship with the Commonwealth?

Professor Murphy: There are two things that one needs to disentangle that supporters of the official Commonwealth sometimes rather tend to conflate: there are the UK's very valuable bilateral relationships with individual Commonwealth countries and groups of Commonwealth countries in the areas of defence and trade as diplomatic partners; and then there is the broader issue of the official Commonwealth, which I can talk about in greater detail if you would like me to. The benefits from the official Commonwealth tend to be more indirect. We can certainly go into them, but I think any assessment of the benefits to the UK really has to draw apart those two fairly distinct elements.

Q29 Chair: In your written evidence, you call for the relevant UK Minister to attend all Commonwealth

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ministerial meetings. How practical is this? How do they get on in Australia and Canada?

Professor Murphy: This was not my written evidence; it was written evidence from my colleague Daisy Cooper. One of the principal benefits, which comes through in any sort of discussion with British politicians who have taken part in these sorts of discussions, is to allow Ministers—Finance Ministers, Foreign Ministers, Defence Ministers—to find out a little bit about what is going on in countries whose representatives they might not otherwise have the opportunity to talk to at great length. So consultation is absolutely key. If UK Ministers at a senior level are not using that facility, they are missing something very important in the Commonwealth.

Q30 Chair: Do the Australians and Canadians do that?

Professor Murphy: I am not sure.

Q31 Sir John Stanley: Professor Murphy, what would you wish the Foreign and Commonwealth Office to be doing vis-à-vis the Commonwealth that it is not doing currently, or not doing currently sufficiently?

Professor Murphy: David Howell as Minister of State has made a remarkable impact. It is difficult to think of a Minister over the past 40 years in the Foreign Office who has been so very committed to the Commonwealth and making it work. One thing Lord Howell has done very effectively is to immerse himself in, if you like, the unofficial Commonwealth in London. He has been very diligent at turning up to lots of different events, meeting the heads of different organisations and speaking at those organisations. The unofficial Commonwealth is a very important part of the broader package. He has constantly talked the Commonwealth up. There has been a tendency for British Governments over the past 40 years to come to power promising to do great things with the Commonwealth and then very quickly losing interest, but Lord Howell has stayed the course so far. In the short term, what the Foreign Office has to do is to concentrate very hard on the recommendations of the Eminent Persons Group, which reported last year, and really push certain key recommendations. Other Commonwealth Governments such as the Canadians are keen to do that.

Q32 Sir John Stanley: Which particular recommendations?

Professor Murphy: I think in particular the commissioner for democracy, the rule of law and human rights.

Q33 Mr Ainsworth: What is the purpose of the Commonwealth in the 21st century? Where will it be in 10 years' time? In your evidence you said that it would have a purpose and a value if member countries used it to solve national, regional and global political problems. Is there any real prospect that members are going to start doing that?

Professor Murphy: The thing about the Commonwealth is that it is a resource. This has always been the dilemma for the British Government.

It is an extraordinary global diplomatic resource. The question has been how you use it, and which levers you actually press to get something out of it. As a broader philosophical point, you could say that the nature of global politics has changed somewhat; in an interconnected world we are as much threatened by weak states that collapse and provide havens for terrorists, pirates and drug traffickers as we are from aggressive, strong states. The Commonwealth is essentially an organisation of small states, many of them fairly weak with limited capacity, and intervening at an early stage can help to maintain some quite weak states and prevent the need for military action. It is maybe not so far in Britain's direct interests, but a country such as Australia is ringed by a series of small, weak states. In the past, those states, such as the Solomon Islands, have drawn Australia into military action. If capacity building by the Commonwealth can shore up those states, it is in everyone's long-term interest.

It was some time around 1960, when the decision was made to allow Cyprus into the Commonwealth as a full-time member, that the value of the Commonwealth sort of changed for Britain. It was no longer going to be a group of strong, major global states that could be important allies to Great Britain; it was essentially going to be an altruistic enterprise. Peter Marshall described it as the after-sales service of the British empire. In a sense, having created so many small, weak states, the Commonwealth steps in and provides that essential international infrastructure. The benefit to Britain is indirect, but there is a broader global good, and that is what the Commonwealth provides.

Q34 Mr Ainsworth: If I go back to my constituency this weekend and have a pint in the Bell Green working men's club and ask them what they think about the Commonwealth, I doubt if I would get any opinion other than that it is a forum for politicians to prance around on the world stage. What would you say to ordinary taxpayers and constituents about why we should continue to support this organisation?

Professor Murphy: I am sure that you will find that your constituents are interested in more than just local bread-and-butter issues. Save the Children recently ran a very effective campaign warning of an international disaster in west Africa. I am sure that many members of this Committee got representations from their constituents about that. There is a real willingness on the electorate's part to think about global issues, particularly humanitarian issues. If you can make a good case that the Commonwealth has a role in that, I am sure that your constituents would be interested. The question is, as always, about where you can point to a real effect that the Commonwealth has.

Q35 Mr Ainsworth: And can you?

Professor Murphy: As I say, it is in that broader sense of political capacity building. We know historically that famines tend to take place more often in repressive states that do not have an effective free press to warn against the danger signs. The Commonwealth does not have the resources to be a

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very effective aid agency, but in so far as it can make a political impact, it can contribute to humanitarian aid efforts.

Q36 Ann Clwyd: Can I ask you about the Commonwealth and human rights? It is often claimed to be a promoter of human rights and good governance, but does the continued membership of countries such as Sri Lanka and Pakistan prove that that is the case? What should the Commonwealth be doing?

Professor Murphy: There are a number of stages to that. If you interview representatives from the official Commonwealth, they will come out with the standard line that the Commonwealth is united by common values.

Q37 Ann Clwyd: Common values?

Professor Murphy: Yes. To some extent, that has always been a useful fiction. Frankly, the Commonwealth is a group of countries united by historical accident. The members are very diverse countries, with very different cultures and political systems and, in many of them, human rights are very poor. Should those countries be excluded? It is always difficult to define a threshold when you banish a country to the further reaches. It is probably more useful, in cases such as Pakistan and Sri Lanka, to continue to engage with those countries. Indeed, the British Government found that when Pakistan was excluded from the Commonwealth between 1999 and 2004, British aid to that country actually increased because it was such a vital ally in the so-called war against terrorism. The British Government faces problems with that, not just the Commonwealth.

There is a bigger problem, if I may say so, in the decision to allow Sri Lanka to host the next Commonwealth Heads of Government meeting in 2013. I think, frankly, that was a disaster and a scandal, not only because of the signal it sends but because President Rajapaksa will potentially be chair in office of the Commonwealth for two years from 2013. That is appalling.

Q38 Ann Clwyd: There are some countries in the Commonwealth—for example, I am thinking of Malaysia; the last time I was there I was supposed to meet some people, but suddenly they were arrested under the sedition laws so we could not meet them at all. When I challenged that, I was told, “Oh, that law was left behind by the British.” There are some laws that we did leave behind, and some countries have repealed them but others have not. Don’t we have an additional responsibility to push countries where we left those kinds of laws behind?

Professor Murphy: Yes. That gives you a further sense of why the Commonwealth is potentially useful. A very obvious example is the laws that criminalised male homosexual practices, which the British largely put in place and those independent Governments inherited. Over 40 Commonwealth countries have maintained laws criminalising homosexuality. The Commonwealth then becomes a very useful forum not just to talk about that historical legacy but for western countries not simply to come along and say,

“Suddenly we have changed our minds on homosexuality, and it has become this Commonwealth value set in stone,” but to say, “It was a very long, difficult and controversial process, but at the end of it we feel that our society is better.” To talk about common difficulties rather than seeking to impose values is very important. That is something that the Commonwealth is good at.

Q39 Sir John Stanley: The Harare declaration—a somewhat bitter, ironic phrase today in the light of subsequent events—was, as we know, more honoured in the breach than in the observance around the Commonwealth. Do you think that it would now be right for the British Government to try to devise a successor Commonwealth human rights declaration and to do its utmost to get Commonwealth endorsement of it?

Professor Murphy: This is on the agenda at the moment because it was the first recommendation, and one of the key recommendations, of the Eminent Persons Group that there should be a new charter. We have a number of declarations—not only the Harare principles but subsequent statements such as the Latimer House declaration and a further statement in 1999—which need to be pulled together with a strong emphasis on human rights. A lot of people are, frankly, sceptical about that, and would say that the last thing the Commonwealth needs is another well meaning statement of principles, which will be largely ignored in the way that previous statements of principles have been.

I tend to think of the example of the Helsinki Final Act in 1975, when eastern bloc Governments in very bad faith put their signatures to a package that included mention of human rights. That gave birth to a series of popular movements, such as Charter 77, within eastern Europe, because the Helsinki Final Act had to be published in all those states. People on the ground were saying to the Governments, “You have signed up to this, and we are going to hold you to account.” It would be wonderful if the charter gave rise to a series of dissident groups called Commonwealth clubs, on the ground, trying to enforce those rights. That is the only way it will be done. The Commonwealth does not really have the teeth to enforce them.

Q40 Rory Stewart: Professor Murphy, can you give us a sense of which Commonwealth members find the Commonwealth particularly appealing, with the exception, perhaps, of Canada? Who actually cares about it? Who could we use this on?

Professor Murphy: Again, its principal value is to the small states. There are 32 states in the Commonwealth that are defined as small states because, roughly speaking, they have populations of fewer than 1.5 million people. They often have very limited capacity in diplomatic coverage. They have problems maintaining stable Governments for a variety of different reasons, often because of divided populations, which are also colonial legacies. They value the Commonwealth for a variety of reasons, and that is one of the problems we have to face when talking about political reform.

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From the British Government's point of view, it is a no-brainer: the Commonwealth currently does too much. It tries to cover too much ground and it should concentrate on what it is good at: human rights, good government and democracy. The problem is that it is very much customer-led. Those small states value it for a variety of other reasons: for development, security, and advocating on climate change and on debt. It becomes rather difficult, therefore, for the Commonwealth simply to cut out a lot of things that it does, because it would then lose a lot of its appeal to many of those smaller states, which would just have this big finger wagging at them the whole time, instead of the offer of a variety of carrots.

Q41 Rory Stewart: Could we not challenge that and suggest that perhaps Britain is missing an opportunity in not making more of the developmental security potential? In fact, we should be more customer-led, and focusing on human rights is a misleading direction.

Professor Murphy: I think it is—well, I think it is to the extent that human rights is always tied up with development. Those two, in a sense, go hand in hand. The problem is that the Commonwealth would need a huge amount of extra resources to be an effective player in things such as aid and trade. That is the dilemma we face.

Q42 Mr Watts: There is a question mark over whether we deal effectively with human rights in the Commonwealth, but, turning to trade, is there a Commonwealth factor in trade? It would appear from the statistics we have seen that, far from helping Britain, it does not have any effect whatsoever.

Professor Murphy: I have always been sceptical about the idea of the trade factor. I am not an economist, but looking at it from the point of view of a political historian, arguably, and with respect, a mistake made in the 1995–96 inquiry into the Commonwealth by the Foreign Affairs Committee was to think that it had suddenly found the holy grail on what the Commonwealth is for: we had all been looking for it for so long, and it was found to be trade. There was no substantial research at that point. There was the work of an Australian scholar called Katherine West, which was cited. It is a rather polemical piece of research, which said that Europe is dying and should look at the vibrant tiger economies. The problem, of course, was that the Blair Government came to power with that message ringing in their ears and in the meantime, between gaining power and the Edinburgh Commonwealth Heads of Government meeting at the end of the year, there was the collapse—a crisis, at least—in July 1997 of those Asian economies. It suddenly looked less convincing. It is always a problem, when you think that you have found the key to the Commonwealth and it dissolves in your hands.

Subsequent research suggests that there is a kind of Commonwealth effect, but it tends to be more pronounced among smaller, weaker nations. Actually, if you look at the proportion of trade that Commonwealth countries do with the rest of the Commonwealth, you see that it varies wildly—from

over 90% in some cases to less than 10% in the case of Britain, Canada and some other major economies. It is very difficult to extrapolate anything from an average. I am still sceptical about the value that the Commonwealth adds as a living, breathing organisation. Clearly, there are historical factors that create and maintain strong trading links, but I think it is very difficult to prove a specific effect of the existence of the official Commonwealth.

Q43 Mr Watts: Is there any suggestion that you could develop a Commonwealth free trade area? Is there any mileage in that whatsoever, or is it your view, as previously stated, that not a great deal can be done to boost trade?

Professor Murphy: There are clearly all sorts of problems in terms of the World Trade Organisation in doing that sort of thing. What the Commonwealth can do, which it has done over decades, is help its members to negotiate free trade agreements of certain sorts, and reductions in tariffs; but creating the Commonwealth as a great economic bloc was never a starter even in the heyday of the empire. It was briefly dreamt of in the 1930s, but it's a non-starter now I think.

Q44 Mr Baron: Professor Murphy, can I briefly examine the apparent disconnect between the potential of the Commonwealth and Government policy? In the written evidence from the FCO, the Commonwealth has been described as a ready-made network that cuts across traditional UN regional voting blocs. It consists of six continents, all major religions and a membership that is disproportionately below the age of 25. Notwithstanding the good work that Lord Howell is doing—one is not questioning that at all—there seems to be a disconnect with Government policy. Here we are, putting an immigration cap on professionals and students coming in from the Commonwealth; we seem to be closing smaller Commonwealth embassies, particularly in the Pacific region; and we are reducing funding to the BBC and the British Council. Meanwhile, you could argue that some of our competitors, such as China, are throwing aid at Commonwealth countries—a £400 million programme in Trinidad and a £150 million hospital in Jamaica. Why the disconnect?

Professor Murphy: I completely agree with everything you say. The Commonwealth is often spoken about in terms of soft power for Great Britain, but soft power has to be power for someone and the problem with the Commonwealth is that, in a sense, it has always had a vacuum at its heart. The British Government have never felt really able to take a lead in Commonwealth matters, because they risk being accused of some kind of post-imperial plot. They have always encouraged other people to put forward ideas, but have never really done so themselves. Soft power is the BBC World Service—it clearly is: it is promoting British values, British standards and providing a highly trusted source of news. It is perverse if the budget of the World Service is being cut while there is this rhetoric of international networks.

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There is always this tendency when you interview Commonwealth enthusiasts for them to go into overdrive, talking about how the Commonwealth has the biggest and the smallest, the hottest and the coldest and the highest and the lowest countries in the world—as though that actually told you anything—the message being that there is this huge untapped potential. That message of untapped potential is not new: you can see it in the writings of the great imperial dreamers such as Joe Chamberlain and Leo Amery in the first half of the 20th century. But it was never, even in the heyday of empire, really possible to mobilise those resources effectively, because empire was such a fragile thing. The second world war showed that you can mobilise them to an extent, but only at the expense of wrecking the whole machine, because it was so fragile. So it is certainly not possible in the early 21st century to tap that so-called potential in the way that Commonwealth advocates will often suggest that you could.

Q45 Mr Baron: But may I suggest there is a slight difference? What those Commonwealth commentators were suggesting 50 or 100 years ago was almost an arm of empire with a particular focus on trade. One is not suggesting that that is not important nowadays, but looking forward, we are looking at soft, smart—however one wants to describe it—power, which is a slightly more nuanced category of influence. Therefore, this should not be beyond the wit of man, given that we have here, as even the Foreign Office is willing to admit, a ready-made network. There is a difference between those two, so it is not quite a fair comparison.

What does Britain have to do—for the mutual benefit of the Commonwealth; one isn't thinking of this just as an arm of foreign policy—to develop this? It looks to many of us as though Lord Howell is doing an excellent job, but he is acting in isolation. There is a disconnect within Government; there isn't a single purpose within Government on this issue, despite what to many of us seems to be an obvious gold score. You still haven't described—to me, anyway—why there is this disconnect. We are not looking for an adjunct of empire or trade; we are looking towards the future, and for a nuance on the smart/soft power issue—the Foreign Office has talked about this, and the Foreign Secretary has done so at great length—and yet there is this disconnect.

Professor Murphy: The problem is that those mechanisms of soft power tend, in their nature, to be global. Think about the reach of the World Service; it is not just a Commonwealth service but a global service. Education and the impact of immigration restrictions and visa restrictions is certainly something that the British higher education institutions are very worried about, but they think about it well beyond the boundaries of the Commonwealth. They care about students from across the world—from China, from Brazil; the brightest and the best—being able to access the British university system. Lord Howell may be doing great things within a Commonwealth context, but the problem with soft power in the 21st century is that it has to be global and has to transcend

those historical boundaries. That may be one of the reasons for the disconnect.

Mr Baron: I'm not totally satisfied with the answer, but not to worry; we don't have time.

Q46 Andrew Rosindell: Professor Murphy, I would like to raise a general issue about membership of the Commonwealth, different countries joining and the status of territories. A modern Commonwealth should surely encompass all the peoples of the realms, territories and former countries of the empire that have chosen to be part of the Commonwealth. Why is it, in your opinion, that after so many years huge numbers of people are excluded from being part of the Commonwealth because they are from overseas territories rather than independent states?

Professor Murphy: The last time this came up for consideration was in 2007, in the last major review of the criteria for Commonwealth membership. As in the past, the review group ruled out the idea of offering the overseas territories some kind of associated status. Indeed, a kind of discussion about introducing some sort of associated status has been going on since the 1950s, initially for the smaller territories. The problem with that was always that states did not want to join a club that was offering them second-class status. The problem with allowing the overseas territories into the club now is the other way around. It is a clear Commonwealth principle that Commonwealth countries should be sovereign and independent. There has been ongoing concern among Commonwealth members that Commonwealth membership might seem in some way to subordinate them to the British Government. What they have always been able to say is, "That is not the case because a key criterion is that we are completely independent." It would not be popular within the Commonwealth to allow states in like the Falklands that are not properly independent. I do not know whether you want to go into the other side of that coin, which is, of course, that a number of countries that have not had an historical constitutional link with Great Britain have been allowed in, like Mozambique and Rwanda. Personally, I think that that was a mistake. I do not think that that has worked tremendously well. There are very specific reasons why those countries were allowed in, and they were always treated as an exception. But I would not have thought that there was any real chance of even associate status being extended to the overseas territories.

Q47 Andrew Rosindell: So a country like Tuvalu with 12,000 people gets status and recognition, but a country like Bermuda with 60,000 people or the Isle of Man with 80,000 people does not. We are talking about 31 different territories around the world—not just the British Crown dependencies and overseas territories, but the New Zealand realm states and the Australian external territories. They are all excluded without any status at all. Do you feel that that is justified?

Professor Murphy: It is. It is perverse, but that is the reasoning behind it. They are not fully independent.

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Q48 Andrew Rosindell: Couldn't observer status or associate status be an answer, rather than full sovereign membership?

Professor Murphy: Possibly. As I say, some kind of observer status might be possible but, in the past, the Commonwealth has consistently ruled that there can only be one category of membership. There has been a very long discussion over decades on that.

Q49 Andrew Rosindell: In terms of other countries joining the Commonwealth, clearly there are historical links with all kinds of other countries around the world that have not joined the Commonwealth. You have given examples of countries like Rwanda with no actual links, but there are many other countries. I am thinking perhaps of the Gulf and of parts of central America—even part of Nicaragua used to be a former British colony. Do you not think that we should be more willing to open up to a number of new parts of the world to extend Commonwealth membership or invite countries to join the Commonwealth?

Professor Murphy: I am sceptical about the idea. Too often, the very immediate historical links are played down too much. The fact that those countries have been part of and incorporated in a formal empire created a bond of mutual responsibility. You can say quite rightly that there are all sorts of historical links down the line. You can look at the example of la Francophonie, which has extended observer status to all sorts of countries, such as Estonia and Ukraine. The French are always saying to them that that is a first step before joining the EU. I do not get the impression that that has been a huge success or that it has added tremendously to the kind of discussions in la Francophonie.

Mozambique was a very special case because it almost formed a grouping of otherwise Commonwealth countries that had played a very important role in the Rhodesian crisis and subsequently the South African crisis. It was almost part of the family already. Mandela in 1995 was very keen for Mozambique to join. I think Rwanda has been less of a success, but it is still early days. I am not particularly in favour of constant expansion, but it does become one of the great arguments for the Commonwealth's continued existence. People can say, "Well look, if we're not doing anything valuable, why are all these countries queuing up to join?" It clearly contributes to that argument, but I am not sure that the benefits of expansion beyond those historical boundaries of former empire have been particularly successful.

Q50 Mr Baron: I want to return to the disconnect, because I am not sure that I am satisfied with your answers. May I draw you off the fence? We agree that there is a disconnect, that there is huge potential and that there are Ministers at the Foreign Office who think that the Commonwealth is wonderful and doing a great job, but they are failing at the moment to translate that enthusiasm into concrete policy across the political piece. Is that because there is a lack of

political will to do it and because we need better co-ordination between Government Departments and for somebody to take an overview and grip this, or is it because you don't think it is worth the effort? You have given me both answers, or a combination of both.

Professor Murphy: The difficulty is working out what specifically you should do. The British Government went into the last CHOGM in Perth strongly committed to the recommendations of the EPG. If some of those key recommendations were carried out, particularly that for the establishment of a commissioner for democracy, the rule of law and human rights, it would raise the profile of the Commonwealth and the Commonwealth Ministerial Action Group would work far more effectively as a result. The British Government know that and have been pushing as hard as they can, but there is a limit to what you can do in an organisation of 54 states that makes decisions by consensus. It is just the historical dilemma of the British Government.

There is now a commitment in a way that there never has been before to making the Commonwealth work, but it is a case of finding the levers. What the British Government have to do over the next few months—the EPG recommendations are going to a ministerial task force next month and to a meeting of Ministers in September—is lobby very hard and use any influence that Britain has to push that agenda forward. It will be a very tough fight, because there is a lot of resistance to the idea of a commissioner.

Q51 Chair: Professor Murphy, in the evidence provided by Daisy Cooper, she says that the Government should be planning for the time when Queen Elizabeth is no longer the head of the Commonwealth. Do you think that is likely to happen and that they are not making any plans?

Professor Murphy: There are clearly plans. I am afraid that I have been doing an awful lot of work on this.

Chair: You have one and a half minutes.

Professor Murphy: Briefly, I do not think that they need to make many plans at all. The point about the headship of the Commonwealth is that it was a rhetorical device to allow India to remain in the Commonwealth in 1949. It was not even envisaged as a ceremonial role. The Queen has created that role personally through a series of accretions, such as visiting, I think, all but one Commonwealth countries, being a visible presence, attending all Heads of Government meetings—except in 1971, when she was formally advised not to by Ted Heath—and speaking at meetings since 1997. She has done all of those things, but if all of that ceased the Commonwealth would carry on in its merry way, because those activities are not a formal part of the Commonwealth. They are very much to do with her.

The key point now is that the title, "Head of the Commonwealth", will not be in the accession proclamation of her successor in the way that it was for the Queen in 1952. That much is clear, so a collective decision will have to be taken after her death about what happens. I think it could go either way.

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Chair: That is hopefully many years away. Professor Murphy, thank you very much indeed—you have been really helpful and we appreciate your sparing your time.

I am now going to hand over the Chair's duties to Ann Clwyd.

In the absence of the Chair, Ann Clwyd was called to the Chair.

Witness: Stuart Mole CVO OBE, gave evidence.

Chair: Welcome, Mr Mole. We will ask you more or less similar questions to those we asked Professor Murphy. The first comes from Rory Stewart.

Q52 Rory Stewart: Welcome. Thank you for coming. How would you describe the UK's relationship with the Commonwealth, and how do you think it could be improved?

Mr Mole: Well, I think that the UK's relationship has deep historic roots and to that extent it defines its attitudes to the Commonwealth. As Philip Murphy said in the last session, we have all been encouraged by the proactive role that the British Government in general, and Lord Howell in particular, have taken to the Commonwealth. Following on from the remarks in the last session, I think that there is scope for doing more. There is a rediscovery of the Commonwealth in that respect and of the potential value that the British Government could exploit. Now is the time to see in which specific areas that could be developed.

Q53 Rory Stewart: Have you got any ideas for us? Do you have any suggestions of what, if you were the grand boss of the universe, you would like the British Government to do on the Commonwealth?

Mr Mole: One of the key areas would be sustaining the Commonwealth as a values-based organisation. That is something to which we will no doubt return. It was touched on in the last session. There is much more that the British Government could do in supporting the Commonwealth's work in conflict resolution and democratic development. Those are all important values for the British. They are also key Commonwealth values, and that is one area. There is also a potential in trade. The 1996 inquiry that Lord Howell chaired changed the mindset and attitude to economic relations in the Commonwealth. That was important. It moved away from a north-south aid relationship to one that was looking much more at a potential trading relationship. It is, of course, underdeveloped at the moment, but there is huge potential there, so I would say that trade and investment is a second area of importance.

Thirdly, there is value in how the Commonwealth is perceived within British society. There is a Commonwealth-within factor that needs to be taken into account. There are all sorts of manifestations of the Commonwealth in British society. Nearly 10% of the armed forces are from Commonwealth countries. Many of the iconic figures in sport and in entertainment and all the rest of it have strong Commonwealth connections. I was interested to see that some of the latest research from Facebook shows how the global patterns of social networking are sustained. There are extraordinary links to Africa in particular, as well as to other parts of the

Commonwealth, through those who use social networking.

There is scope for the Commonwealth to be used as a safe context, in which the United Kingdom, as a multicultural society, can feel at ease with itself.

Q54 Rory Stewart: Do you believe that we are putting adequate resources, in terms of staffing and financial support, into the UK Government's engagement with the Commonwealth?

Mr Mole: I do not think that the UK Government are. It is a minuscule amount, of course. By the Foreign & Commonwealth Office's calculation in its paper, I think it is £37 million, and that includes everything, including scholarships and so on. That is just over 50p per every man, woman and child in the UK. Other people would score the figure rather lower, but if you compare that with the United Nations, the European Union, NATO, or whatever, it is a derisory amount of investment. So when one is asking whether it is all worth it, one has to look at that sort of figure and say that it is a small investment for the potential return.

I think one of the difficulties is that the Commonwealth needs to face reform of its institutions and some of its cherished objectives and programmes, and a lot of Governments will be a bit wary about further resources until they see the Secretariat put in place the necessary changes and until they see programmes that they feel will deliver real value. So one can understand a degree of reticence in that respect.

But I think there are other areas where the British Government would not be so constrained. I mentioned the Commonwealth within British society, as it were, and there is much more that the British Government could do as the British Government, in terms, for instance, of developing understanding of the Commonwealth in schools. I know that is something Lord Howell has taken on board, but I don't know whether there has been much development on it.

Then there is the extra-budgetary support. I know that the British Government supported the whole Eminent Persons Group exercise. More could be done, for example, to support particular aspects of the democratic or conflict resolution activities of the Commonwealth. So, these things can be done.

Q55 Chair: Should the UK follow Canada's example and appoint a special envoy for the Commonwealth, do you think?

Mr Mole: I don't think it should. I was interested in what Senator Segal said to you, which was that it already had a special envoy in the shape of Lord Howell and, in a sense, if the British Government were to have a special envoy, that person would be one step removed from the British Government

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apparatus, and therefore I am not sure that there would be particular value.

There is no question but that political leadership is one of the greatest contributions that the British Government could make to the Commonwealth and, of course, it has been rather reticent about this in the past. I think there is a fear that, somehow, we will awaken the sense of being imperialist or neo-colonialist, or whatever. I don't think that is true. I think that a lot of the Commonwealth look for a strong British lead. I would say that it is important that, from the Prime Minister to the Foreign Secretary, through to the ministerial meetings, it is important that the UK is represented at the highest level that it can be. It was hugely appreciated, for example, that David Cameron came to Perth. He did not spend the whole of the meeting there, but he did come in the middle of a severe crisis in the eurozone. That was hugely appreciated. I think that that degree of leadership and involvement is important.

Q56 Mr Baron: Can I just pursue your earlier comments, but also the line of questioning earlier? You were in for that session, so I will not repeat the whole question. But there does seem a disconnect. I am talking about a disconnect across British Government here. There is enthusiasm within the FCO, but that does not translate to actual policies. The BBC World Service is but one example of that. One can look at the embassies being closed down in the Pacific and one can look at the immigration issue. Why is there that disconnect, when we have had the Foreign Secretary being so enthusiastic about the potential of the Commonwealth for mutual benefit, yet it does not seem to be translating across Government policy?

Mr Mole: Well, I'm not sure I'm the best person to answer that question, but I can have a go at it. I do agree with you that there is a disconnect and there are probably other examples of that disconnect, too. I think that part of the answer may be that there is a difficulty in developing policies across a range of Ministries. I suppose the question of the Commonwealth in the curriculum is an example of that, judging by some of the correspondence I have seen. I think that is part of the answer.

I also think that there is a sort of drip, drip of the loss of these things. The loss of High Commissions and other missions in the Pacific was a relatively small amount of money, and I suppose it was relatively unnoticed, but it went. It was hugely noticed in the Pacific, however, and it not only damaged British interests but had a very adverse effect on Commonwealth relations in the Pacific. So these things can look relatively minor in themselves when they are chipped away, but actually, they build up to having a much more significant impact.

I think the real problem, apart from the whole difficulty of co-ordination, is that there must be a coherent desire and the will to put more into the Commonwealth. That will require significant effort.

Q57 Mr Ainsworth: You compared Commonwealth funding with some other international organisations of which we choose to be members, but surely there is a

clearer purpose, still, to most of those. One sees the purpose of the Commonwealth in the immediate aftermath of empire, but what is the purpose of the Commonwealth now, and how will it change over 10 years if it continues to exist?

Mr Mole: Well, the short answer, in terms of what the Commonwealth stands for, is the three D's: democracy, development and diversity. I think that is a sort of shorthand for what the Commonwealth attempts to and does stand for, but it is a moving target. It is something that is growing all the time. The Commonwealth is an organic body. When Philip spoke earlier, he talked about the historical fiction of those values. I would not agree with that. I would call the definition of values something that has developed over the years. The clarity of the definition in 1949 is very different from what we expect of that definition today.

I consider that that will increase, and that we will see greater emphasis on democratic development and on human rights, but I do not think that we should ignore the developmental side, either. It is a very important balance for Commonwealth countries, most of which are developing countries, notwithstanding the difference in size between small and large. They want the Commonwealth also to address issues of development.

The Commonwealth Fund for Technical Co-operation is very small and therefore, in terms of overseas development, a very minor player, but it has a very significant impact, especially in small countries, which can secure high-grade technical assistance very rapidly for priorities that they themselves define. Secretaries-General have said in the past that a country—a Prime Minister or a President—could ring them up and ask for assistance with a harbourmaster or whatever in the main port, and somebody would be on a plane within three weeks. If one wanted that from the European Union, one would probably have to wait three years. There is a great value in having targeted, flexible and responsive development assistance in that respect.

Q58 Mr Ainsworth: You talked about the impact of the Commonwealth on the community and on British life, but how real is that? I represent a constituency with a fairly diverse population. If you go back 20 years or so a lot of those people were coming from Commonwealth countries. They are not now. They are Poles. They are Somalis. They are Kurds. They come from wherever there are issues and needs and they have the ability to come here. I am not so certain that there is that much impact on British life and to repeat the question that I put to our previous witness, if I go back to my constituency and sit in the Bell Green working men's club and ask people what the Commonwealth is for, I do not think I will get a very positive reply.

Mr Mole: Possibly, but one of the interesting things that polling on attitudes to the Commonwealth shows, for example, is that the United Kingdom is one of the weakest in terms of people feeling that there is an impact. None the less, although the impact might be weak, it is positive and it is deeply ingrained. It is visceral in that respect. One only has to think of the

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dispute some years ago between Spain and Canada over fishing and the response of people in Cornwall to that—they did not side with the European Union in that respect but sided with the Commonwealth member—to see the manifestation of that linkage.

I do not just it is a generational thing either. It is, of course, embedded in generations that fought wars and so on. But, as the Facebook study showed, there is a carry-through to modern generations. Although you are absolutely right that many other non-Commonwealth nationalities are now represented in the UK, the work that I did with the Royal Commonwealth Society with young people in the UK showed that, despite their origins being outside the Commonwealth, young people found the Commonwealth a very useful context, a very safe context, to explore identities, to explore different religious outlooks and to come to grips with some of the key values of the Commonwealth. I do not think it necessarily matters that now new British citizens, as indeed they probably always have, extend beyond the Commonwealth.

Q59 Sir John Stanley: Mr Mole, may I put to you the question I put in the previous session to Professor Murphy? Do you believe that the Foreign Office and the British Government should seek to promote within the Commonwealth a successor document to the Harare declaration and to try to see whether we can get a text agreed as widely as possible within the Commonwealth to support human rights, including women's rights? I thought Professor Murphy made a very interesting case, based on the impact of the Helsinki Final Act, for the benefit of having an agreed international document by means of which people in individual countries who are fighting for human rights can exert pressure on their own Governments.

Mr Mole: Yes. First of all, I think that there is value. I am not a wholehearted supporter of the charter, but there is value in, as it were, codifying all previous declarations. Of course there is that question of nomenclature, which you referred to in terms of Harare, which is a kind of cosmetic point. I think that countries will be called to account regardless of whether that is done or not. It would be good to think that the process of debating the charter, which we certainly thought was the intention at Perth, involving civil society, would be another way of holding Governments to account and addressing some of those colonial laws and all of the rest of it that we were talking about. Unfortunately, as I said in the Round Table submission, I think far too little time has been given to allow a pan-Commonwealth discussion involving civil society. That is, I think, unfortunate.

It is, as I said before, a developing definition. I didn't, Sir John, agree with your characterisation of the Harare declaration as being more honoured in the breach than the observance. I thought Harare was a huge step forward. At that point in 1991, there were, out of a membership of just over 40, nine one-party states or military regimes represented in the Commonwealth sitting around the table quite happily, and accepted as such. That is no longer acceptable. By the mid-90's, not only had all sorts of programmes been introduced and Commonwealth election observer

missions become the norm rather than the opposite, the whole emphasis changed and it was no longer acceptable that any country with an unconstitutional change of Government should be able to come and sit at the table. So everything in the garden is not lovely. Of course, it is not perfect. But there have been very substantial democratic developments since 1991. Now is the time to move that yet further forward.

Q60 Chair: Some countries seem more prepared to use the carrot and the stick than we are. For instance, Malawi reviewed its laws on homosexuality and the death penalty in response to the threat from the United States to remove aid. Do you think that should be done more by countries such as the UK?

Mr Mole: Of course, the Commonwealth was an absolute groundbreaker in terms of setting up this mechanism, this Commonwealth Ministerial Action Group, in 1995 to address issues of violation of Commonwealth values. It has the stick and the carrot. I think that the British Government would much prefer, as would all Commonwealth Governments, these things to be done multilaterally, rather than on a bilateral basis. No doubt there will be occasions when that might be inescapable, but just as in the 1960s and '70s Governments reacted very badly to the British Government's current policy on Rhodesia and South Africa, came not to take it out entirely on the British Government, but instead to recognise within the Commonwealth one could remain and still have that dialogue. Probably, that would be the approach now. It is in that respect a kind of family organisation, in which probably a bit more latitude is given to backsliders than might be the case in a different sort of organisation. But the influence of the family can still be very potent.

Q61 Chair: One of our witnesses criticised the Commonwealth Ministerial Action Group for not acting against Commonwealth members that are continually abusing rights. Why is it so inactive?

Mr Mole: The Commonwealth Ministerial Action Group lost its way at the turn of the millennium, and in the early part of this century it became inactive. It was bypassed by this idea of a troika of present, future and past chairmen of the Commonwealth summit that happened over Zimbabwe. There had been, I think, many missed opportunities on the part of the Commonwealth Ministerial Action Group. It was not meeting enough—there were all sorts of shortcomings. The watchdog simply was not barking and it seemed to have very few teeth. Now, I'm a cautious optimist about where we are now, because for years previous Commonwealth Secretaries-General were trying to get the criteria for CMAG's engagement beefed up. We tried to get new criteria adopted. That failed. The previous Secretary General, Chief Anyaoku, tried it in 1999 and failed. At last, we have new criteria.

It was interesting to note that the turmoil in the Maldives was met by a much more encouraging, proactive response from the CMAG. I have looked back at the report of the Eminent Persons Group, and the actions of the Commonwealth in the space of a month hit about five or six of the Eminent Persons

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Group's recommendations. They immediately convened a meeting of the CMAG, and they did it using virtual technology, which was one of the recommendations. They sent in a ministerial mission straight away, which was another of the recommendations. They suspended the Maldives' membership of CMAG—they were, up until that point, a member of CMAG—and the Secretary-General made an immediate statement. It was perhaps not an earth-shattering statement, but he made a statement none the less. They appointed a Special Envoy. There was a range of things on which at last one felt, "This is what the CMAG should be doing. This is the sort of action the Commonwealth should be taking."

Q62 Chair: Another witness expressed concerns about Commonwealth overreach. Although he praised the secretary-general, he felt that the Commonwealth needed to change its priorities. Particularly, he said that the amount of work and "money that has been devoted to development has...been ineffective, based on the assessments of DFID and others." Should the Commonwealth Secretariat continue to provide development assistance? Indeed, is it an area the Commonwealth should be acting on?

Mr Mole: As I said earlier, I think there is an important balance to be struck. The Commonwealth has to show that it is concerned about development. That can happen in many ways. One of the Commonwealth's strengths is as a generator of consensus. John Baron raised the issue of representation at meetings attended by Government Ministers. Well, one of the finest examples of British engagement with ministerial meetings has been successive Chancellors—John Major, Ken Clarke and others—who developed the whole debt initiative, the adoption of HPIC and what followed thereafter. That was a huge contribution to international attitudes towards debt relief and so on, and it was done through Commonwealth mechanisms. They are there, in my view, to be used. That has contributed to development, and it doesn't necessarily need to be done through the Commonwealth Fund for Technical Co-operation.

Obviously, the Commonwealth Secretariat has a major job to do, this year in particular, in bringing itself up to scratch in adopting a strategic plan that is fit for purpose, focused and all the rest of it. Until it does that, there will be a degree of reticence, but I think the balance between democracy and development needs to be sustained.

Q63 Rory Stewart: If we put more resources in—more money and more dynamic people—and really set ourselves to making the Commonwealth an exciting partner for Britain, if we really make that a priority, could Commonwealth countries become a bit suspicious and resentful? How would we avoid that?

Mr Mole: I think it's a question of the way in which it's done. As I said earlier, I don't think there would be any suspicion or ill feeling if the British Government took a more active part in the Commonwealth, but I have witnessed occasions when it is not done in a particularly sensitive way. So, it's very much a question of how we do it. There are

delicate perceptions here, especially if you think of something like the proposal for a Commissioner for Democracy, Human Rights and the Rule of Law, which has become a totemic issue emerging from the Eminent Persons Group report. I think that is rather unfortunate, personally, because it is seen by a lot of other Commonwealth member countries as a stick to beat them with. One of the difficulties with that proposal is not the essence of what it is saying, which is absolutely sensible, but the language. I think "Commissioner" is a very unfortunate title, for a start. The more Canada, the United Kingdom and Australia beat the drum for that, the more they might be perceived as having an attitude that is resented.

Q64 Rory Stewart: If we were focusing not on human rights and government but on prosperity, power and shared national interests, what would be the do's and don'ts of how Britain should interact with the Commonwealth in trying to use it as a way of projecting those elements?

Mr Mole: One of the basic points is, despite the pressures on Prime Ministers' and Ministers' diaries, it is very important to give the Commonwealth some time. It is a different type of organisation—asymmetrical, organic—where some degree of interaction is important. It is a very human organisation in that respect, and being able to play a full part at the Heads of Government meeting at the Retreat is therefore very important. Sometimes that is perhaps not possible, but it is unfortunate if the Commonwealth is just seen as the briefest of stops on the ministerial itinerary. There has to be genuine, sustained engagement to get the very best out of it.

Q65 Mr Watts: We have heard from Professor Murphy that it could be said that the human rights agenda is not being developed in the way people would hope in the Commonwealth. Turning to trade, people might also think, "Why are we spending some £30 million when we cannot even deal with the trade issue? There is no benefit to the UK from the trade relations that we have." Is that your view, or is there anything we can do? For example, could we have a free trade area with the Commonwealth? What are the financial benefits to the UK from our membership and all the effort we put into the Commonwealth?

Mr Mole: First, I would not agree that the trade and investment angle has no benefit to the UK, although I accept that it is relatively modest in relation to the European Union. It is an area of considerable potential growth, however, given stagnation in Europe at the moment and robust growth in Africa; most African countries now are exhibiting very strong growth. If you look at the potential five years down the track of Asian economies and so on, I would have thought the potential for exports and investment is strong. If the British Government are uncertain about the Commonwealth effect, let us see their own study and see what more they can do. I am sure there are things the British Government can do to strengthen that dimension.

Q66 Mr Watts: One of the suggestions is a free trade area. What is your view about that? Do you have any

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other suggestions that you think might improve the situation?

Mr Mole: The free trade area runs against the obstacle of the European Union and membership of it. That is an immediate difficulty. Most Commonwealth countries are open economies, however, and the UK has a huge interest in developing world trade, obviously. There are areas where the Commonwealth can assist the development of a development round, for instance, at Doha and through the World Trade Organisation. I would like to see further study by the British Government. There are potential markets that need to be developed.

Q67 Sir John Stanley: Do you consider that the British Government should be exerting more pressure within the EU to try to get changes to specific EU trade and tariff policies that are adversely affecting Commonwealth countries? Are there tariffs in the EU's external tariff that are particularly disadvantageous to Commonwealth countries? Are measures being taken by the EU under anti-dumping legislation that you consider unjustified or excessive, and that are having adverse impacts on Commonwealth countries?

Mr Mole: I don't think I can answer you specifically on that; I don't have that information to hand. Clearly, there have been considerable concerns over time about the adjustment to these regimes of some Commonwealth countries, especially small Commonwealth countries. It is important that the historic cause that the Commonwealth has in aid of small states needs to carry over into the whole area of trade. Establishing an office at Geneva, as the Secretariat did last year, is a useful step in that regard. The European Union is putting through the Commonwealth Secretariat a substantial "Hubs and Spokes" programme which is designed to assist that whole interface. These are all areas where the Commonwealth can use its relationship with small states—whose interests may well be rather different, obviously, from the major players—to make sure that the relationship between the reality of the European Union and Commonwealth trade is a fair one.

Q68 Sir John Stanley: Do you have any views you want to put to the Committee on the impact of the EU's promotion of biofuels on world food prices and cereal prices, which have been so damaging to the poorest countries, including those in the Commonwealth?

Mr Mole: I don't think I can comment on that particular aspect.

Q69 Andrew Rosindell: Mr Mole, can I ask you your views on a specific area, which is the expansion of the Commonwealth and also the role and status of the 31 external territories: the British overseas territories, Crown dependencies, the Australian external territories and the New Zealand realm states? First, what is your view about expansion of the Commonwealth? What new countries do you feel we should be attracting in? Secondly, where do you see that the external territories fit within a modern Commonwealth?

Mr Mole: As far as expansion is concerned, I am generally supportive of the idea of the Commonwealth developing its membership. There will come a point—I am not quite sure where that point is—at which the dynamics of a Commonwealth that is able to engage in a Heads of Government meeting on an intimate level and so on will become increasingly difficult. That is something that needs to be considered very clearly.

There are some obvious candidates. I hesitate—it is the last place one should mention, being in the British Parliament—but Ireland's return to the Commonwealth would be beneficial both to Ireland and to the Commonwealth itself. Burma is another obvious candidate. There are potential candidates, apart from those, whose claims are a little less obvious.

As far as the overseas territories and Crown dependencies are concerned, I think we need to move on in terms of attitudes on this. As I saw in the evidence to this Committee, the Crown dependencies and the overseas territories are themselves developing—not yet, and maybe not ever, a state of full sovereign status, but they are developing in an interesting way. Gibraltar's constitution has a high degree of autonomy, for example. I notice that both the Isle of Man and Jersey spoke about their development of an international dimension, concluding agreements without the British Government in that respect. I think there are all sorts of areas where we have a rather interesting new tier of potential Commonwealth membership emerging.

Of course, it is not true to say that those territories and so on are not members of the Commonwealth. They are members of the Commonwealth, and they participate in many aspects of Commonwealth activity—the parliamentary association, the Commonwealth games and so on—but I think the 2007 study and the Patterson inquiry into this, was very conservative in its approach. I think it could be much more imaginative in looking at different layers and levels of engagement.

I think one could have dialogue partners. That happened at the 2009 Trinidad and Tobago summit, when President Sarkozy was there. The Nordic countries and Japan have been anxious to work with the Commonwealth, maybe putting development assistance through the Commonwealth, and I think they are perhaps natural dialogue partners. Equally, some kind of membership that is short of full membership is quite understandable and reasonable.

Q70 Andrew Rosindell: You said that they were members of the Commonwealth. That is not strictly true, is it? They are not actually members of the Commonwealth. Their sovereign mother countries, if you like, are members of the Commonwealth, and their involvement is only in terms of outside bodies such as the CPA. They do not have any direct status within that organisation.

Mr Mole: That is true only if you think that the Commonwealth is solely an intergovernmental organisation. I do not think that, and many people do not think that either. It is intergovernmental and non-governmental. There is the unofficial Commonwealth.

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Those of us in the unofficial Commonwealth feel ourselves as much members of the Commonwealth as anyone else in our respective organisations.

Then there is a kind of no-man's land between the two states of living, where there are ambiguities. I think the Commonwealth Parliamentary Association is a slightly hybrid body. I think the Commonwealth Local Government Forum has intergovernmental as well as non-governmental aspects. There are different manifestations between these two principal layers of intergovernmental and non-governmental, but they are all part of the Commonwealth. If you look at the overseas territories in a whole series of ways, their participation in this respect is very strong.

Q71 Andrew Rosindell: But what would you say to the people of Bermuda, for instance, where there are 60,000 people, compared with, say, Tuvalu, with 12,000? Do you agree that by not giving these territories a status—even associate, observer or some kind of status—you are almost saying to them, “If you do not want independence, you will never be given the same recognition, even though you are much larger in some cases than many of the existing full member states”?

Mr Mole: This is where what the Isle of Man and Jersey were saying about developing an international dimension is really quite interesting. One could find even more dramatic contrasts than between Bermuda and Tuvalu.

Q72 Andrew Rosindell: For instance the Isle of Man, with 80,000.

Mr Mole: Yes. So you could find that.

I would be keen on greater involvement of territories such as Bermuda, the Cayman Islands and Gibraltar in hosting Commonwealth meetings. They would need to do that, under the present rules, in association with the British Government. The same, of course, applies—we ought to keep this in the whole frame—to the nations of the United Kingdom and, indeed, to the provinces of Canada, the states of India or whatever. They can all play their parts in the hosting. Bermuda has, I think, hosted a finance Ministers meeting in the past—certainly the Cayman Islands has. It did give status to Bermuda to host alongside the British Government, which is more than one might think from its non-status as you have described it. That is an area that should be developed. It helps the country to internationalise its contacts and profile.

Q73 Andrew Rosindell: May I ask one final question? Going back to my first point about the

expansion of the Commonwealth, you mentioned Ireland and Burma, but what other countries and parts of the world do you see as potential members? Do you see, for instance, countries such as those in the Gulf and the Middle East as potential members? What other parts of the world would you highlight as potential future members?

Mr Mole: I suppose that the difficulty in calling out names is that that would encourage instant deniability and so on. I would have thought that having a place for a representation from the Middle East—the Arab world—would be very useful to the Commonwealth and would make it a stronger association.

Back in 1997, at the time of the Edinburgh Commonwealth summit, Palestine had applied to join and I think it still has its application for membership lying on a table somewhere. But, of course, Palestine was not admitted because it was not yet—nor is it now—a sovereign nation. Alongside Palestine, there was talk at that stage of other Middle Eastern countries possibly joining the Commonwealth. There are others that one could mention now.

I want to say one thing about membership, because this is something we talked about earlier. Countries have very different motives for joining the Commonwealth. Very few probably join the association for grand, multilateral reasons. Often it is for regional reasons or for bilateral reasons, and sometimes it might be for national development reasons. I think that Cameroon joined because it wanted to develop internal cohesion between its Francophone and Anglophone populations. Malaysia has used its membership as part of its 2020 vision to develop. South Africa came back into the Commonwealth after 1994 not out of sentiment but so that it could reconnect with a world from which it had been excluded.

Countries have very many different motives for wanting to join the Commonwealth. Although we have two examples of countries that have not had a link with another Commonwealth country—it does not need to be with the United Kingdom—in Mozambique and Rwanda, may I say that Mozambique has been an exemplary member? Its membership has been to the benefit of Mozambique and the Commonwealth.

Chair: Mr Mole, thank you very much indeed for coming to give evidence to the Committee. It is much appreciated.

Mr Mole: Thank you.

Tuesday 24 April 2012

Members present:

Richard Ottaway (Chair)

Bob Ainsworth
Mr John Baron
Sir Menzies Campbell
Ann Clwyd
Mike Gapes

Andrew Rosindell
Mr Frank Roy
Sir John Stanley
Rory Stewart
Mr Dave Watts

Examination of Witness

Witness: Ms Ruth Lea, Arbuthnot Banking Group, gave evidence.

Q74 Chair: May I welcome the public to this session of the Committee's current inquiry into the role and future of the Commonwealth? We intend to focus on the benefits of the existence of the Commonwealth to the UK and will briefly address any reforms needed. Our first witness this morning to look primarily at the trade aspects is Ms Ruth Lea of the Arbuthnot Banking Group.

Ms Lea: Good morning.

Q75 Chair: Good morning and welcome. You said that you would like to make a short opening statement.

Ms Lea: Indeed I would, and it really encapsulates my written evidence. I take the approach from the economic future of this country. As a country, we need to realign our trading relationships with the growth markets of the future. The Commonwealth countries, of course, contain a lot of those growth markets. Some of them are already very wealthy and some are becoming wealthier, and obviously there is a lot more economic potential there going forward for this country to benefit from.

Of course you have to be careful here, because you do not want to be seen as saying, "Either the EU or the Commonwealth"—I am talking now about maximising our relationships with as many countries as we can—but the EU, by comparison, is set to be a laggard in terms of growth. There is absolutely no doubt about that, and I am not just talking about the current crisis of the eurozone. It is interesting that even on IMF figures, to give some sort of impression, the EU26, that is the current EU27 minus ourselves, accounted for nearly 30%—about 28%—of GDP in 1980. By 2017–18, that will be 15%—so it was nearly 30% in 1980 and it will be 15% in 2016–17. In 15 or 20 years' time, it will account for about 10% of world GDP. We have to think about that. We have to think about where it is going to go and the implications for us.

I would like to see us build up our trade relationships with the Commonwealth countries. I think that, commendably, the Government are already doing that. I noticed that the Prime Minister and the Foreign Secretary have been doing these sorts of things. Clearly, and this is the controversial bit, I think that we need to think about having free trade areas with the growing parts of the world economy, including the Commonwealth.

At the moment, we cannot negotiate our own free trade agreements because of our membership of the EU customs union. To be able to develop those free trade agreements, we would have to withdraw from the EU Customs Union. It is interesting to note that even though the EU has been good and very forthcoming in developing free trade agreements with many countries, they are not negotiating anything, as I understand it, with Australia, New Zealand, the United States of America—a very important market for us—or China, which is a very rapidly growing part of the world. To cut a long story short, that is what we need to do. I am looking forward to the decades to come for the economic future of this country. We need to think forward.

Q76 Chair: Thank you very much. If your wish is not granted and we do not come out of the EU Customs Union, how can we best exploit the Commonwealth to our advantage? Let's put it another way: why is trade so low at the moment and what can we do to improve it?

Ms Lea: Trade, as you imply, is fairly low. I provided some figures in my written statement.

Chair: Yes, that was very helpful. Thank you.

Ms Lea: They show that with some of the Commonwealth countries we traded quite well, but with others—I quote Canada and various others—a lot more could be done. Clearly, what the Government are doing at the moment, by trade relationships and going round and negotiating with countries, is fine, but obviously, from my point of view, there is an element of frustration in all of this because we are restricted in what we can do, because of our membership of the EU. However, I would say to the Government, the Department for Business, Innovation and Skills, and UK Trade & Investment—I used to work for the Invest in Britain Bureau—that what you are doing now is fine, but it is necessarily limited in its scope and objective.

Q77 Chair: So it is "Go on as you are" at the moment. The figures that you helpfully provided paint a picture that suggests that, actually, we are doing a lot more with people outside the Commonwealth than we are with the Commonwealth.

Ms Lea: Well, where we—

Chair: And, as we are focusing this inquiry on the Commonwealth, do you think there is any scope for improving the relationship with the Commonwealth in

a certain way that you can suggest that would promote trade?

Ms Lea: I think I have already said that we are restricted in what we can do, but what the Government are already doing, no doubt, is on the right lines. The Commonwealth Business Council and all these organisations do a good job, but to me, as an economist looking forward, with these enormous tectonic shifts in the world economy, it just is not coming to grips with the reality of the 21st century, to be frank. Of course, as we know, one of the main reasons why the European Union will be a shrinking part of the world economy—indeed, Commonwealth countries are going to expand—is the demographic factors.

The UN figures, which I give in my written evidence, are absolutely stark. By 2015, you will see that the German working population will be down by 25%. The Italian will be down by 21% and the Spanish, by 14%—I quoted the figures. To me, it is a matter of saying to ourselves, in a way, “Forget history. Forget that we had the great empire. Forget the history of the 20th century.” It is where this country needs to be placed as we go forward. I think, with the current political restrictions, it is going to be very difficult to maximise the potential benefits.

Q78 Chair: Your message is that the future is the Commonwealth, not the European Union.

Ms Lea: The future is the Commonwealth, the United States of America, and China and a lot of the other developing countries. The European Union—it is not even a matter of being a Eurosceptic; it is a matter of looking at the figures. The IMF figures are absolutely stark. In fact, when I look at them I can hardly believe them, but that is where the IMF is, so who am I to disagree with the IMF?

Chair: I could think of half a dozen questions that would distract us completely from the subject matter today, so I will move on.

Q79 Mr Baron: Ms Lea, some scorn has been poured on the idea of a Commonwealth free trade area. From what you say, I personally agree that we should be gearing up more towards areas of the global economy that are growing and expanding, and the Commonwealth has its fair representation in those areas, which is marvellous and we should be taking advantage of it, but the simple fact is that something like as little as 8% of our trade is with the Commonwealth. What can we do? What should we be doing to put that right? Is a Commonwealth free trade area the answer, and what is stopping us from doing that?

Ms Lea: I think a Commonwealth free trade area would be a huge step forward. Of course, I am aware that industrial tariffs are already fairly low, but when you look, for example, at agricultural produce, the EU is a highly protectionist organisation. Quite a lot of the Commonwealth countries and, indeed, Latin American countries are part of a Cairns Group that is always castigating the EU—and by the way, Japan, Switzerland, and the United States—for being so protectionist. So, if you go for a fully-fledged free trade area covering all goods, you can see that that

would be, I think, a very beneficial step forward. A lot of evidence shows that when free trade areas are put together, they are beneficial. It was interesting that when the North American Free Trade Agreement was started, of course, Ross Perot said that there would be a “giant sucking sound” of jobs from the United States into Mexico. It did not really happen that way, and the Congressional Budget Office has given some evidence that NAFTA has helped the United States of America—perhaps not hugely, but it has helped.

The other component of NAFTA was Canada, which already had a free trade agreement with the United States and to some extent that was dampened. There is plenty of evidence to suggest that free trade agreements between countries, and especially countries that have different industrial make-ups—it is called trade creation rather than trade diversion—are helpful. I find it frustrating that no serious study has been done into the potential benefits of a Commonwealth free trade agreement. Perhaps that is something that I could recommend the Committee to consider.

It would be interesting if the Commonwealth Secretariat sat down to see what the potential benefits would be but, if I may say so, it must start with a blank sheet of paper of our leaving the EU’s Customs Union. Once you are part of a customs union—it is not only the EU27 that are part of that union, but also Turkey and San Marino and one or two other micro-countries—the EU Trade Commissioner negotiates on their behalf about what the trade agreement would be. As I have said, they are not even thinking about negotiating anything with Australia or New Zealand. To cut a long story short, there is a lot of potential there and I would love to see a serious study done. However, we have to face up to the fact that it would mean quite a major change in our relationship with the EU. You cannot beat around the bush about that.

Q80 Mr Baron: No, absolutely, but can I explore that? A study sounds eminently sensible, but can I come back to the central issue of our relationship with the EU? Presumably, you are not suggesting withdrawal from the EU but from the EU customs union. To what extent could we try to ride two horses, or do you think that it is not possible and that it has to be one or the other? Can you give us some concrete examples of where the EU would make it almost impossible for us to explore a free trade area with the Commonwealth?

Ms Lea: I think it is absolutely the case that if we were free to develop our own free trade agreements, many countries, including those in the European Union, would wish to have a free trade agreement with us. Look again at some of the figures that I produced and at the huge current account surplus that the rest of the EU has with us. If I may say so, they would be cutting off their nose to spite their face if they told us that they did not want to trade with us—it would be just unreal. Added to that are the overall WTO rules in which various countries do their trade. There is no reason why a country such as this, which has a terrific global heritage, should not reach out to any country and propose a free trade agreement that would be mutually beneficial. We are a rich, important

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market for an awful lot of countries, and that in itself is an attraction. The idea that you would have to trade with this person or that person—that is not how world trade works. Businesses look for trading opportunities and comparative costs and profitability—you know that as well as I do. If we developed a free trade agreement with Canada, Australia or India, there is no reason why we should not continue to trade fully with the EU countries, as indeed Switzerland does. Switzerland, of course, is not a member of the EU but it thinks that it has a mutually beneficial arrangement, and so it proves to be.

Q81 Rory Stewart: I am trying to understand why you think that the detail of our relationship with the Commonwealth is so promising. Is there something about the comparative or competitive advantage of Britain in relation to Commonwealth countries that makes it a more attractive trading partner than, for example, China or Brazil?

Ms Lea: Yes, indeed there is. After the 1997 CHOGM, a study was done to estimate what they called the “Commonwealth Advantage” of doing business with other Commonwealth countries, compared with non-Commonwealth countries of a comparable size. The authors at that time—again, I quote this in my written evidence—concluded that business costs could be 10% to 15% lower when dealing with Commonwealth countries because of the commonality of heritage law and language, than with non-Commonwealth countries.

Q82 Rory Stewart: And yet only 8% of trade is with the Commonwealth, which might imply that something about the structure of our industrial base, or the nature of the two economic systems, means that despite that 15% saving, we are not trading as much as you would expect.

Ms Lea: I think it tells me—again, I think I implied this—that we are not dealing with the Commonwealth as much as we could.

If I could just finish on this business about “Commonwealth Advantage” and the idea of business cultures, as you may know, I worked for a Japanese bank for five years very profitably. I respected Japanese business culture hugely, but I was always aware that it was in some ways different and there could be misunderstandings. I have to say that when I deal with Australians, New Zealanders, Canadians or indeed Indians, I do not find that level of potential misunderstanding.

I think you have hit the nail on the head. At the moment, clearly, for one reason or another—perhaps because it has been rather focused towards European markets and the United States of America—British business has taken its eye off the ball when looking at the other developed economies, particularly economies such as Australia, New Zealand and Canada. But it is not just this advantage in terms of business cost that makes the whole thing so appealing, but the fact that these are growth markets. You just have to look at the demographics and the way that these countries are growing in terms of GDP—African countries too, which we have hardly mentioned—to realise that they are the growth markets of the future.

Q83 Rory Stewart: You understand this stuff much better than I do. Is it not possible that it is something to do with the structure of our economy that means that we are not trading very well with Commonwealth countries? Hypothetically, Germany may have things that India wants to buy, which Britain does not have. Is it possible that we work better, let’s say, with the economy of the United States in terms of the kind of goods and services that we provide, and that there is no demand in the Commonwealth for the stuff that Britain is good at?

Ms Lea: That obviously is an element, but let’s be frank: if we were in some sort of free trade agreement, you would see that with the relevant advantages of dealing with Commonwealth and other non-EU countries as opposed to EU countries, the balance of advantage would begin to shift. I have little doubt that as these Commonwealth countries grow and expand, there will be plenty of potential in the British economy for expanding its trade with those particular countries. It is not a matter of saying, “We are here and now, and this is where we will be for the rest of eternity,” but a matter of looking forward and saying, “This is what we should do to enable trade and improve, and look for the advantages and benefits therein.”

Q84 Sir John Stanley: The livelihoods of very significant numbers of people in the Commonwealth are very dependent on the ability of their countries to export agricultural products to the EU. In the evidence that you have just given, you have described the EU as a highly protective organisation where agricultural products are concerned. Can you give us any specific measures that you would wish to see the British Government taking with EU member states to try to make tariffs, anti-dumping provisions or quotas fairer and more reasonable to Commonwealth countries in the agricultural sector?

Ms Lea: The reform of the Common Agricultural Policy has been on the cards for as long as I can remember—probably ever since we joined the EEC back in 1973. Indeed, when Tony Blair, the previous Prime Minister but two, was dealing with the last negotiations on the budgetary contributions, I understand that reform of the Common Agricultural Policy and its protectionism was meant to be part of the deal. But as far as I am concerned, very little progress was made on that. I think it is true to say that within the EU, Britain’s voice when it comes to agricultural policy can be quite vocal, but it does not tend to be terribly influential. I fear that the situation will be very difficult to change. At the end of the day—again, this is not meant to be a comment against the French, whose country I admire greatly—serious reform of the CAP, I suspect, will never happen while France is so determined to support its farmers.

Agricultural policy in the EU is clearly a problem. I have made that point already in connection with the so-called Cairns group. It is not just the Commonwealth, but most of Latin America, Indonesia and various other agricultural exporting countries. It has been a real issue with them that the EU’s protectionism is a problem. We could argue too that

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the Doha, the current round of trade talks, has tended to grind to a halt, which partly reflects the problems.

Q85 Sir John Stanley: I asked whether you had any specific proposals.

Ms Lea: I have no specific proposals because the truth is that we have tried. It is just against a political block at the moment.

Q86 Mike Gapes: Can I take you back to your assertion that somehow we could get a Commonwealth free trade arrangement? If you are withdrawing from the EU Customs Union, you are actually going further than withdrawing from the EU. Turkey is not a member state of the EU yet it is in the Customs Union, so actually that is going further.

Is not the big issue how we increase our bilateral trade with India? India's trade is going up. India is one of the BRIC countries. India is one of the dynamic economies. It is the only one of those major economies—the new emerging economies—that is a Commonwealth country. The real question is whether we should use our UK Indian diaspora and other connections to massively increase trade with India. Is not the big problem there that India itself is not very keen on having free trade arrangements with other countries because India is still largely protectionist, particularly with regard to agricultural issues?

Ms Lea: You have almost answered your own question, if I may say so.

Q87 Mike Gapes: You agree with me, then?

Ms Lea: Of course, but it is not just India. Do not forget that, when it actually comes to per capita incomes and, indeed, other measures of wealth, the really rich Commonwealth countries are Canada, Australia and New Zealand. They still are. I take your point that India, as it develops no doubt, will wish to become less protectionist, and that we honestly, through our trade missions or whatever, will aim to develop links with India. Again, the Foreign Office is on to this one. There is no question about that. I have already said so.

It is not a matter of just dealing with India. You want to think of the whole of the Commonwealth bloc. We have barely mentioned Africa this morning, yet there are economies in Africa—South Africa, for example, is a member of the G20, and is potentially a very important economy. You do not want to just be picking one particular Commonwealth country off, as a star. You want to be looking at the strengths and potential of all of them. Obviously, they differ hugely, but do not just think about India. That would be a strategic mistake.

Q88 Andrew Rosindell: Can I just clarify one or two points, Ms Lea? You talked about the Customs Union, but you are not talking about ending trade with the European Union. You are talking about enhancing trade with the Commonwealth, but also having more flexibility in who we trade with and what trade agreements we make. Is that correct?

Ms Lea: Absolutely. If we did withdraw from the Customs Union—I know that that is the big “if” and the political problem; I am not unaware of that—you

develop your free trade agreements with whichever country you consider to be a favoured country. For reasons that I have already given several times, obviously I think that many of the Commonwealth countries have huge potential, as does the United States of America. There will be a lot of other developing countries that one simply should not ignore.

As I have already explained, if we withdrew from the EU and the EU Customs Union, I would certainly consider having a close free trade agreement with—

Q89 Andrew Rosindell: Switzerland?

Ms Lea: Like Switzerland. I think that Switzerland has managed to develop a very good relationship with the EU. In fact, economically it is more integrated in the sense that a bigger proportion of its trade is with the other EU countries than us because we have such a big economic link with the United States of America. That is the main reason for that. Again, people say to me, “You’ve heard this. They won’t trade with us.” Well, I have already said that of course they will trade with us. If they have a £30 billion trade surplus, they will trade.

In any case, there is the notion that countries trade with each other. Countries do not trade with each other; businesses do. If we said to Germany, “Well, I am sorry, but we are not going to buy any more of your Mercedes-Benz cars or your BMWs,” I suspect that Mercedes-Benz or BMW would be quite upset about it and might actually knock at the door of the German Chancellor and say, “Look: this is not good enough.” What you want is to free yourself as a country to be able to have the trade agreements that—

Q90 Andrew Rosindell: Flexibility.

Ms Lea: Absolutely.

Q91 Andrew Rosindell: Just one other quick point. How important are the special factors of our heritage, our language and common legal system—all those things that these countries have inherited from Britain—to developing a new free trade agreement with the Commonwealth?

Ms Lea: I think it is considerable, as I explained to Mr Stewart. There was this estimate of the “Commonwealth Advantage”—the advantage being trade—and that was done after the 1997 CHOGM in Edinburgh when the business councils and various other things were put together. It seemed to me that that particular CHOGM really was on the right lines. Perhaps the Commonwealth has drifted away from the trade and business angle, but there was certainly an estimate then that you could keep your business costs down, because of the commonalities that you were referring to.

Q92 Sir Menzies Campbell: Why do you think the Commonwealth drifted away after 1997 from the direction that you preferred it to take?

Ms Lea: Again, I am not an expert on this sort of thing, I have to admit. I am wildly speculating now, so please delete from the record if it is completely wrong.

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Q93 Sir Menzies Campbell: We are used to that.

Ms Lea: I speculate that perhaps the Government had got other priorities, but I really do not know. It is just a reflection of mine. If someone said to me, “They are still there beavering away at economic and business things,” I would say it’s a fair cop.

Q94 Sir Menzies Campbell: I think we understand the advantages of the common heritage, but the possible disadvantage is that although the common law is throughout the Commonwealth, the way in which it is observed is not always uniform, and of course there is also the question of corruption in emerging economies. Do you think a different emphasis on the rule of law than we, for example, would expect, and also the incidence of corruption, may have an inhibiting effect on trade with the Commonwealth?

Ms Lea: I think it is inevitable that we are where we are, to use a phrase. We can all build up our own perfect worlds, but we live in the real world. What may be seen as corruption by our standards may not be seen as corruption by other people’s standards. I accept that. As a pragmatic economist, you accept the world as it is. Even so, you say to yourself that the potential is still there, but more could be done if we could build up our relationships, as I have suggested, whatever the other problems happen to be. That is the situation. You just take that as a factor and then move forward as best you can.

Q95 Sir Menzies Campbell: It is a well-honed political cliché that it takes two to tango. Did you detect any enthusiasm on the part of Commonwealth countries for the kind of free trade area you have discussed?

Ms Lea: Certainly. I remember, when I was running the Centre for Policy Studies, we had some people over from Canada, including one of the former Trade Ministers from Canada. The Canadians were incredibly enthusiastic.

Q96 Sir Menzies Campbell: Was that before or after NAFTA?

Ms Lea: Oh, afterwards, because NAFTA was back in the ’90s. It was quite a long time ago, whereas this was four, five or six years ago. They were very enthusiastic. In fact, I was amazed by their enthusiasm. It almost fired me up to start thinking about it as well. It was they who actually pointed me in this particular direction. I think it was because they wanted some sort of sense of identity beyond just being north of the 49th parallel.

Q97 Sir Menzies Campbell: Well, they have lived with the problem of having the United States as the permanent elephant in the room.

Ms Lea: It was partly that as well. Whatever the reasoning, it seemed very pertinent that that should be the case. When I talk to my Australian colleagues—I talk to Commonwealth and Australian groups quite frequently—there is a general sympathy and understanding for it. They said, “You’ve turned your back on us.” I have heard this so many times. “You’ve turned your back on us and gone off to Europe, and you ignored us in the 1970s. You don’t really think this is a possibility, do you?” I said, “I don’t know.” That is all I can say. But there is an enthusiasm there.

Chair: Ms Lea, thank you very much. Time is up and we have two more witnesses to come. We appreciate your time. It has been very helpful.

Ms Lea: Thank you.

Examination of Witness

Witness: **Mr Mark Robinson**, Chair (UK), Commonwealth Consortium for Education (CCfE), gave evidence.

Q98 Chair: May I welcome Mr Mark Robinson, who is the Chair of the Commonwealth Consortium for Education? I do not need to explain anything to you, Mr Robinson, as you have represented two seats here in the past. I gather you would like to make a short opening statement.

Mr Robinson: If I may, just to put us into context. I am the alternate chair of CCfE because the actual chair is Colin Power who is former Deputy Secretary-General of UNESCO and is based in Australia, so it is natural that he needs a counterpart here. I must also present an apology from Peter Williams, the founder of CCfE and the Secretary, who is out of the jurisdiction today, although he very much wanted to be here. I said I would pass on his apologies. He has been the prime mover in the establishment of the CCfE, which is an organisation of 20 Commonwealth education NGOs—the numbers vary a bit from time to time. We have a co-ordinating role.

That is all in the paper that has been presented and I am not going to go through that, except to say that not all the members are based in the UK. Some are based in Australia, Barbados, Canada, Jamaica, Kenya

and South Africa. We are also privileged to have the Association of Commonwealth Universities and the Commonwealth of Learning among our members.

We are active in all aspects of education, not just primary or secondary—tertiary and beyond. Commonwealth Education Ministers’ meetings have been going on for 50 years. It is the second largest Commonwealth gathering, after CHOGM, and has parallel forums. This time it will include stakeholders, youth, teachers and tertiary education. Last time it was Commonwealth vice-chancellors. Of course, education goes to the heart of development throughout the Commonwealth.

We also have a record of helping to get things done. It was at the Commonwealth Education Ministers’ meeting in Edinburgh in 2003 that we set up a group that led to the production of the Commonwealth Teacher Recruitment Protocol, which when we arrived in Edinburgh was firmly opposed by the then Secretary of State for Education. By the time Charles Clarke left, he was firmly in favour of it and it has gone from strength to strength.

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We are very supportive of the Commonwealth Scholarship and Fellowship Plan, which has up to now around 26,000 fellows. You never know where you might meet them. I found myself in Great Richmond House in Tobago just before the Trinidad CHOGM and my host was Professor Hollis Lynch, a distinguished octogenarian Harvard professor. We had been talking for only three minutes when it suddenly came out in conversation that he was one of the first seven Commonwealth scholars, and he said, "I have never forgotten the Commonwealth from that day to this." When I told him that the Foreign Office had withdrawn its £2 million funding, the poor man nearly had a coronary.

I mention that because, although the Foreign Office did in 2008 withdraw that funding, it has been made up for: £400,000 now comes from the Department for Business, Innovation and Skills, and the rest is made up by our key universities in this country, which have regard for the pan-Commonwealth nature of this programme. The Foreign Office was helping us fund fellows from the developed as well as the developing countries. The value of that was very clear to me when I went to the welcome in Edinburgh two years ago, when you see the interchange between the students from all around the Commonwealth. It is very important having representatives of developed countries there, as well as those of developing countries.

Finally, I will say that after 50 years we have established a Commonwealth Endowment Fund, to which the first contributors were Britain and Malaysia, with £500,000 each. I am now pleased to tell you that among the most recent contributions were £650,000 from Australia, and we are now over the £3 million mark. In about three weeks or so, there will be an announcement from a major Commonwealth donor that will take it close to the £6 million mark, which means that every year we will be able to fund 25 scholars. They will not be coming to Britain, but they will be exchanging. For instance, we have started these exchanges and we have got a British fellow in Nigeria at this moment. It will be exchanging south-south and north-south.

I hope I have put things in context.

Chair: That is very helpful; thank you.

Q99 Sir Menzies Campbell: It is a pleasure to see you back again, Mr Robinson. You have largely answered some of what I wanted to ask about scholarships in your opening statement. But it is the case, is it not, that although BIS has provided cash for scholarships, the level of finance available is less than the Foreign and Commonwealth Office made available in previous times? Is that right?

Mr Robinson: No, that is not right. The Commonwealth Scholarship and Fellowship Plan has more or less held its own in recent years. The graph is not necessarily going up, as we would like it to, but it has held its own very well. The bulk of its funding comes from the Department for International Development and not from the Foreign Office, but of course DFID will only fund the development aspect, which means the Fellows and Scholars from developing countries. Where we really needed the

Foreign Office funding was to ensure that the scheme remained pan-Commonwealth. I was delighted when BIS decided to give some replacement funding to this and after the change of Government, the present Secretary of State for BIS agreed to continue that funding. If I am not out of order, Chair, I would like to thank Mr Rosindell for the support that he gave us in securing that.

Chair: Not out of order at all.

Q100 Sir Menzies Campbell: Mr Rosindell does not think so.

It is a question that one should never ask, but I take it, then, that you would like the graph to go up, rather than to stay level.

Mr Robinson: Of course I would like to see the graph go up, and so would the Commonwealth Scholarship and Fellowship Plan and the Commonwealth Scholarship Commission, simply because of the high quality of the Plan and where the scholars get to. I have a whole list of scholars here. What happens to them? In their own countries they become Prime Ministers, one became a President, they become Permanent Secretaries, they run their industries and become Chief Executives, they do enormously positive things in the health service and education service—the record, as in these lists, which I am happy to give to the Clerk if that is useful, gives the value of the scheme. If I were to put a catch phrase on it, this is a very clear example of "Commonwealth Connects".

Q101 Sir Menzies Campbell: May I ask you a more general question? One of the previous witnesses in our inquiry was dismissive of the notion that the Commonwealth could be tapped as a soft power network—I am sure you understand the distinction more recently drawn between hard power and soft power.

Mr Robinson: Yes, I understand.

Q102 Sir Menzies Campbell: Do you think there is a network? You have described where people finish up, but I wonder what the relationship is between those who have been scholars inter se and whether there was a network of that kind that scholarship opportunities provide.

Mr Robinson: Well, there wasn't, but there is now, because of all the advantages of electronic communication. One thing that completely astonished us, when the Foreign Office funding was withdrawn, was that one of these modern petitions was put to Downing Street and, at the time, it was the biggest ever. It was run by a Canadian and signed by Commonwealth Scholars from all over the world. What you find in international negotiations, when there are two Commonwealth people who know each other, is that suddenly the Commonwealth message gets through in those negotiations. It is added value, almost of a vintage kind.

Q103 Sir Menzies Campbell: And is that something that your organisation is seeking to promote or is it self-generating?

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Mr Robinson: No. Since the withdrawal of that £2 million, we have been seeking to generate. We have set up a committee to support the CSFP, which meets regularly. It is run by an organisation, the Council for Education in the Commonwealth, some of whose members are sitting behind me, of which I was executive chair for six years, before I became chair of this organisation. Great drive was given to that by a former Member of this House, Valerie Davey, who did a tremendous amount of work in helping. This is how we got the CSFP Endowment Fund not just up and running, but up and running in a very serious way. We can reach our first target of 25 scholars every year from the endowment fund. We hope to get to £10 million; we are about to get to £6 million.

Q104 Sir Menzies Campbell: Can I put a possible scenario? You are sitting in the office of the Foreign Secretary, William Hague. He says, "What more can we do in the realm of soft power to influence the Commonwealth and bring it closer together?" What would be the three things that you would say to him?

Mr Robinson: The first thing I would say is that the legacy of colonialism is a long way behind us and I believe that Britain can afford to be more proactive in initiatives that it takes in the Commonwealth. Secondly, we have Commonwealth ministerial meetings—I don't want to criticise the Foreign Office, but I think they could do more to make sure that our Departments of State are properly represented at these meetings. At the Malaysia Education Ministers meeting—the High Commissioner's face when he heard that there was not even going to be a Minister from Britain was a picture. Luckily that was corrected. Although the Whips would only allow David Lammy to come for a day, his presence during that day was enormously appreciated.

Q105 Sir Menzies Campbell: Is this at ministerial level?

Mr Robinson: This is at ministerial level. I have heard the word disconnect used—there is a bit of a disconnect. The Foreign Office should have a role, if they do not do this already, in making sure that other Departments of State connect when Commonwealth Ministerial meetings are coming up.

That said, the present Foreign Secretary and Lord Howell have made tremendous efforts to promote soft power. I was at CHOGM: Lord Howell was everywhere. Then the Commonwealth People's Forum, which I do not think had ever seen a British Minister, was closed out by the Foreign Secretary, and these things are both noticed and appreciated.

Q106 Sir Menzies Campbell: So it is largely ministerial availability and influence that you—

Mr Robinson: It is always a problem, but the developing countries of the Commonwealth find time to send their Ministers, who get enormous value out of meeting Ministers from the developed side. Education is another form of soft power. The number of Education Ministers who go on to become their Heads of Government is extraordinary. I can think of one from this country who did just that, as well as the

2009 Commonwealth Chairman from Trinidad and Tobago.

Q107 Mr Roy: Mr Robinson, I went to a high school on Friday and spoke to fifth and sixth year pupils. Because of this inquiry about the Commonwealth, I asked them, "What does the Commonwealth mean to you?" No one answered.

Mr Robinson: I am not surprised. A strong programme was run by the Commonwealth Institute, which no longer exists—it has been translated and become the Commonwealth Education Trust with activities largely focused in Cambridge. Before every Commonwealth Day, the Institute would be running programmes in schools about the Commonwealth. Unfortunately this no longer happens.

The Commonwealth is also supposed to be part of the national curriculum, but this does not feed through in the ways that it should. What is interesting to me when I travel in the Commonwealth is that in Commonwealth developing countries, the Commonwealth is far more to the forefront of people's—and young people's—minds than it is in this country. Mind you, there is news media competition and a whole lot of that. Although it does important things in the context of the Secretary-General's good offices and through the Commonwealth Ministerial Action Group (CMAG), it is not on the front pages of our newspapers, which is where young people would notice it.

Q108 Mr Roy: Can I just clarify something? When you say that the Commonwealth is not part of the national curriculum, do you mean the English and Welsh one? Scotland and Northern Ireland have a totally different curriculum.

Mr Robinson: I don't know whether it still is, but it never had any impact, and that criticism has been made. What is the Commonwealth? That is actually a very good question. When you go to the Commonwealth Day service and Westminster Abbey is packed, it is packed with schoolchildren—the Queen attends—from all around Britain.

Q109 Mr Roy: So schoolchildren from the very north and the very south?

Mr Robinson: The very east and the west. Wales and Scotland come into consideration for the Commonwealth Day service at Westminster Abbey, which is very well run by the Royal Commonwealth Society on behalf of Commonwealth organisations.

Q110 Mike Gapes: Do you think that the recent changes and restrictions on student visas to this country will have a disproportionate impact on Commonwealth countries and that relationship?

Mr Robinson: It could do. I have already seen where it has an impact in the other Commonwealth work that I do. Sometimes you have won funding to bring people over here for a specific symposium, or whatever it happens to be, and then they can't get here at the last minute because they cannot get a visa in time. It varies so much from country to country. Before coming here, I asked that very question of the Association of Commonwealth Universities (ACU). It

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said that because this is a Government-supported programme it hasn't had serious difficulties, but it needs to be watched.

Q111 Mike Gapes: You also referred to people having an ongoing relationship. Does the Foreign Office devote any resources to allowing, enabling and facilitating former Commonwealth Scholars to keep in touch with each other, or is that done entirely outside official structures?

Mr Robinson: As far as I know, it is done entirely outside. One should remember that when people come to study for their PhDs, they are making a contribution both here and back at home. Often, some of their course requires further work back in this country. The intellectual property remains here, but they do not always find it easy to come back because of the visa system. A little bit more flexibility in that regard is always welcome, but of course I realise the pressures at the other end.

Q112 Mike Gapes: Are you aware of the John Adams Society, which the American embassy runs or facilitates for people who have been on the international visitors programme to the US? Is there anything comparable?

Mr Robinson: Nothing similar, as far as I know. That said, as a Commonwealth scheme, it is right up there and does have its own networks. One big scheme in this country is the Rhodes Scholarship Scheme, and alongside that comes the CSFP and the Marshall Plan. The Commonwealth Scholarship Commission is now going to administer the Chevening scholarships, as well. I think the ACU won that contract recently.

Q113 Mike Gapes: Does the Commonwealth Secretariat or the Commonwealth itself do anything to facilitate these relationships?

Mr Robinson: Some of us would argue that it could do more, although the Secretariat is very compactly and tightly staffed. Yes, it is supportive. Yes, it will give a reception or whatever. But it is very much the role of the Commonwealth Scholarships Commission to run the scheme.

Q114 Andrew Rosindell: Mr Roy spoke earlier about the school in his constituency where the young people had no idea of what the Commonwealth meant to them. What recommendations would you give to our Committee on how the Government should do more to promote the understanding, particularly on the educational side, of our membership of the Commonwealth to young people and to students?

Mr Robinson: The best way to promote understanding is through our school system and school networks. A lot more can be done. The other way that we are doing it is through model Commonwealth Heads of Government Meetings both in Britain and in other Commonwealth countries. I think Canada started this off and I know that the RCS has given support to that. These practical things attract the interest of young people, bearing in mind all the other things, with exams and everything else, that they have to do. But every little bit of effort in promoting the Commonwealth in schools is something that we have

argued for. In that context, we really do miss the Commonwealth Institute. There is no point going back and crying over spilt milk, but we really do miss it and the role it used to play, with all its flags, on Kensington High Street.

Culture is another means of promotion. We must remember that as well. Another way of doing this, and I remember from my former constituency of Somerton and Frome, is through exchanges between schools. Castle Cary had an exchange with Mufulira in Zambia. These exchanges were enormously important and the visitors would come here to the House of Commons and be received by the Speaker and many others beside. A lot of those inter-school exchanges need encouragement and should be encouraged. The impact on school children from this country meeting children from developing countries, is profound and should never be underestimated.

Q115 Mr Watts: Some people might think that the Commonwealth is outdated, outmoded and that is why there is less interest in it in the UK and less interest in it around the world. If you look at trade, for example, there is no evidence whatsoever that it brings any benefit to the UK economy or to other countries. Is it not a case of flogging a dead horse here—and we need to rethink our relationship outside the Commonwealth?

Mr Robinson: My answer to that would be no, it's not flogging a dead horse, because the people who make the Commonwealth are Commonwealth leaders themselves. I think it was the Prime Minister of New Zealand who was talking to the Prime Minister of a developing country who said something interesting in the education context, which resulted in the New Zealander saying, "Right, my Government will fund that." Friendships develop and these become helpful in international negotiations. In the climate change negotiations, it was the Commonwealth that was able, although the ultimate outcome was disappointing, to get some focus into the developing countries' wishes which were reflected in the final outcomes. Another example some years ago was the process leading to the independence of Belize, where Commonwealth Foreign Ministers came together in New York and set that whole process in motion when it looked like it would never happen because of aggressive assertions by neighbours, who eventually accepted the situation.

Q116 Mr Watts: But isn't it the case that people have moved on? In the case of the UK, it has moved on to its relationship with Europe. In the case of Australia, for example, it has developed new trading partners and is now a major player within its own region. Isn't that the reality? The world has rapidly changed and new relationships have been developed, and it's going to be impossible to repair them and bring them back to the former glories of what some people would say is the Commonwealth.

Mr Robinson: I would stick on your saying "bringing back". The Commonwealth is not about bringing back; it is about moving forward. Why is there such a strong relationship? Because of commonality of language, because of similar systems of law, because of similar systems of local government, similar

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systems of education and more. After all, by way of example many Commonwealth countries use our examining boards here in this country for their own exams and qualifications.

Under the surface, when you get away from the political soundbites, there is both a lot happening and much affection, not just for Britain but between all members. It may be a bit of a club, but it is a club that is successful, and one that has made successive French Presidents jealous, because they can't recapture the same kind of thing with the Francophonie, much as they would like to.

Q117 Sir Menzies Campbell: At least one Commonwealth country has appointed a Commonwealth ambassador. Do you think the objectives you have described this morning would be more easily achieved if the British Government were to appoint a Commonwealth ambassador?

Mr Robinson: The Commonwealth has had an ambassador—I hope you won't think I am repeating somebody else's evidence, but I entirely agree with it—in Lord Howell, but I think—

Sir Menzies Campbell: I was thinking of someone with a specific—

Mr Robinson: It needs to be given to—*[interruption.]* Where do we go on from here? You can't always have a Foreign Office Minister racing all over the world, trying to rev up the Commonwealth in quite the skilful way that Lord Howell does with all his experience. It comes back to what I was saying earlier. I think there is plenty of scope for the Foreign Office to be more proactive and to encourage initiatives than it used to be. I remember having discussions about that when I was working with Douglas Hurd in the Foreign Office, but that was a long time ago. It was hard work, because officials in the Foreign Office who have not dealt with the Commonwealth say, "Oh, it's not terribly important, is it?" Maybe that is where a disconnect lies.

Q118 Mr Baron: There seems to be a disconnect in the present Government's approach to the Commonwealth. On the one hand we hear very warm words and some of us welcome that. The Foreign Secretary has gone out of his way in making the case

that we need to step up to the plate when it comes to the Commonwealth. Yet on the other hand when you look at the actions of the Government, whether it is reducing the reach of the BBC World Service or closing the smaller embassies, particular across the Pacific, which had a very negative impact from a PR point of view in those smaller Pacific regions, it seems to be at odds with what the Foreign Secretary was saying. Why do you think there is this disconnect? Is it just a muddle or what?

Mr Robinson: Well, on the closures in the Pacific, a lot of it happened before the present Government came into office. I am totally opposed to closing diplomatic representation. All right it is expensive, but you can find other ways, perhaps, to keep the communications going with those smaller countries. It is the small states of the Commonwealth that get a massive amount out of CHOGM and get helped in their international negotiations through the offices of the Commonwealth Secretariat as established in New York and Geneva. That sort of work is important given that, I think, 33 members of the Commonwealth are technically small states, including Namibia which is a country of vast size, but classified as a small developing state.

We need to look to our overseas territories. Some of those will become independent in due course. The numbers will rise. Britain can help some of those countries to be active in Commonwealth meetings by including them in their delegations. They have done it in the past. I know Bermuda has hosted a Commonwealth Finance Ministers meeting. We have not heard much of that in recent times. Although the Commonwealth Foundation did a survey recently into that whole question, there is plenty of scope for activity if we choose to make it happen. But, of course, the Foreign Secretary has Syria on his desk. He has Libya on his desk. As Lord Carrington once said something along these lines, "I always find the Commonwealth at the bottom of my in-tray and at that moment I have to go and vote somewhere."

Chair: Mr Robinson, thank you very much indeed. There is a wealth of experience both in your written and oral evidence. It is very much appreciated. Thank you for coming along.

Examination of Witness

Witness: **Dr Danny Sriskandarajah**, Director, Royal Commonwealth Society, gave evidence.

Chair: May I welcome our third witness? He is the director of the Royal Commonwealth Society, Dr Danny Sriskandarajah. Welcome, Danny. Is there anything that you would like to say by way of an opening statement? In that case I will hand over to Andrew Rosindell.

Q119 Andrew Rosindell: First, how do you feel the Commonwealth benefits the United Kingdom? Also, how cost-effective is it for the UK to be part of the Commonwealth?

Dr Sriskandarajah: If I can start with the cost-effectiveness, I think the Commonwealth represents

incredible value for money. The size of the UK publicly-funded commitment to Commonwealth institutions is tiny in comparison with most other international organisations or associations. But the value that Britain derives from the Commonwealth is immense. Some of it is in the diplomatic world and as an intergovernmental organisation or several intergovernmental organisations, Britain has yet another forum to pursue foreign policy objectives. More important than that are the sorts of ties that previous witnesses have talked about, whether that is the networks of Commonwealth scholars or alumni around the world or business people who are

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interested in trading across the network. It is those networks—the network of networks—that benefit this country, directly sometimes, but more often indirectly.

Q120 Andrew Rosindell: There are those who think that the Commonwealth is a relic and is something that belongs in the past and has no relevance to today. Would you go along with that? What is your view on those who dismiss the Commonwealth as an irrelevance? My second point is that you represent the Royal Commonwealth Society. How important is the Queen and the heritage of the monarchy to the strength and stability of the Commonwealth overall?

Dr Sriskandarajah: I will start with your second question. I have had the privilege over the past three and a half years of being the director of the Royal Commonwealth Society. I came in naively thinking that this would mean fusty conversations with palace officials about what they thought the Commonwealth was and that I would struggle to modernise the institution. I have been pleasantly surprised by the energy and enthusiasm that, I think, comes from Her Majesty herself, as well as through her officials. They see this as far from being a relic or a vestige of an imperial past. They see it as a body that is alive. Some of the most ambitious and bold statements about the future of the Commonwealth have been made by Her Majesty in Christmas messages and in the opening remarks that she made to the last CHOGM, where she talked about the Commonwealth needing to be bold. Those were far more provocative than many of the political speeches, in terms of saying that this is an organisation that needs to become bold.

If I can turn to your first question, the Commonwealth is at risk of becoming a relic and of becoming irrelevant to more and more people. Something urgent needs to be done not just to fix the intergovernmental institutions, which were designed, let us not forget, in the 1960s and have seen little modernisation since then, but also in those networks and the ties that link people.

My parents were born in Sri Lanka and had the opportunity in the 1970s to go to Australia and New Zealand on Commonwealth-inspired scholarships. I grew up in Australia and came here on a Rhodes scholarship, which is not directly Commonwealth, but it certainly has a Commonwealth aspect to it. I fear that the sorts of ties that were natural for my parents' generation and even for my generation will be lost to my children's generation, because the Commonwealth is not important, because of how the world and the lives of people have changed.

When I started at the Royal Commonwealth Society, many people said to me, "We lament the loss of the relevance or the prominence of the Commonwealth." We commissioned seven nationally representative sample surveys in seven Commonwealth countries, including this one, Australia, South Africa, Malaysia and India. We found what I think are worrying results. Only a third of people in each of those countries on average could identify anything that the Commonwealth did, and half of those said the Commonwealth games. In countries such as Australia and Canada, vast numbers said that they would feel

indifferent or, sometimes, even happy if their countries withdrew from the Commonwealth.

I think that there is a disconnect between the ideals and the potential of the Commonwealth and how it is being felt and recognised in the lives of people. Some say, "Well, every international association suffers from a low profile or a lack of understanding," and that may well be the case, but the Commonwealth has a double bind, which is that because it has arisen from history and carries what one might call historical baggage, it is encumbered by misperception. People say, "Oh, that is just a British colonial club," or, "That is something that the Queen is interested in and is nothing that affects my life." The Commonwealth has to work extra hard to recast itself as a modern and contemporary association. I fear that fewer and fewer people know about the Commonwealth, let alone care about it.

Q121 Andrew Rosindell: How do you see the Commonwealth being funded? You have already mentioned that the amount of money that the Commonwealth has costs us a tiny amount compared to other institutions such as the EU. How would you approach that? If you want to expand the Commonwealth and make it more relevant, how would you justify spending extra money to make it the organisation that you have described?

Dr Sriskandarajah: I divide expenditure into two broad categories. The first is the public money that is spent in Commonwealth institutions—perhaps member subscriptions to the secretariat, the foundation or the Commonwealth of Learning. Those contributions should be assessed like any other. As a taxpayer, I hope that they are assessed in terms of their value for money and the results that they are achieving. The UK Government should invest or disinvest, depending on how effective those institutions are. We had a multilateral aid review done by DFID into the Commonwealth Fund for Technical Co-operation last year. The results of that, which were published, are not particularly good when it comes to the CFTC's performance on DFID's measures. That is in terms of direct investment in those Commonwealth institutions.

The really interesting aspect of how the UK might be able to support the Commonwealth is through these indirect activities. I mean the sorts of networks, connections and activities that happen across the Commonwealth, but that are not necessarily done through the intergovernmental Commonwealth. I work for a Commonwealth institution that pre-dates the modern Commonwealth—the RCS was founded in 1868—and I never fail to be amazed by the fact that, in the Commonwealth, we have an inheritance that no other international association can boast. There is no royal OECD society that tries to promote international understanding among schoolchildren across the OECD. There is no G20 parliamentary association that boasts hundreds and thousands of members around the world. It is there that the uniqueness of the Commonwealth lies, but perhaps also where greater public investment might bear even more fruit.

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Q122 Mr Roy: You mentioned the benefits, networks and relevance, but I would be interested to know what benefit the Commonwealth has to the ordinary working-class constituents in my area? What networks can they join or be part of, and what is the relevance to their life of being in the Commonwealth?

Dr Sriskandarajah: At the highest level, your constituents benefit from their country being a member of this amazing international association where foreign policy objectives are, I hope, furthered. So the world is a better place because they are nationals of a country that is a member of this unique association.

There are also trade and economic benefits that, as I think a previous witness said, are hugely under-utilised. Ms Lea talked about the research that was done in 1997 to try to quantify this Commonwealth advantage. Two years ago, the Royal Commonwealth Society updated that analysis and, in fact, I hope that we upgraded the methodology used. We found that if you compare the trade volumes—goods and services—that are passing through to country pairs, the trading volume between two Commonwealth members is likely to be a third to a half more than trade between a Commonwealth member and a non-Commonwealth member. That is after we correct for similarities in terms of language, history, proximity and a whole range of other Commonwealth factors. This is what we call the Commonwealth advantage.

There is something there in terms of the familiarity between countries in the Commonwealth—the established connections and the ease with which business and trade can happen—that will benefit a business person in your constituency. The sadness is that that happens despite there being, apart from the Commonwealth Business Council, no formal mechanism through which the Commonwealth promotes trade or investment.

Finally, one of the most inspiring aspects of my job is attending occasionally the Commonwealth youth summits that the Royal Commonwealth Society holds. I am always amazed at the passion with which the young people—15 or 16-year-olds—who take part in our programmes approach international issues. We have been running youth summits over the past few years that are focused on international development issues such as maternal mortality or malaria. To see a 15-year-old in Glasgow get really worked up about the injustice of maternal mortality figures in the rest of the world while sitting in a model Commonwealth summit is really inspiring.

That is where the Commonwealth can help. It can encourage people to think beyond their own communities, and to think about international issues and the world's connectedness. To me, that is what the Commonwealth has always been about. It has been about what used to be called friendship, or might have been called solidarity, but today is called networks. It is about connecting people in a meaningful way and getting them to think about meeting and touching others in other parts of the world.

Q123 Ann Clwyd: We constantly hear that we share the same values, so what should the Commonwealth

be doing about human rights abuses in member states? Should it be more proactive than it is at present?

Dr Sriskandarajah: The evidence suggests that the Commonwealth must be more proactive. When the Royal Commonwealth Society conducted the Commonwealth conversation three years ago—it ended up being the largest ever public consultation on the future of the Commonwealth—one of the clear messages was that people said that there was a disconnect between the values that the Commonwealth is allegedly interested in, and what they perceive to be inaction in those areas. If we want to restore public interest and public confidence in the Commonwealth, we must address that perceived, if not real, disconnect.

I sometimes wonder whether the Commonwealth as an intergovernmental institution is more like a club or a church. We often think and talk about it as a club, and what benefits country x or y receives from joining it. Why did Rwanda join? Was it because of the trade benefits, or the political access? That is great, because every international association must deliver tangible benefits, such as the one we have just been talking about. The Commonwealth is, if not the only one, one of the very few voluntary international associations that cross the world and are more than just regional. What separates it is that it is a values-based organisation. It is more like a church.

Q124 Ann Clwyd: But what is it doing to address human rights abuses? Give me an example of what it is doing in member states.

Dr Sriskandarajah: The intergovernmental Commonwealth speaks out through the Commonwealth Ministerial Action Group, for example. Last week, CMAG made a provocative and bold statement about the state of democracy in the Maldives. That is an example of the intergovernmental Commonwealth if not at its best, certainly at its most vocal.

Another, very different example of how the Commonwealth works is that we have the inheritance of civil society networks—what we call the people's Commonwealth—and professional and other associations. An example is the Commonwealth Journalists Association, which is a voluntary association of working or retired journalists from around the Commonwealth. It is a good example of using the Commonwealth's moral authority to speak out from an independent perspective when there are instances of abuse of freedom of the press in Commonwealth countries.

Q125 Ann Clwyd: I have to interrupt you. Does the Commonwealth retain a moral authority, given what happened at CHOGM, and given that the next CHOGM will be in Colombo in Sri Lanka, where there are of course continuing human rights abuses? Doesn't that give the wrong message about the purpose of the Commonwealth?

Dr Sriskandarajah: If you agree with me about my analysis of what the public have said through our public consultation about the disconnect—one outcome of CHOGM that was highly publicised was the lack of agreement about a commissioner for

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democracy, human rights and the rule of law—the decision to go to Sri Lanka will certainly be perceived by the interested public around the Commonwealth as further deteriorating that moral authority.

Q126 Ann Clwyd: Therefore, given that the Canadian Prime Minister has said that he will not go to CHOGM, should the British Prime Minister be going?

Dr Sriskandarajah: If I read the Canadian Prime Minister's statements correctly, he said something slightly different. I think he said that he will not be going to CHOGM in Colombo unless there is a marked improvement in the state of affairs in Sri Lanka. Perhaps the British Prime Minister should do something similar. We know that in the bilateral relationship, the British Prime Minister and the Foreign Secretary have said that they would like to see things happen in Sri Lanka; and the world will be watching very carefully when the Commonwealth goes to CHOGM. I think the last thing we would want is for people to lose further trust or confidence in the Commonwealth.

Q127 Ann Clwyd: What improvements should there be in Sri Lanka for the British Prime Minister to base his decision on?

Dr Sriskandarajah: I am not an expert on what is going on in Sri Lanka at the moment.

Q128 Ann Clwyd: But you must have a view, as you speak for an association.

Dr Sriskandarajah: Well, the RCS's interest is for the Commonwealth to be seen as a values-based, rigorous, robust association. The last thing any of us working in the Commonwealth want is for that image of the Commonwealth as a values-based association to be diminished, by action or inaction. That is our interest above all.

Q129 Ann Clwyd: Is there a role for the UK Government in pushing these reforms within the Commonwealth?

Dr Sriskandarajah: Yes. I think there is more than a role—a necessity. The intergovernmental Commonwealth institutions, let us not forget, were created much later even than the modern Commonwealth. So in 1949 the leaders agreed to create the modern Commonwealth; in the early 1960s a secretariat was created. I had the privilege last year of being seconded to be the director of something called the Commonwealth Foundation, which is another intergovernmental organisation, based in Marlborough House—a subscription-based intergovernmental organisation. I saw at first hand both the potential of those organisations and how much needs to be done to reform them and to modernise what goes on.

The total staff of Marlborough House-based institutions is a few hundred people, which I think someone has said, rather bemusingly, is fewer than those who work in the cafeteria in UN headquarters. The advantage for those who work in the cafeteria at UN headquarters is that they have one relatively simple task to do every day, which is to serve up good

food. The problem for all of those people in Marlborough House is that they have got a huge range of mandates to cover and issues to work on. I think we really do need to have a set of organisations that is far more focused and fit for modern purpose.

Q130 Ann Clwyd: Finally, can I ask you about the role of the Commonwealth Parliamentary Association? Does it fulfil the objectives of the Commonwealth? What role does it play?

Dr Sriskandarajah: From what I have seen of the CPA, I think it is one of the best Commonwealth organisations or associations. It has a huge convening power—I have been to a couple of its conferences and it is almost the Commonwealth at its best. It is about people who come, who I think learn, engage and network through these meetings. Parliamentary democracy around the Commonwealth is surely strengthened by the presence of an organisation like the CPA; so it is promoting Commonwealth values.

Q131 Sir John Stanley: Do you consider the Harare declaration dead or alive?

Dr Sriskandarajah: It is not quite dying, but I do worry about it. I worry about the fact that the Commonwealth has failed to show how it adds value to existing international legal and other instruments. What is missing in the Commonwealth these days, I think, is—what is it that membership of the Commonwealth does for a country when it comes to these values on human rights, or various principles? There is an increasingly crowded marketplace when it comes to not just the legal instruments but the institutions that are there to uphold them. When the Commonwealth was created, and even when the Harare declaration was signed, the marketplace was less crowded. Now the Commonwealth needs to do more to make the case for why membership of the Commonwealth goes over and above current obligations that member states might have.

Q132 Sir John Stanley: Leaving aside for the moment the degree of life that might be left in the Harare declaration, would you agree that if the Commonwealth is to have real human rights value, purpose and standards, there have to be not only action groups, even at ministerial level, but a basic written text to which all Commonwealth members subscribe and against which each and every Commonwealth member can be judged on whether they are compliant with the text? If you agree with that, do you also consider that this is the time when the UK and, hopefully, many other Governments should come together to produce a new Commonwealth statement of human rights to which all members subscribe?

Dr Sriskandarajah: I agree, but perhaps for a different reason from most others. From the research we have done on public perceptions and understanding of the Commonwealth, something like that would help because it would make it very clear what membership of the Commonwealth means. Earlier, you talked to another witness about teaching about the Commonwealth in UK schools. Great; I think that is something that the RCS would support

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very much, but the last thing we want to do is teach the Commonwealth as a historical artefact. The last place you would want to see the Commonwealth appear is in the history curriculum. Where we need to see it is as part of a geography curriculum or a general studies curriculum so that young people, my children, understand what membership of the Commonwealth means and so that they start reading about the Commonwealth in newspapers today, rather than hearing about the past glory of Commonwealth actions. A charter, or whatever it is, that encapsulates those Commonwealth principles and can easily be communicated, not least to schoolchildren, would be very valuable indeed.

Q133 Sir John Stanley: I would hope not in the geography curriculum but in the citizenship curriculum and the human rights curriculum.

Dr Sriskandarajah: There too.

Q134 Mike Gapes: In the previous answer, you referred to the welcome Commonwealth Ministerial Action Group statement on the Maldives coup—I do not think they refer to it as a coup, but the perception, certainly among many people in the Maldives, is that there was a coup. The reality, of course, is that the Commonwealth makes statements; it does not necessarily have any power to bring in sanctions or other measures. Also, the Commonwealth has not made statements of a similar kind about some other Commonwealth countries in the past. Is there a need to revisit the way in which the Commonwealth makes decisions, to move away from this declaratory consensus approach, so that we could, for example, address Sri Lanka, which was referred to earlier?

Dr Sriskandarajah: From my time working in Commonwealth institutions, I get the sense that it is the very things that make the Commonwealth unique that also make it prone to inaction. The consensus-based way of working is fabulous and in the past has been a really important way of building solidarity across Commonwealth members. Commonwealth members come to the table knowing that they are going to be part of a collective decision-making process and will not be outvoted by the big boys around the table. On the other hand, what we have seen in recent times is that those sorts of processes and the institutions around them can lead to an impasse.

I do think that the Commonwealth needs to revisit not only the way that it makes decisions but the sorts of levers that it has at its disposal, whether it is a public statement encouraging a member state to do this or not do that, or whether it is the idea of sending special envoys. Let us not forget that in the Maldives the Commonwealth has appointed a special envoy who I believe has been doing his best to bring the various parties together. So there are ways of working that the Commonwealth needs to revisit. Every international organisation needs to look continually at the ways that it can operate and how it is adding value to the marketplace of what everyone else is doing.

My personal feeling about what has happened with the Commonwealth is that the ways of working for the Commonwealth were created in the 1950s, '60s

and '70s and they have not been modernised since then, yet the world has changed so dramatically. Every region of the world has a fairly robust and growing regional body, whether it is the African Union, ASEAN, or wherever else. All of these organisations have emerged in the last few decades, and the UN has grown in size and scope, in terms of what it does, since the 1960s. So, if you are a leader of a small or developing country, you need the Commonwealth less than you might have in 1965 or 1975. I think that every organisation needs to revisit the ways that it makes decisions, or the ways that it intervenes or influences how the world works.

Q135 Mr Baron: Dr Sriskandarajah, the Royal Commonwealth Society has said in the past—correct me if I am wrong—that what is required to realise the full potential of the Commonwealth is bolder leadership, ambition, innovation, and so on. Despite all the talk from the British Government—it is welcome talk—about renewed emphasis on the Commonwealth, actions seem to be less, or falling short. How do you account for that disconnect? Why are the British Government not realising, or at least seeking to realise, this great potential for the mutual benefit of all?

Dr Sriskandarajah: Speaking frankly, I think it is because the institutional infrastructure of the Commonwealth is not fit for purpose. If you are a Foreign Secretary, or a Foreign and Commonwealth Secretary, interested in pursuing the potential of the Commonwealth, what you have at your disposal is no longer fit for what you want to do. At the intergovernmental level, as I have said already, I think there is serious need for reform of institutions. At the non-governmental level—I have talked about this fabulous inheritance of these various civil society networks, or the people's Commonwealth, but here too, I worry that the scale and operation of some of those organisations are small and dwindling, and many of these Commonwealth associations are run by volunteers or a very small paid staff. So, you can have all the ambition you want sitting at the FCO, but the people and institutions that will deliver that for you are not necessarily resourced enough, in some cases, or able enough to deliver.

Q136 Mr Roy: You said that the institutional structure is not fit for purpose and earlier on you talked about the need to understand the Commonwealth. Does it disappoint you, therefore, that other countries are not allowed observer status, for example, at CHOGM?

Dr Sriskandarajah: It is not an issue that I have thought much about. I know that there is interest in broadening the tent and bringing other members in, whether it is through observer status or full membership. That may well be a good thing, but I think there needs to be as much emphasis, if not more, on getting our house in order and working out what exactly membership of the Commonwealth means for a Prime Minister, or a constituent in a member state. That, to me, is a far more important and pressing task.

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Q137 Andrew Rosindell: When we talk about the Commonwealth, does it fully include the 31 territories that are not nation states, such as our own Crown dependencies and overseas territories? How should they be properly included and recognised within the Commonwealth?

Dr Sriskandarajah: The intergovernmental Commonwealth does not include those territories, because it is set up to be about sovereign states, and rightly so, perhaps. Where there is scope to include and engage those territories will be through the non-governmental Commonwealth, through the people's Commonwealth. We did one of our youth summits in Guernsey a couple of years ago. It was amazing. The seriousness and engagement that we got from the Guernsey Government and Guernsey people about engaging with the Commonwealth was amazing. This is where we can perhaps see a glimpse of the Commonwealth's potential.

I have been involved in a very interesting conversation with someone who used to work in the Falkland Islands about the peculiar challenges around governance faced by small island states and whether we could do a bit of research, capacity-building and networking across island territories, or even states, to share resources and knowhow on some of those issues around governance. The Commonwealth is the perfect platform for doing that.

Q138 Andrew Rosindell: But do you not agree that they should be given proper status within the Commonwealth? Currently, they are a grey area; they are included in some parts of the work of the Commonwealth, but not others. They cannot attend CHOGM, even as observers. Do you not think that when the Commonwealth publishes a map of the Commonwealth, it should also colour in—it does not do it now—all the 31 territories around the world? At the moment, there is no proper recognition of the fact that they are part of the Commonwealth.

Dr Sriskandarajah: More could be done, certainly. It seems counter-intuitive that these territories, which are part of other member states, are not recognised in some way or another. I am not so sure whether the intergovernmental Commonwealth is ready for their admission in any formal way. My reading of what goes on in the intergovernmental Commonwealth is that member states have been far too precious about those being bodies for sovereign states to allow that. Again, I really think that there is potential and scope for really including and engaging those territories that you talk about, just as the Commonwealth Games Federation and Commonwealth Parliamentary Association do.

Q139 Rory Stewart: If you were the Foreign Secretary and had some money and resources, and you wanted to do something for the Commonwealth, what would you do?

Dr Sriskandarajah: I would pump-prime the people's Commonwealth. I would recognise, just as DFID is doing, that civil society is an integral part of the vision and values of the Commonwealth. A robust and independent civil society can promote good governance and be a check on Government, and

connecting people, whether through scholarships or trading networks, can be an incredibly effective way of pursuing soft power objectives or whatever you would call it. If I were the Foreign and Commonwealth Secretary, I would look to strengthening those informal networks that criss-cross the Commonwealth, and perhaps almost hedge my bets against failure of reform at the intergovernmental level.

Q140 Rory Stewart: Would you also put money into more British diplomats focused on the Commonwealth or would you put more money into the Commonwealth Secretariat from Britain?

Dr Sriskandarajah: There is certainly scope to do more with British missions across the world as it is, in terms of the Commonwealth. Diane Corner, the British High Commissioner to Tanzania, is an example of someone who recognised when she went there that the British mission in Tanzania flew the British and the EU flags. She thought it odd that she never really got together with her Commonwealth colleagues who were based in Dar es Salaam, so for the past year or so, informally, many of the Commonwealth High Commissioners in Dar es Salaam get together to talk about issues and start to act like a community. I hear that that is now happening in many other parts of the world. More can certainly be done to strengthen the feeling of membership of the Commonwealth through the UK diplomatic presence.

From a bilateral perspective, the more Britain withdraws from different parts of the world, the more Britain's image and perceptions around the importance of Britain will fall. We need to be careful to recognise that the Commonwealth is much more than Britain and its bilateral interests.

Q141 Mr Watts: You talked about the need to reform the Commonwealth. Do some of the perceived successes of the Commonwealth drag it down a certain path? I am thinking about the Queen's visits, the Commonwealth games and that sort of agenda. Many people would think that that is what it does and all that it does. Is there a need to shift the focus away from that and on to trade, capacity-building and human rights, in a way that means that there has to be a movement away from what is perceived at present as a strength?

Dr Sriskandarajah: I agree. If you do a media analysis and look at the occasions on which the Commonwealth has been mentioned in, say, British newspapers in the last few years, you will find, exactly as you said, that the coverage relates often to royal visits or the Commonwealth games in October 2010—not always for the right reasons. If you ask yourself, as I have, when you last picked up a British newspaper and read a good news story to do with the Commonwealth and our allegedly shared values, you struggle. So, you are entirely right that we need to have some successes under our belt that relate to the core purposes of what this association is about.

Q142 Mike Gapes: We are going to be visiting some Commonwealth countries as part of our inquiry, but

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we cannot go to all of them, obviously. I would be interested in your perception of how the Commonwealth is seen in India, the largest Commonwealth country.

Dr Sriskandarajah: When I first started, I was also told, “Look, this is only a British problem. In other parts of the Commonwealth, everyone loves the Commonwealth. It’s only here that people don’t know very much about it or don’t care about it.” Our research, which we publish, shows that that is not the case. At the popular level, people know very little about the Commonwealth in many Commonwealth countries, including India, where there is little appreciation of the Commonwealth. My interactions with Indian diplomats and policy makers suggest that the Commonwealth is nowhere near the top of their foreign policy priorities.

Look at the incredible investment that the Indian Government are making in other forums, not least the G20 and IBSA—India, Brazil and South Africa; those are the sorts of forums where India is investing heavily. You will find when you go to India that there is a lot of warmth about the Commonwealth, but the new generation of Indian policy makers and Indian business people will know relatively little about the modern Commonwealth. That underlines my point that there is a risk that the networks we value so, and which we have been talking about so much, are not so important to Indian political leaders or business leaders.

Chair: Dr Sriskandarajah, thank you very much indeed. That has been very helpful. I hope you got something out of it as well.

Tuesday 12 June 2012

Members present:

Richard Ottaway (Chair)

Mr John Baron
Ann Clwyd
Andrew Rosindell

Sir John Stanley
Rory Stewart

Examination of Witnesses

Witnesses: **Lord Howell of Guildford**, Minister of State for the Commonwealth, and **Kirsty Hayes**, Head, International Organisations Department, Foreign and Commonwealth Office, gave evidence.

Q143 Chair: May I give a very warm welcome to Lord Howell? It is always good to see a Foreign Office Minister here, but to have a past Chairman of this Committee here is a double pleasure and an honour and a privilege, if I may say so. Lord Howell, you are no stranger to the format here. Do you want to say anything by way of an opening statement? My first question to you may prompt one.

Lord Howell: I am happy to make some opening remarks, if I may. I want to say how pleased I am to be here and how much I welcome your decision to look at the Commonwealth network and the future of the Commonwealth. I shall start, if I may, on a slightly trivial note. I notice that the new Commonwealth tune, composed for the Buckingham palace concert the other day, is now number one on the hit parade. That shows where the interest lies.

I hope I don't sound too much like an ancient mariner, but my second opening remark is to note, going back to the 1996 report on the future role of the Commonwealth—one of the Committee's members, Sir John Stanley, who is beside you, Chairman, was on the Committee at the time, as I was—how far we succeeded in peering into the future and seeing what was happening to the Commonwealth then. It was at that time that we forecast, looking at the Commonwealth in the context of Asia rising, that the new Asian powers were going to acquire not only economic prominence, but wealth and political influence. Indeed, there were the beginnings of a huge shift, as we moved towards the 21st century, in influence and political weight away from the Atlantic countries and towards the emerging markets of Asia, Latin America and Africa. We did not foresee then quite how fast certain parts of Africa would rise and produce new star-performing economies, but on the rest, there was real prescience then, if we may say so of ourselves; we foresaw what was happening.

At the time, most of the commentators derided the idea that the Commonwealth could be of influence and that it contained some of the richest and fastest growing countries and they paid very little attention to what was being said. Now, 16 years later, it has become all the fashion to make such comments. I am afraid that we do have a situation of somewhat slow-learning opinion formers in this country. Even today, half the media have not yet grasped the supreme importance of the Commonwealth network and the advantages that it gives the United Kingdom in competing in the great gigantic new consumer markets

of the world and in establishing links with the new powers in the global pattern.

The other thing that we said in that earlier report, which again one is entitled to say was prescient, was that instantaneous communication with the rise of the internet—this is before the latest social media such as Twitter—would transform the whole Commonwealth network and create much more of a global village covered by a single language and a single pattern of attitudes. That too was not recognised generally by commentators but is now acknowledged by some of the sharper ones—but not generally yet.

A third quick point in opening is that one notes with interest that other people want to join the Commonwealth. Whether they succeed in joining the Commonwealth network remains to be seen, but it is certainly a sign that we should pause over and note that a number of countries keep asking about the Commonwealth and whether they can participate, either in the main Commonwealth system or in one of the non-governmental or sub-governmental organisations. We do have a direct applicant in South Sudan, which of course is in a difficult state. I have a string of countries here on my list that are interested and whose ambassadors keep coming to my office or ringing up and saying, "Can we hear more about the Commonwealth and could we possibly join?" For instance, those include Algeria and Suriname. When I went to Kuwait the other day, the first question that I was asked was about the Commonwealth. I do not say that any of these are necessarily going to become members, but they are interested.

It is interesting that delegations from Hong Kong, which of course is in the People's Republic of China, turn up as well to local government forums. All sorts of countries turn up at the Commonwealth Business Council—UAE, Egypt and Ethiopia. One constantly hears suggestions outside the official governmental network that possibly Burma, as it emerges from its grim past, may be a suitable candidate, and there are many others. Beyond that, even the Japanese keep asking whether they can be observers or involved in Commonwealth affairs.

So we have a pattern emerging today, 16 years after our report, where the Commonwealth network is becoming the club of preference in the global system as a supplement, not a replacement, to the 20th century international institutions that are familiar to us—both regional and global. I just wanted to paint that picture without anticipating, I hope, too many of

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your questions but indicating that things are a-changing.

Q144 Chair: That is very helpful and it reflects what we have observed so far in our inquiry. The coalition agreement talks about strengthening the Commonwealth. What did it actually mean by that? Are they talking about more political commitment or more resources?

Lord Howell: They are certainly talking about more political commitment. First of all, they are talking about recognising in our priorities and in the formation of our foreign policy strategy that the Commonwealth is, in the words of the Foreign Secretary, a cornerstone of our foreign policy. They are recognising that more activity and dialogue is necessary—that more support needs to be given, in tone and ministerial activity, to the Commonwealth and to its non-governmental agencies as well. There is a string of activities that we have undertaken since the coalition Government came to office in May 2010. We are of course the largest financial contributor to the Commonwealth, if I was talking about resources. There is now a Minister for the Commonwealth, who is here in my person this morning. We have a Commonwealth strategy, which includes working with partners to reinvigorate the whole organisation. We strongly supported the Eminent Persons Group, which we will no doubt come to in discussion in due course. We have been appointed to the ministerial task force, which is going to carry forward the modernisation agenda. I shall be able to participate in that here in London tomorrow, or rather on Thursday and Friday of this week. Of course, we work very closely with the Chair-in-Office in Australia, and we have a steady stream of Ministers from Commonwealth countries engaging. Our visits to Commonwealth countries have been much more frequent, and we take Commonwealth issues much more seriously.

If I can just say a word on resources, the extraordinary nature of the Commonwealth network is that it is not an overloaded, top-down organisation. It has a light secretariat. I have called it the necessary network of the 21st century; in other words, it is driven by the wishes of its members—54, or 53 with one suspended—and their neighbours to have a forum, or a platform, as Her Majesty the Queen called it, for the future. It is driven to have the soft power connections that the Commonwealth provides and to have all the links that the non-governmental organisations—the civic forum, the Business Council, endless professional interests and lobbies—provide trans-Commonwealth. So it is responding to a demand. Resources at the top are valuable, but it is not the kind of organisation in which more governmental resources are the key. The power and the drive come from the people.

Q145 Chair: Have any of the events in Europe and the Middle East distracted from the Commonwealth?

Lord Howell: Well, events in the Middle East and Europe are a permanent distraction from almost everything, of course, right at this very moment, but if anything I think they have reinforced the view that the United Kingdom is extremely lucky, and that is the

right word, to have the legacy of the Commonwealth network, to have the links it provides, to have the intimacies with a great range of countries, including some of, now, the fastest growing and most dynamic Asian countries, and that, as we struggle with the European scene—and this Committee knows better than most people what the problems here are in our regional village, which is Europe—we are wise to invest more time and effort in making use of the Commonwealth network and the gateways it provides to other giant new markets, which are next door to the Commonwealth, like China and like Brazil.

Q146 Chair: Can I explore the role of the UK inside the Commonwealth? Are we just another member? Are we a leader? Should we be a leader? Should we be exercising more leadership than we are at the moment?

Lord Howell: It is a two-track answer. I was going to say a two-horse answer. I can't remember, was it Aneurin Bevan who said, "If you can't ride two horses, you shouldn't be in the bloody circus"? There are two tracks here. I'd say generally in the 21st century the nature of the Commonwealth network has changed. We are a significant member in it, but we are not the top of some pyramid. This is a network. Networks don't have hierarchies with top dogs and lower levels of membership. It is not like that in the Commonwealth. It is very much a Commonwealth of equals. Even the smallest island states feel they have a full voice. Indeed, quite small countries take part, for instance, in the ministerial task force that I mentioned just now. Indeed, quite small countries take part, for instance, in the ministerial task force that I mentioned just now. I have a list here of about 12 members—I think the Solomon Islands is on it. So, the small and the large do mix together, and Britain is not necessarily the centre of this network. One could say that the biggest member, India, with its 1 billion population, is clearly the most significant member, but it is very much an organisation of equals. In that sense, it is no longer Anglocentric. But of course the other side of it is Anglocentric in the sense that the Queen is head of the Commonwealth. She is very popular and has played a major part in maintaining through quite dark times the coherence and significance of the Commonwealth in a very wonderful way.

The entire Commonwealth seems to be of the view—I am including not just the realms, of which there are 16, but all the rest; there are republics and other kingdoms as well—that Her Majesty the Queen is the presiding force of the Commonwealth, and of course that means London, and that means the UK. Also, the secretariat is housed in Marlborough House in the Mall, which gives an Anglocentric view. Generally I would say that this Commonwealth today is not an Anglocentric organisation any more, and we do not have an automatic right to sit on its key committees.

Q147 Chair: Just out of interest, is the Queen the head of the Commonwealth or is it the British monarch? Is that enshrined in the constitution or is it a convention?

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Lord Howell: It is the Queen. The Queen is in person the head of the Commonwealth. I think that is correct.

Kirsty Hayes: That is correct.

Lord Howell: I have Kirsty Hayes sitting beside me. She is head of International Organisations in the Foreign Office.

Q148 Chair: Whom of course I should have welcomed.

Lord Howell: I should have introduced Kirsty; I'm sorry.

I think I have that right, and of course she is actually Queen in constitutional terms over the 16 realms. I think it is still 16. I need a crib for all these numbers.

Kirsty Hayes: Yes, it is 16.

Lord Howell: So she is Queen of 16 in person, and for the rest she is the head of the Commonwealth.

Q149 Chair: At the end of her reign, will she be succeeded in the Commonwealth by her successor?

Lord Howell: Who heads the Commonwealth, should that day come, would be entirely a matter for the Commonwealth itself to assemble and decide.

Q150 Mr Baron: Can I just turn us to the issue of resources? First, I agree with you about the Commonwealth tune. My daughters have bought the tune and probably helped the sales. It is a very good tune indeed. Can I first welcome your performance, which has been praised by our witnesses? It seems that you have been the Minister who has reached the parts that other Ministers have failed to reach over the last 40 years, so many congratulations to you.

Can I, in a way, put you on the spot a little bit? I completely agree with you on the importance of the Commonwealth. I think there is a growing relevance in the Commonwealth, which is to be welcomed. We have heard warm words and I have already said that we think the work you are doing is absolutely fantastic, but there does seem to be a disconnect between that and in some cases what is happening on the ground with regard to, for example, the closure of embassies or cuts to the BBC World Service. There seems to be a bit of a disconnect there. At the end of the day, this comes down to money, but on the embassies in particular—for example, in the Pacific, the closure of the smaller embassies—these things are noticed within Commonwealth circles. What are your thoughts on this apparent disconnect between the warm words and action on the ground, and are we ever going to get to the day when we are going to commit, particularly in the life of this Parliament, more money to the Commonwealth and its work?

Lord Howell: It is a question of looking at past trends. There is no doubt—that is why I began with the 1996 report from this Committee—that in the subsequent years that followed, there was quite a squeeze. There were one or two speeches, but the Commonwealth did not get much notice. Indeed, the closing of embassies and other things in the past was a matter, for me personally, of regret, but certainly took place.

With the arrival of the coalition Government, and I think with the new line taken by the Foreign and Commonwealth Secretary, who says that we need to put the “C” back into FCO—and he does—the trend

has changed. If you look at the detail, you will see that we are opening more embassies and consulates in key great cities around the world.

It is true that the BBC World Service had to accept cuts, like practically every other organisation, but we have believed all along that these cuts could be consolidated and managed without damaging the momentum and effectiveness of the BBC World Service. I think that when it moves over to being managed under the BBC and the new arrangements after 2014, it will be more effective still. Others disagree with that, but I think its effectiveness, influence and weight will increase. Ditto the British Council, which had to accept its limits on its budget, but, of course, is heavily financed from outside and has increased its resources and finance from outside in the last year or two. On those fronts, I think the resource issue has been handled.

Could we start thinking about restoring posts in the Pacific Islands, which you mentioned, and so on? I have to say, I do not know at present. If we can get the resources, I think the impulse will be to do so. The November before last, I was down in Vanuatu for the Pacific Islands Forum. It was a pity that we had had a post in Vanuatu, but alas, it had been closed down and things were being run from Port Moresby or from Fiji.

Q151 Mr Baron: Can I be clear, Lord Howell? You do not believe there is a disconnect between the excellent work that you are doing in respect of the warm words of Government and what is actually happening on the ground? In answering that, do you believe that more money should be committed to the Commonwealth and its work?

Lord Howell: I don't think there is a disconnect and I don't think more money is the manifestation or the means by which any belief in disconnect could be overcome. We look carefully at the budget. We are the biggest contributor to the secretariat and the Commonwealth. Other countries make their contributions and they may decide to increase them. There isn't a huge demand from Commonwealth institutions for more Government money. The Commonwealth Business Council draws very heavily on the private sector. The other organisations are largely self-supporting and, from time to time, it would probably be nice to receive a cheque from the Government. But they are not great demanders; they don't ask these things.

I don't really think that more money is seen as the way in which the Commonwealth network is going to be reinforced. There is a huge element of market-driven enterprise and business discovering, day by day, that intra-Commonwealth trade is the thing to be developed, that intra-Commonwealth investment flows are growing all the time in enormous quantities. We hope that they are coming through London for their finance, but they are not necessarily coming through London—maybe through Australia, South Africa, Canada, India and central and west Africa, and so on.

I don't really think that the idea of disconnect is valid and I don't think that the idea that more resources

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would somehow make it all wonderful is the relevant thought.

Kirsty Hayes: If I could just add one small thing to the Minister's comments on what we are doing in the network. For instance, we are opening a number of additional subordinate posts in India to take advantage of the prosperity agenda there and also strengthening posts within south-east Asia. So I think we are actually seeing an increase in the amount of resources placed out in the network.

Lord Howell: Perhaps I should just add that, although it isn't mainstream to Foreign and Commonwealth activity, the Department for International Development is, of course, expanding its budget, as we know, and is focusing on Commonwealth countries in a vigorous, well focused and welcome way. If more resources are the answer—in some areas of development, particularly humanitarian assistance, they clearly are—that is happening.

Q152 Andrew Rosindell: Going back to the matter that the Chairman spoke about a moment ago—the position of the monarchy—there has been some suggestion that at the end of the Queen's reign it will not be automatic that the British monarch will take over as head of the Commonwealth. Although the British monarch remains the head of state of 16 realms, there is no automatic right of succession to head of the Commonwealth.

Lord Howell: That is correct.

Q153 Andrew Rosindell: What are Her Majesty's Government doing to ensure that when that day comes—we hope that it will be a long way in the future—there will be no question about who the head of the Commonwealth will be, and that it will remain the British monarch?

Lord Howell: I don't think we can do that. This is a club, an association of independent states. We have many overseas territories, so we arrive as almost a mother figure with our own brood, but they are not nations and are not full members of the Commonwealth. The matter will have to be settled around the table by Commonwealth members by consensus. There just isn't a means by which the United Kingdom can simply stand up and say, "This is what we insist on."

If you want my personal view, I would love the head of the Commonwealth to continue to be the British monarch, but it is a matter for the Commonwealth collectively. It is a remarkable group of nations. Some are very powerful and very rich, and some are rather poor and challenged in modern world conditions. They will decide. That is the be-all and end-all.

Q154 Andrew Rosindell: I accept everything you have said. What are the British Government doing with our friends in the other realms of the Commonwealth to think about when that day comes, and to use our diplomatic expertise to ensure that when it comes there will be a smooth transition, and that we will not have a schism within the Commonwealth that could lead to the organisation becoming a very different organisation, bearing in mind that the Queen, as head of the Commonwealth,

has been pivotal in keeping it together? Should a president or someone from another country be head of the Commonwealth, they would not have the same stature that Her Majesty has.

Lord Howell: The words you are using are precisely the words one would expect to hear around the table whenever this sad day eventually comes. These are independent countries and mature nations. We have no superiority or moral advantage over them. They are independent nations as we are, and the discussion will be around the table between members and about the benefits of remaining with the British monarchy, as opposed to the benefits of a presidential figure, or perhaps whether a presidential figure is necessary. All those matters will be on the table should the issue arise, but I don't think we can do more than have our own view. We cannot go round telling independent countries how they should think on the matter. I must leave it there. I cannot say more than that it is for the Commonwealth countries to decide on the points you are making, and they are ones that will no doubt be taken into account.

Q155 Rory Stewart: Mr Rosindell and I have just come back from looking at Commonwealth relations in the Caribbean, and it was striking that in both Jamaica and Belize people seemed to feel that there has been a significant deterioration in UK bilateral relations.

In Jamaica, for example, there was a lot of sadness about the disappearance of the BBC World Service's Caribbean service, the lower operations of the British Council and the drop in FCO representation to what will soon be only two UK-based staff in Jamaica from the Foreign Office, as opposed to other Government Departments.

In Belize, it was the almost entire disappearance of our military presence and the removal of the helicopters. There is very little recognition in either country of the fact that they are realms, and there seems to be very little emphasis put on the fact that they are Commonwealth countries, even from our end. I wonder what is going on there.

Lord Howell: I think that that is a perfectly legitimate wonder to have. It is related to what has been going on for the last decade or so. There have been these feelings. Many of the Caribbean countries have an extremely rough time in world conditions. They have found that trade restrictions seem to be working against them and there are tourist discouragements. The global monetary reforms did not always help some of these countries; in fact, they damaged some of them very severely.

I think that you are talking about a pattern that developed, and it is one that I would like to see changing. I think that we are seeking to change it, in some respects, but if you are saying that we have not picked up the signs yet, I have to say that these things move slowly.

We are seeking to sew together relations after what has been a bad period—there is no doubt about it; none at all. I was talking to the Foreign Minister of Belize only yesterday, a very able and impressive man indeed. We mentioned the subjects you mentioned: the

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removal of the helicopters and the end of—BATSUB, it is called, isn't it?

We agreed that there were problems in the past that had rather reduced the warmth of feeling between Belize and the United Kingdom, but there were challenges for the future, where we could overcome and build on those things. What I want to say to you is that there have been some real issues causing soreness and bad feeling, and we are working very hard to overcome them, but the Caribbean situation has been particularly damaged by their global positioning.

Let me give you one example of what has changed. Trinidad, of course, is now becoming an energy hub of immense significance. They are developing new technologies for mid-scale and small-scale energy supplies of frozen gas—all sorts of fascinating new technologies—to the smaller communities of the Caribbean, many of which have, over the last 20 years, been absolutely paralysed and disabled by having to face the cost of energy.

If we can change that and bring cheaper energy to these Caribbean countries, and if the Commonwealth can give the technical guidance and encouragement to bring that about, that is a change. But I do not dispute, Mr Stewart, your feeling that in the Caribbean there have been some rather sad feelings that in the first decade of the 21st century, the Commonwealth has not been a very strong sentiment at all.

Q156 Rory Stewart: There were complaints in Jamaica about visas. People said, "Given that the Queen is our head of state, and given that we have to go to the Privy Council as our Supreme Court, it is a bit much that we have to get a visa to go visit our head of state or go to our Supreme Court."

Lord Howell: It is so. One of the suggestions I made—the error of my ways was rapidly pointed out—was, "Why can't we have a Commonwealth queue at Heathrow, in addition to EU citizens?" Of course, it was pointed out to me immediately that it would probably be a very much longer queue than we have at present; sadly, much longer than the EU queue. We have to face it: we have a policy in relation to immigration. We have to have visa controls. I will ask Kirsty Hayes to comment on the ancestry arrangement that we have for visas. Can you comment on that? It is very interesting.

Kirsty Hayes: Since 1972, the immigration rules have provided a UK ancestry route, which allows Commonwealth nationals who have a UK-born grandparent and who are over the age of 17 to enter the UK, work, and ultimately settle here. That is one specific provision.

Q157 Rory Stewart: Finally, Lord Howell, there has been a lot of talk about forming common positions on things like climate change and trade liberalisation, but given the inability of Caribbean countries to come up with a proper free-trade bloc even within the very closely related, small countries of the Caribbean, and given the problems that we have trying to get common trade positions between the European Union and India, is it even credible? To put the point at its most extreme, we heard evidence from Ruth Lea, who

suggested that Britain could consider leaving the European trade bloc and instead create a Commonwealth trade bloc—all these great, growing young countries—and that that would be in the much greater long-term interest for Britain. Do you think those kinds of ideas—a Commonwealth trade bloc—are plausible or feasible?

Lord Howell: I think they are a bit out of date, because the nature of world trade has changed totally. The drivers of development and economic activity are increasingly investment and capital movements, where our trade policy is in the hands of the European Union, but the actual trade arrangements and our success in competing with others in trade or in investing in great projects around the Commonwealth or the developing world generally are not part of the European treaties and the European Union.

It is perfectly true that trade agreements between ourselves and any country—small or large—have to be governed in policy terms and handled by the EU as a whole. Of course, we push for these things within the EU—free-trade agreements, partnership agreements and so on. The really big economic linkages of today are much more influenced by investment, capital flows, energy supplies, which I mentioned earlier, and all kinds of soft power arrangements and cultural links of every sort, than they are by the actual trade policy on quotas and tariff levels and so on.

I think it is a changed world, and I do not deny that trade flows are very important to such countries. Most small islands around the world—not just the Caribbean—have had a pretty miserable time. If you asked me why the Commonwealth is such a sought-after platform today, it is because they feel that the 20th century did not do them much good. As one leading member of a Commonwealth Caribbean country said to me the other day, rather sadly, "We tried so many things. We tried trade expansion"—there was the whole issue about bananas that used to occupy this Committee very vigorously in the 1980s and 1990s—"We were cut out on fruit. Our tourist difficulties have been somehow increased. Our financial difficulties have increased. It is time we had a better deal." I think that is the mood among very many small countries, so that would be my comment on that. The language of trade blocs has really been overtaken by completely new patterns of economic linkages.

Kirsty Hayes: If I could just add a little something to that, there has been a very interesting study, which we could share with Committee members, that shows that there is between a 20% and 50% trade advantage in doing business between Commonwealth countries, which is probably due to a combination of factors such as language, shared legal systems, shared heritage and so on. Some of those benefits are already there without any need for a formal process.

Q158 Ann Clwyd: Your written evidence called the Perth CHOGM a positive for both the Commonwealth and the UK. Do you still hold that view?

Lord Howell: Yes, I do. I know there have been those who have expressed disappointment about the heads of Government meeting at Perth last autumn. I know

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why they express that view, but I have to counter that and say that the bottle is half full, not half empty. A great many issues were agreed by heads of Government themselves and a huge number of dialogues and economic deals, bringing real benefits to the Commonwealth, were agreed by the non-governmental organisations that gathered in enormous numbers at Perth.

There was a tremendous atmosphere of commitment that the Commonwealth needed to upgrade and reinforce its values, to move on from rhetoric to seeing that standards were maintained, and there was a determination to go forward. I am going to spend the second half of this week with my Commonwealth colleagues seeing how we can take that further. To me, that all adds up to a step forward and a massive expansion of interest in the jobs, economics, prosperity and development side of the Commonwealth's contribution to overcoming the world's problems. I thought that added up to a good story.

If you want a bad story, it is that not everything was agreed in the Eminent Persons Group recommendations. The problems that were, oddly enough, identified in the 1996 report—the unwillingness of some Commonwealth countries to have anybody outside dictating to them about human rights and so on—are still there. Although 30 EPG recommendations were accepted, there were a lot more that we are going to have to tackle over the next two days and maybe will come to a head when Foreign Ministers of the Commonwealth meet in New York in the autumn.

Q159 Ann Clwyd: What do you think the lack of enthusiasm for a Commonwealth commissioner for human rights says about the Commonwealth and its future?

Lord Howell: It says two stories—the same stories, I'm afraid, as back in 1996. A number of countries feel that there is a human rights regime, as it were, at United Nations level. They feel that their own domestic and internal commitment to improving human rights is the one over which they should have control and they don't particularly relish outside authorities of a certain kind. All that may be for negotiation and discussion in future, but they do not relish outside authorities turning up and saying, "This is what you should and this is what you shouldn't do." I have to say, en passant, that that sentiment is not entirely absent in the UK, where we have certain views on the European Convention on Human Rights and the court at Strasbourg, which I can't help noticing. This is not confined to Commonwealth countries at all: nations are sovereign and they do like to look after their own affairs. If there is to be pressure from the Commonwealth as a whole for higher standards for checking abuse, for making sure we have some middle ground between Commonwealth countries behaving beautifully and behaving so badly that they have to be ejected—if there is a case for much more policing on that middle ground, it can be argued. Pressures are being stepped up, but when you come to the idea of an institutional change and of

introducing a commissioner, there is a bunch of countries that say, "Sorry, that is not for us."

Kirsty Hayes: If I could just add one small point: at Perth, one of the things that was agreed was the strengthening of the Commonwealth Ministerial Action Group mandate, which is another mechanism for addressing human rights concerns. We have already seen in the case of the Maldives that a strengthened CMAG has been able to play a much stronger role. There still is a discussion to be had about the commissioner role, which as you know is still open. I do think that you can point to a step change already, post-Perth.

Q160 Ann Clwyd: Is there any real point in the existence of the Eminent Persons Group, if its role was to propose reforms? This was a major reform it was proposing and it was discounted by so many countries.

Lord Howell: Well, this is one reform of I think 144 recommendations, perhaps not as many as that. There was an enormous number, of which a great block has been accepted already at Perth. A further block is on the table: 44 more are on the table. One has to say most definitely that there was a lot of point in the EPG. It worked sort of on a twin track with, and to some extent moving a little ahead of, the Commonwealth Ministerial Action Group. But one couldn't help noticing these two rivers of ideas coming together.

I think the EPG has raised the game and said to the Commonwealth, "All right. If people are so proud of the Commonwealth brand, and if people want it on their lapel, because they feel that it is the way to show trust and that they are good destinations for foreign investment and for expanding trade, and that they are responsible countries aspiring to develop their democracies effectively, they will have to conform more tightly to the standards of good governance, addressing human rights, the rule of law and democracy. This won't just be a lot of words, but standards." People recognise that. What they are arguing about is exactly how that can be beefed up.

The commissioner idea was the one that was questioned, but there are subordinate ideas on the table—one from Canada, which will have an official responsible to the Commonwealth Secretary-General who should report on these matters. Several of our ideas we are actually dealing with at the end of this week.

Q161 Ann Clwyd: Do you think that the proposal for a commissioner on human rights is likely to be supported by more member states?

Lord Howell: The actual institutional idea of a commissioner is a challenged one. I would guess that we will take forward the thought behind that, but it will not be implemented necessarily by the appointment of a commissioner with powers to go around the Commonwealth telling people what to do. I think that proposal is going to be replaced with something more agreeable to the several countries that thought that the original proposal was akin to an extra wheel on the coach for which they did not see the necessity.

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Q162 Sir John Stanley: Was not the designation of this particular individual as a commissioner a significant presentational mistake? Those of us who went on the Africa leg of our recent visit—to Kenya and South Africa—were aware that this individual became dubbed as a “super policeman”, which is a complete misnomer. Given the fact that the Commonwealth can only operate by consensus, there is no way that this individual could have ever conducted any super-policeman role. Do you accept, Minister, that this was a serious presentational misjudgment? If the individual had been described in less didactic terms—possibly as a special representative on human rights or something like that—that might have given the idea a better wind than it had.

Lord Howell: It is not for me to criticise the EPG. I think they all did an extremely good job; they worked very hard and it was a very serious group. There are members of the EPG who continue to argue very strongly that if the Commonwealth brand is to be upheld and if it is to be more than just a talking shop, something very definite needs to be done. The fact that not every EPG recommendation gets the full support that one hopes for, and certainly HMG hoped for—we supported this idea—does not worry me very much. It has created a lot of very active discussion, and there is no harm at all in a group as distinguished as the EPG putting forward some ideas and finding that some of them go too far.

Your description of “a serious presentational mistake” is too strong for me. What’s so glorious about talking with members of the Commonwealth and its Foreign Ministers is that there is a sort of family sense. We do have family quarrels, but there is a family sense in which we deal with these quarrels and difficulties.

The views about the commissioner, which were aired at the last meeting of Commonwealth Foreign Ministers in New York last autumn, which I attended, were very strong for and against, but all were expressed in an excellent atmosphere of good humour. I don’t think that one is going to run, but then I don’t expect every recommendation of eminent groups, however eminent, always to be accepted. It has been a good starting point for a very healthy debate, which is continuing.

Q163 Sir John Stanley: Could you give us your perspective on why the Eminent Persons Group report took so long to emerge, with accusations that it was being suppressed? I believe that it received publicity and appeared as a public document only at the very end of the Perth CHOGM. Was there a deliberate attempt to suppress that report?

Lord Howell: No, there was no deliberate attempt, but I think that there was an administrative mistake. We—the British, the UK Government—argued that it should be published early on, but the Commonwealth secretariat, advised by a whole range of Commonwealth members, argued that, as it was the report to the heads of Government, it should be delayed until it was produced at Perth, by which time, of course, predictably it had leaked to several papers anyway. So, we said here in London that we should have put it out earlier, but that was their decision. The

Commonwealth is by consensus. It is not a body that can be commanded by one country or another—certainly not by us—and that is the decision they made. But you are quite right; I think it was the wrong decision.

Q164 Sir John Stanley: I have just one final question in a different area. One of the issues that the Committee is considering, as you know, is the future role, or possible future roles, of the Commonwealth, within its existing structure. In the Committees on Arms Export Controls, which I chair, we have received evidence in our current inquiry that the opportunity was taken at the Perth CHOGM—I think very sensibly—to try to increase support for the cluster munitions convention while people were present at that particular meeting. We are just coming in to the negotiation phase of the arms trade treaty, which we hope will be successful, and that might present an opportunity at the next CHOGM for members of the Commonwealth to consider that issue and see whether they might wish to become signatories of the arms trade treaty.

Do you think, Minister, that in the future the Commonwealth might take a more direct interest in arms control and arms export control issues? A number of serious criticisms and worries were put to us during our Africa visit about the numbers of unauthorised weapons that are in circulation in the African continent, with the devastating consequences that we know. Do you think that arms control and arms trade might be an issue for the Commonwealth in the future?

Lord Howell: It could well be. There are so many hot world issues that come up. I have my experiences, obviously: there was the debate before the last CHOGM in Perth as to what should be on the agenda. There were a great many ideas, and I think this could certainly be one of them. It is the sort of issue that I might well raise at the Ministerial task force at the end of this week.

I have to be realistic. There is a battle for getting everything on the agenda. I totally agree that this issue that you are on is absolutely crucial, and if there is anything we can do. The cluster munitions story has been a marvellous one. We have, as you know, Sir John, a fine number of signatories on it—not all the signatures that we would like, but a fine number—and this is where the Commonwealth is so valuable. It can create a sort of momentum, when you are working together with other Foreign Ministers in the Commonwealth, of a kind that will not necessarily be generated at the United Nations. So, I think that I have to give you a sort of “hope” answer, that I would like to see it on the agenda.

Q165 Mr Baron: The FCO has deemed the Commonwealth “the soft power network of the future”, and the FCO’s written evidence describes the Commonwealth as “a ready-made network that cuts across traditional UN and regional voting blocs”. There are a number of Members on the Committee, I am sure, who would very much sign up to that. So, may I return, if you do not mind, to your answers to Rory Stewart and to me, with regards to the

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disconnect that there appears to be between the words and the intent and the action on the ground? We have discussed the closing of the embassies in the smaller Commonwealth countries. We have discussed the reduction in the scope or reach of the BBC World Service. Why is it you feel that there is not a disconnect? And visas—on our trip to South Africa and Kenya, visas actually ranked very high in the list of examples of where we could perhaps be doing things better. This nonsense, this bureaucracy around visas was eating into the good will. Can you just justify your answer to us that there is not a disconnect? Is it your belief that the forces of attraction are greater than these minor irritations?

Lord Howell: You nearly put the answer I was going to give you in your last sentence. The forces of attraction are greater than the forces of irritation. They are not minor—

Mr Baron: I don't think they are, no.

Lord Howell: I am conceding to you that the balance is a bit closer between the negatives and the positives than one would like to see. I am talking about trends. I am talking about things that have been happening in the past few years, which were again foreseen in the 1996 report, and which are clearly making the Commonwealth more relevant. They have led to these statements, some of them by Her Majesty the Queen—I think the soft power one and the platform for the future—and some of them by other leading statesmen round the Commonwealth, that the Commonwealth network is growing in importance and significance for the Commonwealth's membership as the whole. There have been statements from HMG—from me, I admit, and from other Ministers and senior Ministers, including the Foreign Secretary himself and the Prime Minister—that we are moving into a different sort of world, where networks are more important than blocs; that is the Prime Minister speaking in the Mansion House last November.

This leads me to the view, because I can hear it and see it, that all sorts of forces are at work which are very positive and are making the Commonwealth the pattern of the future, giving it much more relevance and significance in British policy than it has had for the past 30 or 40 years. Against that, you are perfectly right that there are some very awkward and difficult problems. There are some differences within the Commonwealth. We have talked about a number of Commonwealth members not wanting this commissioner. We have talked about the difficulties over visas. The whole question of visas and UKBA policy is a long and complicated problem, and it would be naive to disguise the fact and to deny the fact that, within Government itself, there are constant creative discussions and ideas about how our immigration policy and visa policy should be administered. That is an irritation. You have talked about lack of resources and lack of representation—we are trying to overcome that.

There are other issues that I think I am not going deliberately to raise in case you raise them; I can think of some quarrels between Commonwealth members about various things. It is just that the word "disconnect" implies, "That's it; it's all falling apart." I would say that, actually, the forces pulling it together

and making it more and more significant are greater than the irritations, and that is really my position.

Q166 Mr Baron: One of our witnesses described the Commonwealth as having a sort of contradiction at its heart, and almost a vacuum at its heart, in the sense that the British have never really felt able to take a lead in Commonwealth matters, because they risk being accused of some sort of post-imperial plot. To what extent do you ascribe any importance to that view? The feeling is, and we have seen it and heard it in other areas as well, that we are relying on others to take the lead, which to a certain extent contradicts the FCO's stance that this is the soft power network of the future. If we are not prepared to come up with some constructive ideas and lead from the front—obviously, garnering support as we go along—there seems to be that contradiction at the heart of our policy. Do you agree with that or not?

Lord Howell: No. It is not really like that. How can I put it? The advantages for Britain in the Commonwealth network are very much in the soft power field. Again, that is not my phrase; it comes from higher authority than mine. There are enough things where, suddenly, the Government need to take a lead. Why is it that we have such vigour in our literary contacts throughout the Commonwealth? Why is it that all judicial administrations throughout the Commonwealth are very much influenced by British standards? Why is it that the Commonwealth Magistrates' and Judges' Association all tends to be London-based? Why is it that the Commonwealth Business Council, which now has a very able British CEO, Sir Alan Collins, tends to be based and have a lot of activity in London? Even so, it is having meetings in various countries around the world—it is planning one in Washington, I believe, and it has had meetings in the Middle East, Australia and all over the place.

All those are connections with Britain that are immensely valuable and help reinforce and promote our reputation and interests. That is what we mean by soft power. It does not need a heavy Government hand to rush into the forums of intergovernmentalism, prime ministerial meetings or foreign ministerial meetings and say, "Britain's view is A, B and C." That is not the way it works. That is not the nature of international relations any more. The whole fabric of international relations has become much more disparate and dissolved. With the rise of the internet and the rise of people power resulting from the world wide web, social media and so on, Governments have to tread much more carefully and rely much more on soft power and smart power to get influence and maintain their interests.

Q167 Mr Baron: Briefly, though, Lord Howell, one is not suggesting that one goes charging in, but what has been suggested to us in evidence sessions and visits is that there seems to be a reluctance to lead on certain issues. I am not suggesting that one tries to dominate the agenda—that would be wrong—but there is a sort of reluctance. Even in countries such as Kenya and South Africa, which we visited, they were trying to ascribe reasons such as post-imperial guilt.

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Lord Howell: You are quite right. I have encountered this, too. You do hear, certainly in Africa south of the Sahara and in some quarters in India—some quarters, not others; it is a very divided view—the view that, “We have to be careful: we don’t want the Brits coming back and trying to make a comeback and risk filling the gap left by the departure of their colonial authority and take advantage through some new kind of imposition on other countries.” I have encountered that. I think it is a minority view. I do not want to mention a specific country, but in one interview a very impressive President of a certain country south of the Sahara embodied the dilemma you are trying to touch on. He began by saying, “Why are you colonialists bombing good Africans in Libya?” That was a good start. By the time we had finished the discussion, he was saying how we wanted to work together on all sorts of educational and university projects and on medicinal projects, how he wanted to come back to London to discuss this, that and the other, and what a wonderful thing the Commonwealth was.

We are dealing with a kind of split-mindedness, which is still there—you are absolutely right, Mr Baron. It is still there and we have to tread very carefully to show that what we are concerned with is the benefit and purpose of the Commonwealth as a whole and that we are looking after our No. 1 interest of the UK interests—why shouldn’t we? The UK interests are that the Commonwealth should flourish and that our good connections, particularly soft power connections, should be developed and strengthened.

Kirsty Hayes: May I add to that? In some ways, I am quite reassured by what you say, because when I sit around at the senior official meetings, usually my colleagues are not saying that I ought to be saying more; I think they think that we are very active on a lot of fronts—for example, on the modernisation agenda. DFID’s multilateral aid review process has been extremely influential in terms of looking at how the Secretariat functions, for example.

While I have the floor, I want to briefly clarify that the total number of EPG recommendations was 106. Also, on the point about disconnects, one thing the Minister has not mentioned that I think has been really important is the amount of ministerial visits and activity that has been going on in recent years. I might point in particular to Mr Bellingham’s visits to Africa, where he has certainly done a lot more than we have done previously. That sort of face-to-face communication is extremely important—Lord Howell of course has been out to Ghana recently—and is a really important part of our strategy.

Mr Baron: I agree. Thank you.

Lord Howell: I think Mr Bellingham is in Malawi today, isn’t he? It is amazing, the number of countries he is covering.

Q168 Andrew Rosindell: Lord Howell, the Commonwealth scholarship programme is immensely successful and has provided opportunities for young people across the Commonwealth, but our Government over the past four years has halved the budget. Do you believe that this is short-sighted when you consider that countries like France and Germany are extremely generous in encouraging international

study programmes among countries with which they have historical links, yet we have cut ours back significantly?

Lord Howell: I do not recognise what you are saying, Mr Rosindell, because the figures that I have show that scholarships are on the increase. I cannot speak for what happened before May 2010, but the figures are big and getting bigger. DFID provides 800 awards a year for people from the developing countries of the Commonwealth. We, through the Foreign and Commonwealth Office, do 700 students a year from over 100 countries, with a heavy emphasis on the Commonwealth. DFID’s contribution for 2010–11 was £17.5 million; it rose to £19 million for this past year, 2011–12, and it will rise to £24 million by 2014–15. On top of that, the universities are running their own scholarship commissions; awards go through the Commonwealth Scholarship Commission system, which involves up to 50% of tuition fees. I think I may even be able to give you the numbers of Commonwealth students who entered this country, whether on scholarships or for non-supported courses in universities. Generally, it is an area of high activity, so if it went down in the past, all I can say is that that pattern has been reversed.

Q169 Andrew Rosindell: May I follow up on that? In 2008–09, 1,478 scholarships were awarded by the UK against only around 700 this year. Are you saying that our current Government have now reversed those cuts and the programme is now expanding in that case?

Lord Howell: Is it that the money has gone up but the numbers have gone down?

Kirsty Hayes: That sounds like what has happened. More money has been allocated but—I don’t know if that 2008 figure is correct—it may be that the overall number is going down.

Lord Howell: The 700 is what we—the Foreign Office—are doing through the Chevening system, but DFID is also supporting Commonwealth scholarships on a very large scale. It is always the case that we would like to do more, but there are resource problems, of course. Generally, I have to report to you that we take the whole scholarship issue extremely seriously and we think the benefits are enormous.

Incidentally, we want to see more movement of young UK students and graduates to the great new universities that are springing up all over Asia and Africa, with very high standards indeed in many areas. We want there to be a two-way process in the Commonwealth. I might be open to the criticism—fair enough—that the actual numbers may be down at any one point, but the general aim is to put more resources into this area.

Q170 Andrew Rosindell: I move on to the issue of trade within the Commonwealth. The experience that I have had in visiting many members of the Commonwealth—most recently, Jamaica and Belize—is that there is a huge appetite for greater co-operation in trade across the Commonwealth. Do you agree with what His Royal Highness Prince Andrew said last week at the Commonwealth Business Council event at Mansion House? He said that Britain had

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been somewhat distracted from trading with the Commonwealth because of our policy towards working with the European Union. Is it time that we reassessed our trade policy to make it possible and politically viable to have greater trade co-operation with the Commonwealth and perhaps to focus less on the European Union?

Lord Howell: I do agree with the Duke of York. I was there when he made that statement—it was an excellent speech. How do we move forward from here? We remain a member, and wish to remain a member, of the European Union and our trade policy is made collectively with other European Union members, although we have an extremely loud voice and it is probably getting louder at present while the eurozone countries struggle with their difficulties.

I slightly go back to the point I made to Mr Stewart—not as clearly as I should have, because many of the trade statistics we have to deal with are not very clear and do not reflect some of the great new movements of trade and investment opening up across the world. I am particularly thinking of between the Middle East and Asia. Most of the oil in the Middle East now goes to Asia, of course. The new Silk Road is opening up vast new trade routes in that area.

In recognising the argument about distraction, we need to think much more in our investment, project capital development and huge new development programmes of the Commonwealth connection. We need it in two ways, and one is quite surprising. The first is obviously that we need to concentrate on and develop our opportunities for the great export markets that the Commonwealth opens up, and through the Commonwealth, the rest of booming Asia. Secondly, whereas we were brought up in a world where the West was supplying the capital for the development of the developing countries, the boot is now on the other foot. The sovereign wealth funds of these very prosperous Asian nations, and of course the oil-producing nations of the Middle East, are the wealth funds that we need to develop our dilapidated infrastructure.

We are having to search for funds—and Ministers have made this clear in speeches—and we have to go to these countries, many of which are in the Commonwealth, with colossal sovereign wealth funds, as the areas that we want to tap for the investment we need inward to the West and to the UK. There is a real reversal from the traditional pattern. All that adds up to deals, business and arrangements on a colossal scale, and to trade in goods and services on a colossal scale. We need to concentrate on that very much more. Yes, I agree with the Duke of York.

Q171 Andrew Rosindell: One final question. To go back to your comments regarding access—that trade and access to the UK are interlinked—you mentioned a Commonwealth channel and said that it would probably be longer than the channel for the rest of the world. Mr Stewart earlier mentioned the importance of realms and how those countries that are realms do not feel that it is anything particularly special. If not a Commonwealth channel, why not a channel for the 16 realms, so that those countries that have Her Majesty as Head of State can enter the UK through

their own channel? Would that not be a practical solution?

Lord Howell: I do not know whether it is practical, but it is the sort of idea that attracts me. In my ongoing, constructive dialogue with UKBA and other Departments, I might well raise it.

Q172 Mr Baron: May I return us to the vexed issue of human rights? At the Perth CHOGM, a number of Commonwealth members objected to the appointment of a human rights commissioner. We know it is a vexed issue. Homosexuality is banned—outlawed in fact—in certain Commonwealth countries. What role do you think that the Commonwealth should play in this regard? Should it be an active promoter of human rights or do you agree with Senator Segal that it should act rather as a “backstop”? In his words, it works best “as a prophylactic international organisation to avoid the worst...extremes” though work on good governance, the rule of law and democratic institutions. What is your view?

Lord Howell: I think that the concept of family is useful in answering your question. There are always arguments and the question is whether, within the Commonwealth, the family and group pressure can be more effectively asserted in areas where, as you rightly say, human rights standards are not at all what we would like to see. They are particularly not pleasant in areas such as the treatment of homosexuals and so on. The question is whether being in the Commonwealth and having this constant family pressure and irritation and raising it at meetings is a plus or a minus. I think it is a plus. The degree of constant pressure and debate, the reminders to fellow Commonwealth countries, the constant meetings we have—it is not picked up, but we are meeting all the time and there is constant dialogue—and the fact that these issues are coming up and we raise them at every opportunity are all pluses. I do not mean to say that we are making progress on every front; in some areas, we are not. It is a plus, however.

Hugh Segal is a terrific guy and I am full of admiration for him. He has been an enthusiastic driver on the Eminent Persons Group. I do not quite recognise that phrase of the Commonwealth being “a backstop”. Within a family and a constant conversation, it is not so much a concept of backstop as a question of constantly raising these issues and constantly keeping them to the fore in a way that does not happen in any other forum. Is there anything you want to add to that, Kirsty?

Kirsty Hayes: The metaphor I rather liked—I heard this attributed to the Secretary-General—is that it is more of a helping hand than a wagging finger. We can point to where the UK has shown leadership on this. Both the Prime Minister and the Foreign Secretary made powerful statements in their interventions at Perth in support of the human rights agenda. There is lots we can point to, such as the strengthened CMAG. Another thing that I think is very important is that of the EPG recommendations that were outstanding after Perth, many have been agreed at an official level at the senior officials meeting, which should hopefully make your job a little easier later this week, Lord Howell. One of those was the provision on preventing

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discrimination against people with HIV/AIDS, which was difficult to agree at Perth. Progress is still being made in an incremental way. There is also an important role here for civil society groups.

I have just been handed a crib note. Another thing that I ought to mention is that we paid £100,000 this year to support the new Geneva Small States Office. There is a Commonwealth Small States Office in New York as well. I think that the Geneva one will be particularly important from a human rights perspective, because of the organisations lodged there. I visited it fairly recently and it is a very impressive set up, actually.

Q173 Mr Baron: Lord Howell, will the Prime Minister be attending the Colombo CHOGM?

Lord Howell: It is much too early to say how these things will work out. Obviously we want to see a successful CHOGM. We urge Sri Lanka to move towards to the sorts of standards that the Commonwealth believes in and wants to uphold. There are particular areas where we want to see movement on that. As far as who visits and who goes, it is too soon to say.

Q174 Sir John Stanley: As you know, Lord Howell, the Commonwealth has two landmark points in terms of agreed declarations on human rights. The original one was at the Singapore conference, with the first Commonwealth declaration in 1971. Then we had a 20-year interval until we got to the Harare declaration in 1991. We are now 20 years on from that, so can you tell us what the British Government's policy is towards an updating of the Harare declaration? The Harare declaration by and large reads extremely well. There are serious questions about implementation, but it is very strong on women's rights, for example. To me, however, an absolutely fundamental right is conspicuous by its absence from the Harare declaration: there is no specific reference to freedom of expression, which I certainly regard as an absolutely fundamental right in a free and democratic society. Can you tell us the British Government's policy? Does the Government believe the Harare declaration needs to be updated or revised? What is the British Government doing, if it supports that policy, to try to see whether it can be implemented at the next CHOGM?

Lord Howell: I am smiling because I believe, Sir John, you were one of the main protagonists all those years ago who were insisting, rightly—it was in the report of the Foreign Affairs Committee—that Harare needed amplifying and that we had a clear responsibility to play a full part with the Commonwealth in dealing with this issue and so on. I congratulate you on still being at it. The difference now is that your view coincides totally with that of Her Majesty's Government.

We believe very strongly that there should be a Commonwealth charter. That was one of the EPG recommendations that was accepted—I was talking earlier to Ann Clwyd about that—and we are working on the draft of it now. Why do we need it? The reasons were in the report 15 or 16 years ago, but perhaps there is a reason that we can state more clearly today

than we could in the 1990s. I am referring to the advent of the internet—the creation of a cyber-dominated connection system, a latticework of connections throughout the Commonwealth. The Harare declaration is curiously out of date when you read it. We need to modernise and describe how the Commonwealth's standards and ambitions can be maintained in the completely new network situation that has emerged in the last 20 years. So yes, we are all working at it very hard. We will be discussing it in the ministerial taskforce, and, I hope, finalising it within this year—probably in New York in September. It is certainly needed.

Q175 Sir John Stanley: Minister, do you have a reasonable degree of confidence that in the Commonwealth process of reaching agreement by consensus, you will be able to produce that update and we will get it by the end of this year?

Lord Howell: I am reasonably confident, yes. The only problem I have, of course—I have to confess to the Committee that I am an ex-journalist—is this: one longs to see a really masterly pen put to these great charters. I have said that what I hope to see is a maxima charter—not a Magna Carta, but a Maxima Carta—which would reinforce the UN charter, of course. It would build on that, not replace it, and explain how this Commonwealth network can more effectively uphold the standards of good governance and be a central pillar of human rights. Whether we are going to get that journalistic excellence out of a committee structure, I am not quite sure, but I shall do my best.

Q176 Sir John Stanley: As a former journalist but now a Government Minister, do you think you will be able to get in a specific reference to the crucial issue of freedom of expression? Can you get that incorporated in the new charter?

Lord Howell: I'll try very hard.

Q177 Ann Clwyd: Kirsty, I think you used the phrase “wagging finger”. Actually, a bit more than a wagging finger is needed in some circumstances. Take the homosexuality laws and the death penalty in both Malawi and Uganda. Malawi reviewed its laws after the US threatened to cut off aid. We saw the same thing in Egypt. The Egyptian Government arrested NGO workers and then released the Americans because the Americans threatened to cut off aid. Do you agree with that kind of “carrot and stick” approach to subjects like that, or are you content to allow those countries to apply the death penalty in such cases?

Lord Howell: I am not content, clearly. I think that you know the British policy, which is complete abolition of the death penalty, and we do have programmes around the world to encourage and persuade other countries to follow this course. That is outside the Commonwealth network, but within the Commonwealth network that is also the view we push. I think it is an issue where we have to use every channel within the Commonwealth that provides the opportunities for dialogue that I have described to the Committee. We raise it all the time; it is very

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unsatisfactory but although, I am afraid, quite a large number of Commonwealth countries have not officially abolished the death penalty, a good many of them have not used it for some years. I think I am right in saying that only 11 countries have used the death penalty over the past decade or so, but it is very unsatisfactory and we keep pushing. So we are not content at all, and we are ready to use the Commonwealth channel, as well as others, to get the message across.

Kirsty Hayes: Again, I suggest that you take a look at the Prime Minister's contribution at the CHOGM, where he made a very strong speech on these subjects.

Q178 Chair: Lord Howell, the Speaker leapt into the political arena two weeks ago, calling on the Commonwealth to promote human rights. Do you think that was helpful? We raised it a couple of times while we were in Africa, and met a fairly frosty response.

Lord Howell: Your mention of the Speaker has reminded me of an omission, for which I apologise. I should have mentioned that in all the non-governmental organisations, the Commonwealth Parliamentary Association is, of course, immensely powerful. It has a huge following and attracts to its meetings the involvement of countries outside the Commonwealth. Parliamentarians from outside the Commonwealth come crowding in because they find it a very valuable forum, and of course Sir Alan Haselhurst, one of your colleagues and my former colleague, is the chairman of the international executive committee. He is the key figure there and very influential and effective. So when the Speaker calls for greater pressure on improved human rights—

Q179 Chair: He very specifically mentioned homosexuality.

Lord Howell: Yes. I think this is the right forum to promote these things—well, it is one of the forums, but it is certainly a very useful forum and I think the Commonwealth Parliamentary Association is right to echo that theme. These opportunities should be used, although I am not saying that they are going to succeed in every case, and in some cases they create friction. However, my constant theme to this distinguished Committee this morning is that pursuing these things in the modern Commonwealth forum and milieu is a lot better than leaving them unpursued or trying in some of the broader organisations, of which the UN is the obvious example.

Q180 Rory Stewart: Is there possibly a generational problem? It sometimes seemed during our trips and discussions that the Commonwealth had more meaning and more appeal to an older generation than to a younger one. In particular, we sometimes got the sense that some younger political activists and politicians in the Caribbean felt that, with the growing importance of everything from the G7, G20, IMF, World Bank, OECD and so on, the Commonwealth was less relevant and important than it might have been 40 or 50 years ago, and that it was destined to become less relevant still.

Lord Howell: It is funny you should say that because my impression is very much the opposite. First of all, half the Commonwealth is under 25—it contains 2.1 billion citizens, and just over 1 billion are young people. Secondly, certainly in Perth, the Commonwealth Youth Forum is enormously active. Thirdly, there seems to be tremendous vitality in organisations such as the Commonwealth Writers and the literary work of the Commonwealth. There is tremendous vitality in the links between schools. I am talking about not just university links but school links as well. Commonwealth schools all over the entire system are now to be linked up by one press of a button on their computers.

Fourthly, I am in danger of sounding trite, but these great Commonwealth events that occur, such as our Commonwealth day parade in Westminster Abbey, the Commonwealth choirs and youth orchestras and so on, demonstrate to me a colossal enthusiasm, rather more so than in the middle generation. Perhaps the older generation are still thinking about the Commonwealth of yesterday which was rather Anglocentric. The middle generation have perhaps been told over the last 30 years that we must be at the heart of Europe and that the Commonwealth is finished and so on. It is just the younger generation who have picked up the story of what is really happening. The younger generation combined with the Foreign Affairs Committee of the 1990s, which seemed to be switched on when most of the media were switched off.

Kirsty Hayes: May I add one small word on youth? I really think that the Commonwealth youth activities are extremely strong. A lot of young people throughout the Commonwealth are actively involved in them. I think the Minister is right to point to a missing generation in the middle. One of the real strengths of the new Charter is going to be in explaining the Commonwealth to people within the Commonwealth. The aim is to make it a simple and easy to understand document. In the reports of your visit, I was very struck that one of the themes that really came out was that the Commonwealth could have more relevance for normal people within Commonwealth countries, and I think that the document will be an important tool for that. I would also mention the Glasgow games in 2014 which are going to be very important for building up the reputation of the Commonwealth among young people.

Lord Howell: I am glad that Kirsty mentioned the Commonwealth Games. I should have mentioned them as well. In a sense, it runs slightly separate from the Commonwealth Heads of Government and all that sort of thing because it is a separate promotion and organisation. The next one is in Glasgow the year after next. I have visited Glasgow and they have built the biggest indoor athletics stadium in Europe, if not in the world. They have built one of the most modern and biggest velodromes in the world. They have removed vast areas of the worst slums in Glasgow and are replacing them with a brilliant Olympic village, which in due course will be new housing for the people of Glasgow. They are preparing to receive a vast number of sports people and Ministers and young

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people. It is an amazing story. At the moment, we have the Olympic games coming out of our ears and we are thinking of nothing else, but only two years ahead lies this remarkable manifestation for which the people of Glasgow and of Scotland deserve every credit because they have it beautifully ready and well in time.

Q181 Chair: I believe that there has been a lot of co-operation with London 2012.

Lord Howell: Certainly.

Q182 Ann Clwyd: May I ask you about the practice of female genital mutilation, which still occurs in some parts of the world? It occurs in this country but there have been no prosecutions. I wondered whether it was an issue that came up within the Commonwealth countries—if it was something that was raised at any of the meetings.

Lord Howell: Yes, it does. Our concerns on this are very deep. I cannot say where it was specifically raised in Perth but I certainly remember discussing it myself at one of the forums. I think that I addressed the Civic Forum. So the answer is most emphatically yes. This is very serious and horrific. There are parts of certain Commonwealth countries, tribal areas, where these things are practised and we will not draw breath on this matter.

Q183 Andrew Rosindell: Lord Howell, if I could focus on the expansion of the Commonwealth and on the status of the overseas territories in the Commonwealth—if I could split it into two. Let us start with the overseas territories.

We spoke extensively about the 16 realms in the Commonwealth. Some are very small with very small populations and very small economies, yet some overseas territories are bigger, have larger economies and larger populations. In fact, there are 16 overseas territories: five Crown dependencies, four New Zealand realm states and seven Australian external territories. In total, we are talking about 32 external territories, linked to the nation states of United Kingdom, Australia and Canada, that have no status whatsoever in the Commonwealth. Would Her Majesty's Government consider the possibility of promoting the status of a Crown territory status in the Commonwealth to give these 32 places some form of representation in the Commonwealth, but clearly not equal status to a nation?

Lord Howell: That line of thought is very constructive. A White Paper is due out shortly. Kirsty?

Kirsty Hayes: I am not sure of the date.

Lord Howell: I think Mr Rosindell knows about the White Paper discussion. The White Paper is on its way, driven very largely by the work of my colleague Henry Bellingham on our policies for the overseas territories. We want to strengthen a whole range of issues, and the question of their place within the Commonwealth system is a very important part of that.

Down at Perth at the last Heads of Government meeting, the UK, Australian and New Zealand overseas territories that have all been mentioned were present and had a say in many of the forums that were

gathered there on the non-governmental side. They did not sit at the top table as states, because they are not states and therefore do not really qualify as applicant members of the Commonwealth, or would ever qualify as members unless that status was changed. But in the meantime, we want very much to see them have a larger say in Commonwealth affairs. A number of proposals have been aired and some, I think, you will find in the forthcoming White Paper. So, yes, to the general idea. Whether we should talk about status change is not something we have considered for the moment. The Foreign Secretary has stated our commitment to increasing OTs' engagement in the Commonwealth and all sorts of ideas are around: associate status, observer status and generally ensuring that they get a very good welcome and their voice is properly heard. Those are really our intentions. I know they will be reflected in what we say in the White Paper and I hope they will be reflected in practice.

Q184 Andrew Rosindell: But specifically the idea of a Crown territory status, do you think that that could be put into the mix as well, Lord Howell?

Lord Howell: I could consider it. I do not want to commit us to that at the moment. Again, like many of your ideas, Mr Rosindell, I like the sound of it.

Q185 Andrew Rosindell: Finally, could I ask about the general expansion of the Commonwealth? You spoke about this earlier—you mentioned Burma and one or two other possibilities. Could I just ask about those countries that can join the Commonwealth? Some have joined even though they have no historical links with Britain, the former British empire and the Crown. Rwanda is an example of that; Mozambique another. Yet other countries that have been protectorates of the Crown at some points in history are not members of the Commonwealth. Could Her Majesty's Government do more to encourage some of those countries to join? Can we have a clearer definition of what kind of country should be joining the Commonwealth? Otherwise, we may be in danger of becoming all-encompassing of any country, even if it has no link either through language or some constitutional link. Do we need more definition about the type of country that we should be encouraging?

Lord Howell: I hope that the criteria are strict already. Indeed, by the time we have finished with the current phase of reform, which we are working on as I have described to the Committee, the criteria will remain strict and very strongly defined under the broad headings of a proper record on human rights, adherence to the rule of law and commitment to good government and a parliamentary form of government. Unless those boxes can be ticked, applicants will not get very far. I do not think that any one country wants to change that; I am not even sure that we could.

There is a debate within the Commonwealth family about expansion versus dilution. There are those who say, "Let us think about more members"—although carefully and in accordance with these criteria I have described—and there are those who say, "Well, perhaps we shouldn't go any further." In the Commonwealth countries that did not have a direct

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connection—although they may have had a tangential connection—with the former British Commonwealth and the former British Empire before that, we have, as has been mentioned, Rwanda. Its leader told me that joining the Commonwealth was the best thing it has ever done—it is attracting all sorts of interest and it is a powerful pressure for political reform inside the country.

We have Mozambique, which is emerging as one of the stars of Africa. There has been the vast development of resources and rising living standards from a very low level and from a very difficult past. Its team—the Prime Minister—was in London the other day. I saw them all. They are immensely dynamic and highly informed people who form a wonderful model for the new Africa. Other countries that were protectorates or connected with Britain, particularly in the GCC area, are all very interested in the Commonwealth.

That is the position. Lots of countries are very interested in trying to get alongside the Commonwealth to join either its subordinate organisations or the Commonwealth as a whole. There are strict criteria; they will not all succeed. One particular applicant is on the table now and is about to go through the procedure: that is South Sudan. South Sudan needs all the support it can get from outside. It is going through a very difficult phase, and I hope that in due course it is welcomed into the Commonwealth. We certainly backed it. Does that answer all your questions?

Chair: Yes.

Andrew Rosindell: I think so. We could probably talk for longer, but thank you for your answers.

Q186 Chair: Lord Howell, Mrs Hayes, thank you very much indeed for coming along today. It has been a very useful session. Are there any final points you want to make?

Lord Howell: Yes. First is the nice point that you are all invited to the ministerial taskforce reception I am giving on Thursday evening. Please come along. I hope that your invitations have been received. The other relates to a point that has not been touched on but that used to be developed very much by our mutual colleague Baroness Chalker when she was in the Foreign Office. At the time, I think she was concerned with overseas development, which was part of the Foreign Office some years ago. She used to talk about the Commonwealth within. What she meant by that was that there are a great many people in our country—in the United Kingdom—with Commonwealth origins, connections, family and links of every sort within all ethnic groups, minorities and, indeed, the majority as well.

She argued, and I would argue today, that Britain's active participation in a reinvigorated Commonwealth is a source of pride and coherence for all these people. It gives a lead, particularly to young ethnic minority people, as to where they belong, their purpose and what they can have pride in—in the United Kingdom. So if, as a nation, we want to ensure our own coherence and unity against the various stresses that we all know about in the United Kingdom, the very fact of our commitment to the Commonwealth and the exceptionalism that it gives Britain is itself a tremendous binding force. Many of the things we have been talking about this morning may have sounded as if they were about the overseas. In fact, they could be just as important to binding together and giving social coherence to this country as they could to bringing to the world the platform of the future, as Her Majesty the Queen describes it, that the Commonwealth offers.

Chair: This Committee is always pleased to try to help in providing a platform to the future. Thank you both very much indeed. The meeting is now adjourned.

Tuesday 19 June 2012

Members present:

Richard Ottaway (Chair)

Mr Bob Ainsworth
Mr John Baron
Sir Menzies Campbell

Sir John Stanley
Rory Stewart

Examination of Witnesses

Witness: **Kamalesh Sharma**, Secretary-General of the Commonwealth, gave evidence.

Q187 Chair: I would like to welcome back members of the public to this evidence session in our inquiry into the role and future of the Commonwealth. In particular, I welcome the Secretary-General, Mr Kamalesh Sharma. Thank you very much for finding the time to come. This has been a very interesting and valuable inquiry for us and your contribution is much anticipated. Is there anything you would like to say by way of an opening remark?

Kamalesh Sharma: Just that I greatly welcome this initiative by the Committee. It is hugely encouraging for someone like me and for our organisation that Members are taking so much interest in the workings of the Commonwealth and hopefully getting the word out about what great public good this institution does.

Q188 Chair: How would you describe the UK's role inside the Commonwealth? Do you feel we are pulling our weight at the moment?

Kamalesh Sharma: I would imagine that the Commonwealth is regarded as a national treasure in this country because it has enabled the UK to maintain, in the best possible way, the historical links it has developed over the centuries in various parts of the world, and it has been able to distil all that is positive in that relationship and move it forward globally. I would also imagine that the UK's desire to live as a multicultural society is very much influenced by the ease with which you work in the Commonwealth and the way in which you advance such a multicultural organisation.

But that is not all; there is the value setting. All over the world, we find the value setting is changing. If you look at the Arab Spring and what people are saying about how they would like their societies to be run, what values of governance they would like to see and freedoms they would like to enjoy, these are the things that the Commonwealth has been saying for decades. It is a very contemporary organisation, which does great global good, and I would imagine that the UK is very happy to be advancing it and associating itself with it. I won't go into the national dimension of the way in which it promotes, for instance, trade, by the similarity of systems and so on. All those arguments are well known to you.

Q189 Chair: Have you noticed any change in the UK's leadership role in recent years?

Kamalesh Sharma: Since I have been Secretary-General, the UK's advocacy for the Commonwealth has been very strong and most welcome, both from the Labour and Conservative Governments.

I would like to acknowledge the role that Lord Howell, in particular, now plays in looking after the Commonwealth in the Foreign Office. We feel very much encouraged that the UK is very encouraging of all the reform measures that we wish to undertake.

Q190 Rory Stewart: Secretary-General, what is the purpose of the Commonwealth?

Kamalesh Sharma: The Commonwealth was created to make a bridge between the old Commonwealth, which had existed since the 1880s, and the new world that had arrived upon you. It was done in 1949, and a tribute is due to the people who did it, such as Prime Minister Attlee over here. There were three south Asian countries—India, Ceylon, as it was at that time, and Pakistan—which met here and, with the old Commonwealth, created the London Declaration, which said that we were ready to continue with the monarch as the Head and have a free association of countries. I would like to think that when that step was taken was a moment of inflection in contemporary history. It was a conscious step forward from the old world into the new, and it showed confidence. As Nehru, who was a central figure in all this, simply argued, if you are creating a body that consists of a variety of people who can give their perspectives from various parts of the world as to what the world should look like, what can be the harm in that? It is a step that we should welcome.

Q191 Rory Stewart: Are you adequately funded as a Secretariat to carry through that purpose?

Kamalesh Sharma: I did not follow that question.

Q192 Rory Stewart: Do you have enough funding to carry through the purpose of the Commonwealth that you defined?

Kamalesh Sharma: It is a modest organisation in terms of finances. If you look at the per head contribution in the UK, it will be a matter of pence. As the Eminent Persons Group report mentioned, it has fewer staff than the canteen of the United Nations in New York or, as someone else said, the fire department in Cornwall. There are about 130 or 140 executives who work there. It is also financially modest.

I try never to use that argument to argue that, because we are modestly funded or sized, we should also be modest in our expectations of the outcomes that the organisation can achieve. As far as outcomes are concerned, it has been demonstrated repeatedly that it is a great incubator of global ideas. One reason for

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that is the variety of what is in the Commonwealth. Whatever the Commonwealth thinks is an idea whose time has come is already a prototype of a global idea—whether that be debt and the Heavily Indebted Poor Countries initiative or the vulnerability index from the World Bank. After the Copenhagen conference, the only outcome was a start-up fund for the most vulnerable countries. It could also be the migration of skills, and we have developed protocols, many of which have been accepted by UN organisations. I would like to think that, moving forward in contemporary times, the Commonwealth can keep on strengthening and playing that role.

Thank you for asking the question. Financially, the Commonwealth Secretariat is a very modest organisation, which is forcing us to rationalise our work and make a new strategic plan, but I never for that reason argue that it is not one of the most significant organisations in the contribution that it can make.

Q193 Rory Stewart: You tend not to lobby for common positions on issues such as climate change or trade. Why has that not been the case?

Kamalesh Sharma: We do, actually. At the end of the Uruguay Round, it was a small ministerial group from the Commonwealth that went around and enabled an outcome at that point in time. At the CHOGM in Malta, we had a trade declaration that created a breakthrough in the ministerial meeting of the World Trade Organisation, which happened a little later. Most importantly, our view is that the global community cannot be divided into those who are poorly endowed and those who are better endowed. In the end, everybody has a right to national salvation. Being the kind of body that we are, we have made ourselves known in various fields for arguing the corner of the weaker players in the global system. That enables the global outcome on climate change, trade or debt to be more equitable and more balanced.

Q194 Rory Stewart: The UK Government put the Commonwealth Fund for Technical Co-operation under special measures. Was it right to do so?

Kamalesh Sharma: DFID has been examining the way we work. We like to work with a completely open mind, whether it is with a development agency or with anybody. Many member states tell us how we can do things better. Results-based management is one area that we have been working at and there has been considerable improvement. DFID also said that corporate governance requires a look. I would like to think about what the auditors have said over the last year. For the first time they said that they could not think of anything to say about the audits because they were so well done. Corporate governance has seen a remarkable enhancement. I have also created a senior management position, for the first time in this organisation, to look after it. There are also differences that we have vis-à-vis a development agency; we are a common fund, and everybody contributes to it. The perspectives, angles and views of member states who are also contributors have to be taken into account. There are areas that DFID does not look at—for instance, middle-income countries

such as in the Caribbean—but we do. Our idea of vulnerability and sustainability is to consider the stress situation you are under, and not necessarily a classification that relates only to poverty.

Q195 Rory Stewart: Some of your funds are quite small. You only have, I believe, £800,000 to work on gender issues and some people would say, “Why bother when the United Nations has £500 million to spend on the same issue?” What is the point in the Commonwealth doing that?

Kamalesh Sharma: Money is not always the issue in the work that you can do. It is not only the money we invest that gives a very different picture of what you are able to achieve on a very small budget, but the number of people. If you look at how many people are working in a specific area, you will find that there are very few. It is the degree of sensitivity and trust that we bring to our work with our member states that makes it possible to have outcomes that are not necessarily related to the fact that we operate on a very small budget.

Q196 Mr Baron: Secretary-General, welcome. May I just pick up on an answer that you gave earlier when we were talking about resources. You said that tight resources are forcing you to rationalise your ambitions. Let me revisit that point if I may. Many of us believe that the Commonwealth has huge potential—trading, education, human rights and so on. While accepting that there is often no direct link between resources and capability and potential, I would like to hear your assessment as to whether for a little bit extra or a few more resources—if you could quantify that—what potential you could achieve. Where are we in this? You have answered the question by saying that we have to live within our means. Are you not a little bit more ambitious?

Kamalesh Sharma: In the exercise that we are now doing—when we started we had 450 staff and right now, we have around 280—we managed to finance ourselves by reducing our numbers. My view is that we cannot reduce them any more. There are two consequences of that. First, because the mandates did not stop pouring in, we went on making our work quite thin, but we were usually quite effective at the same time. The exercise now has to be done as to where you want to deepen your work or make a significant difference, perhaps you could even call it a global difference, and where you would not like to invest your resources. The very important point that I want to make is that this exercise is not about jettisoning the work we are doing. We want to look at how we can work differently as well—in advocacy and in partnership with other institutions and other ways so that much of the work that we may not directly be doing can still be done with ourselves as partners. Rory just mentioned an organisation. The world is now proliferating with organisations, not just UN organisations but also private ones—foundations—with which you can work. We need to examine how you in your situation can get the best result possible by rationalising what you do and what you cause to be done in partnership with others.

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The second consequence is that if you are a small organisation, you cannot take a risk with the quality of people in it. I am afraid that our studies have shown that, for instance, we are 40% below competitive international rates for an organisation of this nature. The kind of people you have to recruit now need a degree of global awareness and systems that is much higher than was the case even 15 or 20 years ago. It is inevitable that we will have to meet international standards in recruitment.

I would like to think that it is not about a very demanding requirement financially and when it finally emerges at the end of the year—this is a package that is emerging—that the member states would be able to say, “We’re convinced by the exercise that has been done, and we are happy to look at the additional amount of financial support that you need.”

Q197 Mr Baron: Can I put you on the spot, Secretary-General, very briefly? If you had more resources, even a modest increase in resources, what would you like to focus on? Can you give the Committee an example of the potential that could be achieved in a particular area?

Kamalesh Sharma: I am very happy to do that, but I must preface my remarks by saying that the members of the Commonwealth are very keen that there is a balance in our work between democracy, development and diversity. Our comparative strength is really the degree of receptivity and trust that is forthcoming towards the Commonwealth. Therefore, those areas where this trust is a vital element in getting an outcome is our real, intrinsic, proven and comparative strength. To get countries to build institutions, whether they are strong electoral commissions, human rights commissions, judicial service commissions and the way that Parliaments work in partnership. We have 90-odd organisations that carry the name “Commonwealth”—we have to step up such partnership within the Commonwealth family. Achievements in terms of the quality of public administration, the rule of law, human rights and the culture of democracy are made because of the receptivity to the fact that we can usually attain more than any other organisation.

Similarly, on the development side, natural resource management offers a huge potential for any country, whether on land or off land, because we are also involved in the demarcation of maritime boundaries. Working with a trusted partner who says, “This is the model approach you need,” rules out any scope for corruption and improprieties, in keeping with the Paris principles. In terms of development, such an approach also guarantees fair, balanced revenue distribution. That approach also applies to trade, job creation and youth employment—we have the oldest youth programme in the world. In many of our countries, the youth aged 29 or under constitute 70% of the population. You must lift your work for those younger people in terms of politics, political leadership and agents of social change, as well as in respect of economics. Those are some of the areas on which we will concentrate in the future.

Q198 Mr Baron: Briefly, some of us view with concern the possible disconnect between the British Government’s warm words about the Commonwealth and, at the same time, the cutbacks to the small embassies in the Pacific and elsewhere. What is the Commonwealth’s view on that?

Kamalesh Sharma: The role of the United Kingdom is irreplaceable not only in terms of the support that the Government provides in percentage terms for our development work and our budget, but our connection with Her Majesty The Queen. The modern Commonwealth is inseparable from Her Majesty’s role in it. Sixty years ago, when Her Majesty took over the headship, we had eight members, now we have 54. The continuity that the Commonwealth has experienced all that while and the steadiness and values that it has been able to advance are very much associated with those values being demonstrated by Her Majesty. If you ask me what the UK’s role is, I think it is first the Government’s role, the role of the Head of State, plus the role of the Commonwealth family. It is a fact of practical life that much of the Commonwealth family is rooted in London, or has a British membership. That has been extremely valuable to maintain the civil society dimension. The UK is joined at the hip with the Commonwealth.

Q199 Sir John Stanley: Secretary-General, the 1991 Harare Commonwealth declaration came 20 years after the previous declaration of Commonwealth principles at Singapore in 1971. We are now 20 years on from the Harare Declaration. Do you believe that there is now a general consensus within the Commonwealth family that the time has come to look again at the Harare declaration and to see whether it needs updating and, if so, in what areas? Is that a matter that you, as Secretary-General, feel you can take forward?

Kamalesh Sharma: That has happened already, because when I joined, apart from creating this position for corporate governance inside the organisation, I also called the first mini-summit of leaders to define what principles of international organisations reflect Commonwealth values, and that is now very much appreciated everywhere. I also suggested to the Commonwealth Ministerial Action Group that the time had come to request our leaders to ask the Action Group to raise its ambition levels and to make recommendations. That happened at the Port of Spain CHOGM, when the leaders gave that direction to CMAG, and in Perth recently—two years later—it was achieved.

What has now happened is that, instead of simply looking at a train wreck, the Heads of State said that seven or eight areas—constitutionalism, reasons why an election is postponed, credibility of elections, independence of the judiciary, treatment of the Opposition, a level media playing field—should be areas of engagement for the Commonwealth, so my good offices as Secretary-General have all been lifted as a result.

CMAG also said, as I had proposed, that I should be authorised to make more statements, with its support, on our values. The number of statements that I have made already during the past five or six months is

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three or four times greater than last year. That has happened, and one of the triggers was an Affirmation in which we put together in one place all that had happened since the Singapore Declaration: the Affirmation of Commonwealth Values and Principles discussed at Port of Spain. So people had at hand one consolidated document in which they could see our values and principles. Flowing from that Affirmation was the decision that CMAG could work on how to reflect it in our work.

Q200 Sir Menzies Campbell: Secretary-General, you will know that comparisons have been drawn between the Commonwealth's response to the Maldives and to Sri Lanka, and not always favourably. In particular, with regard to the Maldives, there was quick concerted action, largely led by your eminent predecessor, Donald McKinnon; but in relation to Sri Lanka, there has been nothing equivalent. How do you account for that?

Kamalesh Sharma: A lot of the work that is done by my Good Offices is necessarily done quietly but advances the values of which the Commonwealth is the custodian.

The fact that I cannot yet announce much that is happening with Sri Lanka does not mean that we are not working towards an outcome. I have been in touch with the leadership for a long time at the highest level and at all levels. In London, I had a meeting with the honourable President of Sri Lanka the Maldives, and also at the Maldives SAARC summit. The Government have a very forthcoming attitude to the way in which they can engage with us. They have done an internal exercise—the Lessons Learnt and Reconciliation Commission—and we are engaging with them to see where we can work with them in many areas. We are doing that right now, and I hope that we will be able to formalise it and announce something in the coming months in the areas of reconciliation, accountability and rehabilitation, which is where our strengths lie.

As far as the Maldives is concerned, there was a very clear case where you had to examine very quickly whether the change of power took place within the constitutional democratic principles of that country. We had to move swiftly in a very different kind of way.

Q201 Sir Menzies Campbell: Arising out of that comparison and perhaps because of the circumstances of the way in which your work is carried on, as you have just described, there have been those who have questioned whether the next CHOGM should go ahead in Colombo. Do you have a view on that?

Kamalesh Sharma: The leaders decided in Perth that the next CHOGM will be in Sri Lanka. At that point in time, Sri Lanka had not designated a venue or city in which it would be held, but they now have. It will be held in Colombo, so that decision from the Heads is very firm.

Q202 Sir Menzies Campbell: You do not see that decision as being likely to come under review?

Kamalesh Sharma: I do not see that decision coming under review.

Q203 Sir Menzies Campbell: Obviously, the conditions in which the CHOGM goes ahead are of some importance. It has been argued, as I understand it, that there is a need to press for full press freedom and free access for members of the Commonwealth press to the venue in Colombo. Is that something that you would support?

Kamalesh Sharma: When we work with the host, we have certain parameters and principles that must be followed while the CHOGM takes place. That team has already visited Sri Lanka. Apart from the inter-governmental side of it, there is the youth forum, the people's forum and the business forum. There are also the facilities that are created for the media, which must be able to enjoy all kinds of freedom. All those will be according to the guidelines of our so-called Green Book, which lays down the principles behind each CHOGM.

Q204 Sir Menzies Campbell: Are you satisfied that those principles will be met?

Kamalesh Sharma: We are satisfied that we are making satisfactory progress in dealing with the Government on those issues.

Q205 Mr Ainsworth: Secretary-General, are you personally supportive of all the recommendations in the Eminent Persons Group report? If not and if you have reservations, can you tell us?

Kamalesh Sharma: My job is to see which of the recommendations enjoy the widest possible support and where common ground can be created. In fact, very good progress has been made, because a large number of recommendations were agreed by the Heads in Perth. Some 40 were remitted by the Heads to be looked at first by a senior officials group and thereafter by a geographically representative group of 12 Ministers that I had convened. The Ministers met just last week, and they have been able to come to conclusions about all of the recommendations and those conclusions will go forward in September for the larger group of Foreign Ministers to adopt.

The Eminent Persons Group recommendations are moving extremely well. There is one recommendation pertaining to a commissioner for human rights and so on and that has been remitted to the CMAG—the Commonwealth Ministerial Action Group—to look at jointly with the Secretary-General. An important point to make is that when that recommendation was made by the EPG, the new ambition levels to which the CMAG would be acting had not yet been adopted. They were adopted in Perth, which is why the whole issue has been remitted to the CMAG.

Moving forward, I hope that we will be able to come to a recommendation that makes it absolutely clear that a mechanism has been created—in strengthening the Secretariat, in working with the Commonwealth family and in having the facility to engage external advice—that links that high ambition level to a practical way of doing it as well.

Q206 Mr Ainsworth: We know that different views were expressed. Was there an attempt to suppress the Eminent Persons Group report?

Kamalesh Sharma: To suppress them?

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Mr Ainsworth: Some people said that. I think Sir Malcolm Rifkind—

Kamalesh Sharma: One of the most open exercises to be carried on in the Commonwealth was by the Eminent Persons Group, particularly in our putting up on our website the progress and advances that they were making and in inviting civil society to share their views and to let the Group have them. As the Group went forward, from one meeting to another, they were able to look at this advice—from member states, civil society or anyone who wanted to give them some.

Q207 Mr Ainsworth: Have you got a view on why people felt that that was so?

Kamalesh Sharma: There was possibly an issue at Perth, when it was decided by the member states that this report should be first seen by the Heads, because the Heads had asked for the report before it was publicly released. Perhaps your reference was to that, but that was a decision taken by member states. It was not, by any stretch of the imagination, an effort to suppress the report.

Q208 Mr Ainsworth: If we go ahead with the recommendation concerning the Commonwealth commissioner, will there be a need for additional resources?

Kamalesh Sharma: We try as much as possible, in all the work that we do additionally, to meet it from our resources, but if there is a need in our entire strategic plan to require additional resources then, as I said earlier, we would make that proposal very clearly. There are two streams for doing so—one would be by increasing the budget and the other by making extra-budgetary resources available for a particular task—but we have to await the recommendations in the later part of the year before we know what those additional financial consequences are likely to be.

Q209 Chair: Secretary-General, that exhausts our questions. Is there anything at all you would like to say by way of closing remarks?

Kamalesh Sharma: I wish to reiterate the fact that engagement by Members has been a very exhilarating thing for us. I read every word of the discussions that took place on the Commonwealth in the House of Lords, and I wrote to every single Member who made a contribution in the House of Lords on the points that they had made in order to give a clarification or to give them information. There is nothing that can replace political support and willingness to give wind to the sails of the Commonwealth, which is why part of our exercise is also profile building—it is not just the impact you make, but the profile of your organisation.

One of the ideas that we are working on is what the political leadership itself can do by way of helping here, because one of the points often made is that the citizens do not know enough about the Commonwealth, so we have to work at three levels: one is the Secretariat, and I am trying to do my assignment by creating a new communications plan; another is the Commonwealth family; but the one that the citizens will hear straight away is what the political level and the leadership are saying about their belief in the Commonwealth. I would like to think that occasions like this actually help them to concentrate on the idea that the Commonwealth is a great global good and a great global asset with which their country is associated, in terms of both history and supporting this body moving forward. So I wish, once again, simply to thank you for doing this and for giving political support to this organisation when needed.

Q210 Chair: Secretary-General, you have been the perfect witness—very focused answers, of a very high-quality and not too long. Thank you very much for your time; it is much appreciated.

Kamalesh Sharma: You are very kind; it has been a pleasure.

Tuesday 26 June 2012

Members present:

Richard Ottaway (Chair)

Mr Bob Ainsworth
Mr John Baron
Sir Menzies Campbell
Ann Clwyd
Mike Gapes

Mark Hendrick
Andrew Rosindell
Mr Frank Roy
Sir John Stanley
Rory Stewart

Examination of Witness

Witness: Rt Hon Sir Malcolm Rifkind QC MP, Member, Eminent Persons Group, gave evidence.

Q211 Chair: I welcome members of the public to this sixth and final evidence session of the Committee's inquiry into the role and future of the Commonwealth. May I particularly welcome Sir Malcolm Rifkind, who is a member of the Eminent Persons Group? Sir Malcolm, thank you very much for finding the time to come along. As you know, we have taken a lot of evidence on this, but the EPG has been always there, and we thought that this was a golden opportunity, as you are a colleague of ours in the House. Would you like to start by setting out how the EPG works? How would you describe its function?

Sir Malcolm Rifkind: Thank you, Chairman. I am delighted to have this opportunity. I must confess that if you reach a stage where you are thought suitable to be a member of an "eminent persons group", it is the nearest thing to reading your own obituary, and you have mixed reactions to it.

Nevertheless, the background is as follows. The Commonwealth—obviously its last conference was in Perth—at the previous conference concluded that there was sufficient unease about the way it was moving to justify inviting a number of people from various parts of the Commonwealth to look into these matters and to make recommendations which could be considered at the Heads of Government meeting that was due to take place in Perth. A number of us were appointed under the chairmanship of Abdullah Badawi, a former Prime Minister of Malaysia. It was a very strong, good and harmonious committee, and we ended up making a unanimous series of recommendations.

Perhaps briefly I will mention the main concern that existed that led to the creation of the group in the first place. Essentially, the Commonwealth was not facing a crisis, but it no longer had the same public impact and public awareness of its activities and achievements that it had in the past. Perhaps the great golden age for the Commonwealth was in the battles against apartheid in South Africa, when it literally led global public opinion, not always comfortably from the point of view of British Governments, but it nevertheless had a great moral purpose and was seen as being very significant.

The issue is not that the Commonwealth is an organisation that invites controversy, or is unattractive to member states. In fact, it has a queue of countries anxious to join, and the health of any organisation can normally be determined by whether there are more

people wanting to join or to leave. But that is only at the level of individual governments. More broadly speaking, public opinion has lost sight of the Commonwealth in many respects, and that is a matter of some anxiety. The threat is not hostility, it is indifference, and that can be very corrosive over time. When the EPG started looking at these matters, we thought, "Let's go back to basics and ask what is the prime or added value that the Commonwealth offers throughout the world." The prime value is, very specifically, the fact that the Commonwealth is based not just on common interests, but on common values. It is an organisation of countries that not only have a link with the United Kingdom for historic reasons, but have or aspire to have strong democratic values, respect for the rule of law and matters of that kind. Many organisations use that rhetoric: what has been unusual about the Commonwealth has been that it has actually taken powers to itself to suspend or even expel member states that no longer live up to these aspirations. The United Nations takes the view that it must have universality, regardless of the performance of individual governments, and that is true of most other global organisations. The Commonwealth, if it is not unique, is certainly one of very few international organisations that is willing to remove or suspend membership, and that has happened on a number of occasions. It happened with Zimbabwe, Fiji and several other countries that have had military coups.

So what is the problem? The problem essentially can best be summed up in this way. While the Commonwealth, its Secretary-General and its Ministerial Action Group have been prepared—sometimes quite impressively—to respond to a military coup or the overthrow of a democratic Government, they have been much more silent about serious abuses of human rights or the rule of law, when that has happened in a Commonwealth country. Either the Commonwealth has had nothing to say, although the rest of the world has been speaking about it, or it has had very little to say and certainly very little to do.

Three areas can be referred to, and the first is the role of the Secretary-General of the Commonwealth. In the past, the Secretary-General has rarely felt able to speak out unless he has been given an express mandate to do so. Now that is not the case with the Secretary-General of the United Nations. Ban Ki-moon, or whoever is Secretary-General of the UN, will often speak out on his own authority when he

believes it right to do so. Action against member states depends on the views of the Security Council, but not statements by the Secretary-General. In the case of the Commonwealth, Kamalesh Sharma, and to some degree his predecessors, have been reluctant to do so, and the same has applied to the Commonwealth Ministerial Action Group, a group set up specifically to deal with human rights abuses or threats to the rule of law.

The most obvious example of that was Sri Lanka. At the height of the internal disturbances in Sri Lanka—I say disturbances, but that is an understatement when many thousands of people were being killed or displaced—the Commonwealth was one of the few organisations in the world that had very little to say about it. The Secretary-General felt unable to comment because he did not have a mandate to do so, CMAG did not feel it appropriate to do so except in very mild terms, and the Commonwealth seemed irrelevant.

There have been other examples, but that is the most obvious one, and that led to the conclusions of the EPG that we should recommend—and I can go into further detail if the Committee wishes me to do so—first that the Secretary-General be given an express mandate to always use his own discretion and be expected to speak out when there are severe abuses of human rights or threats to the rule of law, even before CMAG or the Heads of Government have considered the matters. Secondly, CMAG itself—the Commonwealth Ministerial Action Group—should be reformed to require it to consider, and if necessary take action, when there are threats to the rule of law and so forth.

Thirdly, the Commonwealth should have a commissioner for the rule of law, human rights and democracy, who would be there essentially to assist the Secretary-General and to assist the Ministerial Action Group, and keep a proper objective study of what is happening in individual countries so that we could see these matters addressed not just when they have reached the stage of crisis, but hopefully at an earlier moment in time. I think I have said quite enough for my opening comment, but that is basically where we are.

Q212 Chair: That is very helpful. Were there any states in particular that you had identified that were hostile to it or against it?

Sir Malcolm Rifkind: Yes. We produced a unanimous set of recommendations, which went far beyond what I have just mentioned. There were many issues on trade and economic policy. I will not comment on those, because for the most part they were not controversial and do not go to the heart of what we were dealing with. When it came to the Commonwealth Heads of Government Conference in Perth, at which I was present—indeed the whole Eminent Persons Group was present and we actually presented to the Foreign Ministers and Heads of Government at Perth—essentially the proposal for the Commonwealth Commissioner was rejected. It was not formally rejected—it was pushed into the long grass, where it still rests.

On the question of CMAG reform, to be fair, CMAG itself had carried out its own study of what might be needed. Its conclusions had been similar to ours and these were largely endorsed. The role of the Secretary-General has broadly been accepted. I do not think that that has been dealt with in a negative way. There was one final major recommendation, which was the suggestion that there should be a Commonwealth charter that would spell out the values of the Commonwealth up to date in a form that has not existed in the past. That, too, is in the long grass at the present time.

You asked about particular countries. Being blunt about it, I would say that you had resistance from a number of countries that might have thought they would get the special attention of a commissioner if there was one. Sri Lanka is the obvious case in point. That had been anticipated. What was most disappointing was that a number of other countries, of which I would mention specifically South Africa and India, were also very negative in their response to these particular recommendations. We always knew there would be some controversy, but they took a strong hostility—that is I think a fair word—to what we were recommending, arguing that it was unnecessary, but I think the real reason was more a difference of view as to how tough the Commonwealth should be prepared to be with regard to matters of that kind in individual member states.

Q213 Andrew Rosindell: Good morning, Sir Malcolm. Can you enlighten us as to the circumstances regarding the non-publication of the report? Was it suppressed, was it a cover-up, or was it, as Lord Howell has suggested to us, purely an administrative mistake?

Sir Malcolm Rifkind: It was certainly a mistake. I am not sure if it was an administrative one. Our report was a report that we had been asked to provide for the Heads of Government. We did not ourselves have the authority at that stage to publish it, but we sent it to the Heads of Government sometime before the conference. We strongly recommended not only the recommendations, but that the whole report should be published at an early date so that there could be a wider debate among Commonwealth organisations. We had taken evidence from many Commonwealth organisations. We had kept them in touch all the way through with the trend of our thoughts, of the direction we were moving, in terms of recommendations, so we wanted to make it as wide a debate as possible, not simply a private debate between ourselves and the Heads of Government. Most of what we were recommending was already in the public domain. What was not in the public domain was the detailed argument as to why we had come to these conclusions and why we attached importance to them.

To our disappointment, some countries blocked the advance publication of our report. That did not include the British Government, I should emphasise. The United Kingdom Government had been excellent in its co-operation, in my view, on these matters. That goes for a number of other Commonwealth Governments as well. When we got to Perth, they still were declining to have it published. When the Heads

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of Government went into their private retreat on the second day, it had still not been published and we believed that that was grossly improper. There was no indication at that stage that they were going to publish it at all, so we had our own meeting and decided to pre-empt. We said it was our report, and if they were not going to publish it, we would. We called a press conference, and handed the press copies of the report. We said that it was not the private property the Heads of Government, and that it should be available to the Commonwealth as a whole. Within an hour of our doing that, the Heads of Government decided, after all, that it was timely to publish the report—so crisis resolved.

Q214 Andrew Rosindell: You said that the Commonwealth faces a problem of indifference, and that its purpose is now being questioned. How do you see the Commonwealth developing, and how can the feeling of its purpose being questioned be reversed so that it has a positive purpose in the years ahead?

Sir Malcolm Rifkind: Different countries have different reasons for attaching importance to the Commonwealth. One of the most important things I learned from my time studying these matters as a member of the EPG was that for the 30 or 40 countries of the Commonwealth, or perhaps slightly fewer, but for those that are micro-states—the Caribbean countries, Pacific countries and small countries that are members of the Commonwealth—membership is and will remain hugely important to their foreign policy. They are so small that they normally do not have access to Heads of Government of major countries around the world. They might in theory at the United Nations, but in practice it is very difficult. Within the Commonwealth they have equal status, and can mix with the Prime Ministers of India, the United Kingdom, Canada and Australia, and the President of South Africa. That is hugely relevant to them, so they will not lose interest in the Commonwealth because it is so important to them.

But for other countries, which includes major countries—India is the most obvious example and South Africa may also come into this category—there will be a question mark if matters are not properly addressed as to whether the Commonwealth continues to be part of their aspirations and strategy. We feel that that is not a crisis at the moment, or approaching a crisis, but it is a long-term drama, not a short-term one.

Q215 Mr Frank Roy: Sir Malcolm, you said that the non-publication of the report was disappointing and improper. In fact you said at the time that it was a disgrace.

Sir Malcolm Rifkind: The non-publication.

Mr Roy: Yes. Can I take you to the recommendations? Do think they were over-ambitious, and that that is what led to it?

Sir Malcolm Rifkind: That is a fair point. They were certainly ambitious. We had our own internal discussion as to whether it was unrealistic to put forward recommendations, and whether we should contain ourselves to something more modest. We came to a unanimous view, albeit after vigorous

internal discussion, that the whole purpose of the EPG, if it had a purpose, was to say what we believed needed to be done. The Heads of Government had to take responsibility for either accepting or not accepting. We have discussed it since, and we are in no way of the view that it was wrong to make the radical recommendations that we thought were necessary. Although they have not been accepted at this stage, they remain on the table.

Q216 Mr Roy: Sorry, you don't think that was outwith your remit? If anyone is given a certain remit, they could come up with any particular answer, but as soon as they do that and they are well outwith their remit, the work just falls.

Sir Malcolm Rifkind: It was not outwith the remit. There was no suggestion that it was not competent for us to make these recommendations. Our remit was drafted in a sufficiently general way to allow us to recommend whatever we thought appropriate. Indeed, we clarified that with the Secretary-General at the beginning, because we wanted to make it clear. I and my fellow members spent quite a lot of time on this work. We were not prepared to do that over several months unless we felt we had a free mandate to make whatever recommendations we thought appropriate. It was for the Heads of Government to decide whether they could accept them or not.

The point I wanted to stress was that as our full report is now a public document, it remains available, and can be used as a basis for further debate in the years to come. One of the most crucial questions will be the next Commonwealth Heads of Government conference, which ironically is to be chaired by Sri Lanka in Colombo. As we approach that, it could become controversial if the Sri Lankan Government don't feel able to accommodate some of the legitimate concerns that have been expressed about events in that country.

Q217 Ann Clwyd: Malcolm, there is no reference in the draft chapter about sexual rights, or even a free media. Can you tell us why?

Sir Malcolm Rifkind: The document is not in front of me, so I cannot immediately give you chapter and verse, but we had a very full debate. Michael Kirby, who is one of the most distinguished members of the EPG, an Australian judge, has for many years been a great champion of the need for the Commonwealth in particular to deal with many of the laws that remain in a number of countries that criminalise homosexual relations and have led to some very serious controversy. You will see that, in our recommendations, we do have quite explicit recommendations that in relation to laws that discriminate in various ways, the member Governments should consider, as a matter of some urgency, the repeal of those laws in order to make an important contribution not just to justice, but to the problem of AIDS in many of the countries concerned. To be frank, we did have to take into account that not only in the Commonwealth but in our own group, there were representatives from countries that, for religious reasons or other reasons, have very strong historical views on these matters and find it very

difficult to win public support for modernising laws that criminalise homosexuality. It is a very live issue. We expressed our recommendations, which are in the report, but I do accept that we expressed them in less dramatic terms to try to take into account some of the sensitivities involved. However, we made it clear, not only by having the recommendations but in our oral evidence, that we believed change was necessary in these areas.

Q218 Mark Hendrick: Sir Malcolm, do you envisage the charter being binding on signatory states? You mentioned that there was disquiet about countries such as Sri Lanka, India and South Africa being confronted on issues such as human rights. Do you think the possibility of member states of the Commonwealth signing up to the charter is a good idea and, if so, member states could be thrown out if they breach what they have signed up to?

Sir Malcolm Rifkind: The charter was never intended to be a legally binding set of proposals. The charter, as one would expect from a charter, is a statement of values, a statement of beliefs. It is a template against which certainly CMAG and the Commonwealth generally could measure the performance of Governments as to whether they are really living up to the ideals of the Commonwealth. The Commonwealth is not the kind of organisation that has enforceable conditions or requirements. There is no means of enforcing anything on a member state, but there are ways in which the Commonwealth Heads of Government can take collective action if they believe that a member state is no longer living up to fundamental ideals. The charter was meant to be and remains a proposal. It came originally from the former Malaysian Prime Minister, our chairman of the committee, to present in an up-to-date form what already exists in many Commonwealth declarations that have been made over the years but which could be usefully brought together in a single document.

Q219 Mark Hendrick: So people or countries could sign up, but it is not necessarily enforceable.

Sir Malcolm Rifkind: If the Commonwealth comes one day to accept the need for and the desirability of such a charter, that will be the main document that presents to the world what the Commonwealth stands for. As I say, it is intended to be an expression of commitment to the rule of law, to democratic values and to respect for human rights, across a whole spectrum of activities. Then the performance of an individual member state of the Commonwealth can be more effectively measured against that framework. At the moment, you have to look at half a dozen different declarations made at different times during the history of the Commonwealth and try to bring together what they all are trying to add up to and say. We wanted to make that easier, not just for the Heads of Government, but for the peoples of the Commonwealth.

Q220 Sir John Stanley: Sir Malcolm, I understood you to say in your opening remarks that the Commonwealth charter proposal, which I think is an admirable one, from the Eminent Persons Group had

been kicked into the long grass at Perth. When I put this very question to the Secretary-General of the Commonwealth, Mr Kamallesh Sharma, at our meeting last week and I asked him whether he thought it was time for the Harare declaration to be updated, he replied, "That has happened already." He went on to say, "That happened at the Port of Spain CHOGM, when the leaders gave that direction to CMAG, and in Perth recently. Two years later, it was achieved." How can you reconcile your "kicking it into the grass" with what the Secretary-General of the Commonwealth said to us?

Sir Malcolm Rifkind: I think I can. There were three recommendations that we made. I mentioned that one of them was a more explicit mandate to the Secretary-General to speak out and not to feel that he had to be bound by the express agreement of member states on each occasion. That has been broadly accepted. The second was on CMAG itself, which is what I think you were referring to, Sir John. CMAG itself carried out its own review. Its recommendations were broadly similar to what we said about the role of the Commonwealth Ministerial Action Group, which was that it should not simply involve itself when there had been an overthrow of a member Government but even when, under an existing Government, there was severe erosion of the rule of law. That, I think, is now accepted as how it should perform.

What has been kicked into the long grass is two very important recommendations of ours. The first was for a commissioner for the rule of law, and the second was a proposal for a Commonwealth charter. There, as far as I am aware, there has been no meaningful progress.

Chair: I would be grateful if colleagues could help me. Three people have caught my eye—Ming, John and Mike—and we only have five minutes left. Questions should be short, and hopefully answers as well.

Q221 Sir Menzies Campbell: Very quickly, was there much discussion about the issue of capital punishment within the discussions of the EPG? I will add my second question, which is rather different. Canada, we understand, has appointed an ambassador to the Commonwealth. Is that something that you would recommend to the British Government?

Sir Malcolm Rifkind: On the first point, I do not recall there was explicit discussion. I think we recognised that even in democracies, there can be capital punishment. That is not necessarily unacceptable; the United States has it, obviously, as do a number of other countries. On the second point, Senator Hugh Segal, who is a member of the EPG, has been appointed as the Canadian special envoy. It is an interesting idea and an interesting initiative, and he is the ideal person to do that job. I would wait and see, myself, whether that is something that could be copied by the United Kingdom Government. I am not against it, but I would like to see whether it actually makes an important contribution.

Q222 Mr Baron: Sir Malcolm, you have addressed the questions I had in answering colleagues, so I will broaden this out briefly. There is a general feeling that

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there is tremendous potential with the Commonwealth, but it is not being realised: there is a disconnect between the warm words of the FCO and British Government and what is actually happening on the ground. One looks at the closure of the smaller embassies, particularly in the Pacific. One looks at cuts to our soft power capability, including the BBC. One looks at the difficulty incurred by people wanting to come in from the Commonwealth by way of the visa and permit system. Do you agree that there is an apparent disconnect? We have heard statements from Foreign Office Ministers saying that the Commonwealth will be the cornerstone of our foreign policy going forward, and all that sort of stuff, but it does not seem to be translating into action on the ground. Is that unfair or not?

Sir Malcolm Rifkind: I think it is a bit unfair, if I may say so. The present Government have been more committed to the Commonwealth, not just in rhetoric but in policy, than any Government I can remember, Tory or Labour, for the last 25 or 30 years. David Howell is partly responsible for that; his appointment was specifically as a Minister for the Commonwealth. The Government have actually reopened many offices, including Commonwealth offices, in various parts of the world. We could not have had greater support from the United Kingdom Government in arguing for the recommendations of the EPG report. It was not just the British Government—there was strong support from Canada and a number of countries, both old and new Commonwealth—but the United Kingdom was one of the most forthright advocates of the radical recommendations in our report, including for a commissioner for the rule of law. I am not aware of any obvious further support the British Government could have given at what is obviously a difficult time for public expenditure.

Q223 Mr Baron: One takes the point about public expenditure, but relatively small sums are involved—we are talking about very small sums at the end of the day, as you will fully appreciate. One is not in any way suggesting that individual Ministers are not doing a great job, because they are, particularly Lord Howell, but do you believe that there could be a tweaking of that finance, from our point of view? Given the vast sums heading in other directions, do you believe a modest increase in resources would have a disproportionate effect in a whole range of areas within the Commonwealth, to the mutual benefit of all involved?

Sir Malcolm Rifkind: The resources available to the Secretariat of the Commonwealth are, as you say, minuscule in comparison to many other international

bodies and therefore there could be no argument other than that it would be beneficial if they were increased, but it cannot be done just by one country increasing its contribution. The United Kingdom is by far the largest contributor already to the costs of the Commonwealth. I personally would argue that, yes, there should be more resources made available, but I would not want to see the percentage of the resources of the Commonwealth provided by the United Kingdom go up. So there has to be a collective agreement for other countries also to increase their contributions. If that is deliverable, then it would be strongly welcomed.

Q224 Mike Gapes: You have referred several times to Sri Lanka and the reluctance or reticence of the Commonwealth to speak out on it, and Sri Lanka was one of the prominent opponents of most of the proposals that you were putting forward. Is it sensible that the next CHOGM is in Sri Lanka, and isn't it time for the British Government to make some stronger statements on this, perhaps even going as far as the Canadian Prime Minister, Stephen Harper, who said that he would not attend?

Sir Malcolm Rifkind: If I wanted to get to Colombo, I would not start from here. But that is where we are at the moment. Given the decision that has been taken, there should be maximum pressure on the Sri Lankan Government to respond to the legitimate concerns about what has been happening in Sri Lanka, and that should continue right up to and including the next Commonwealth conference. We can perhaps best judge much nearer the time whether it is acceptable for the next conference to be in Sri Lanka, but at this moment I would say that is the way we should address it.

Q225 Mike Gapes: But we should not rule out possible non-attendance by prominent figures in our Government?

Sir Malcolm Rifkind: It depends obviously on what happens. There are two questions. There is the extent to which the Sri Lankan Government can try and respond more sensitively to concern about what has happened in the past in Sri Lanka, and there is the equally important question of whether there is any ongoing cause for concern that would be likely to exacerbate feelings even more over the months, and two or three years, to come.

Chair: Sir Malcolm, thank you very much indeed. That is very helpful, not just your talk about the group, but your broader perspective on the Commonwealth, and it is much appreciated.

Written evidence

Written evidence from the Commonwealth Advisory Bureau (CA/B)

EXECUTIVE SUMMARY

Key Recommendation

- The Foreign Affairs Committee should recommend that the UK government develop a Commonwealth engagement strategy for the period 2012–17 (covering the next three Commonwealth Heads of Government Meetings).

The evidence, opinions and recommendations that follow seek to support this recommendation.

CA/B would like to provide oral evidence to the Committee.

CA/B would be available to advise the Committee or the Government on the proposed engagement strategy under the CA/B “Maximise Your Membership” advisory scheme. See:

http://www.commonwealthadvisorybureau.org/fileadmin/CPSU/documents/Advisory_Services/Maximising_your_membership.pdf

Two supplementary documents can be accessed:

- Annex 1: “The Commonwealth in Denial” by Daisy Cooper (CA/B Opinion, October 2011).
- Annex 2: “Selecting the Commonwealth Secretary-General” by Stuart Mole and Daisy Cooper (CA/B Policy Briefing for the Commonwealth Heads of Government Meeting 2011).

INTRODUCTION TO CA/B

The Commonwealth Advisory Bureau is the independent think-tank and advisory service for the modern Commonwealth. CA/B is part of the Institute of Commonwealth Studies, University of London.

This submission was prepared by CA/B’s Director, Daisy Cooper. Daisy is a well known figure within Commonwealth circles. She has been the strategic and technical advisor to two Commonwealth high-level groups: the Commonwealth Commission on Respect and Understanding, chaired by Nobel-laureate Professor Amartya Sen, and the Commonwealth Eminent Persons Group, chaired by former Prime Minister of Malaysia, Tun Abdullah Ahmad Badawi, and including former UK Foreign Minister Sir Malcolm Rifkind MP. Before joining the CA/B, Daisy was the Strategic Planning Officer at the Commonwealth Secretariat for four years where she spearheaded major change management processes. She has also worked for CA/B before (then the Commonwealth Policy Studies Unit) as a Project Officer where she worked with Commonwealth countries to secure a mandate for the Commonwealth to help develop a consensus on reforming the UN development system. Daisy is also on the Editorial Advisory Board of Britain’s oldest journal, the “Round Table” (Commonwealth Journal of International Affairs). Daisy holds an LLM in Public International Law from Nottingham University, an LLB Hons in Law from Leeds University, a Foundation Certificate in Psychotherapy and Counselling and is also an SPC Accredited Mediator.

EVIDENCE, OPINIONS AND RECOMMENDATIONS

1. *What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?*

2. The Commonwealth’s comparative advantages lends the association to being used in four ways:

- (a) Its diverse membership and political networks (of leaders and Ministers) enables countries to use the Commonwealth to help build consensus on otherwise divisive national and global political issues.
- (b) The shared history of Commonwealth countries gives rise to a living legacy of similar political and legal systems, enabling the sharing of best practice in a limited number of areas of genuine similarities (ie Commonwealth countries have Westminster style democracies, and most have common law systems).
- (c) The Commonwealth’s technical assistance programme is small and responsive so its interventions can have a catalytic effect for bigger projects.
- (d) The modern Commonwealth is ideally placed to tackle the remnants of colonial laws that are incompatible with present-day human rights commitments (such as the laws that criminalise homosexuality, and arguably those that provide for the death penalty).

3. The future of the Commonwealth depends on:

- (a) the willingness of Commonwealth member governments to use the Commonwealth as a political instrument to solve national, regional and global problems;
- (b) the willingness of the Secretary-General to play a strong leadership role; and
- (c) the ability of Commonwealth institutions to deliver results.

4. The following reforms are needed to deliver these three goals:

5. Member governments. Government must start to use the Commonwealth as a political tool to help solve global problems. Historically, Commonwealth's governments have deployed small Action Groups at the level of Heads of Government or Cabinet Ministers, for example, to help quiet diplomacy in Cyprus, and to help close the Uruguay round of trade negotiations. Commonwealth governments could take similar initiatives in 2012 to develop a second stage of the Kyoto Protocol; to facilitate the Doha trade talks; to assist the rapidly closing UN negotiations in Cyprus; and/or reconciliation efforts in Sri Lanka (due to host the 2013 CHOGM).

6. Secretary-General. The current Secretary-General should be encouraged by all governments, including the UK, to initiate such action groups, at Ministerial or Head of Government level. Looking forward, it is imperative that the next (sixth) Secretary-General has the requisite leadership skills to do so. By the time of the selection of the sixth Secretary-General, the informal system of "regional rotation" will be complete. There is an opportunity in the next few years to develop a transparent, merit-based selection system, drawing on best practice in other international organisations, in order that the Commonwealth can choose the best candidate from right across all 54 countries. Our CA/B Policy Briefing for the 2011 Commonwealth Heads of Government Meeting has a chapter on the Selection of the Secretary-General and makes practical recommendations in this regard (see pp 29–34 <http://www.commonwealthadvisorybureau.org/fileadmin/CPSU/documents/Publications/PB-CHOGM-2011.pdf>). There is an opportunity for the UK to work with a representative group of other Commonwealth countries to advance this proposal.

7. Commonwealth institutions:

- (a) As a matter of urgency, the Commonwealth Secretariat and Commonwealth Foundation must become "fit for purpose". As an immediate and first step, the Secretariat must be given the necessary resources to recruit high-quality international talent. Last year, the Secretariat benchmarked its terms and conditions of service. A comparison with other international organisations showed that at middle and senior levels, the remuneration package offered to international members of staff in the Secretariat's professional and diplomatic category would need to be increased by more than 30% to reach parity with similar staff in the UN family of organisations (about the poorest paid group of international organisations, save the Commonwealth Secretariat). The Secretariat needs approximately £4 million to rectify this. As the Secretariat's largest contributor to assessed contributions, the UK government should be at the forefront of ensuring that governments agree to this modest investment (in real terms) in return for results.
- (b) Meanwhile, the Commonwealth Foundation needs to maximise its unique position as an intergovernmental organisation with a mandate to strengthen civil society. It should re-position itself as an interlocutor between governments and civil society (it should also be encouraged to discontinue activities that fall outside this remit). Its three strategic objectives should be: to support governments to create space for civil society; to strengthen and professionalise the civil society sector through capacity building; and to act as a trusted interlocutor at times of acute tension between the two sectors.

8. The UK government should announce its intention to invest in both organisations, and/but to link that investment to demonstrable improvement and results. (See our CA/B Opinion "The Commonwealth in Denial" for a view on why withdrawing funding is not a politically viable strategy. Available http://www.commonwealthadvisorybureau.org/fileadmin/CPSU/documents/Publications/Opinion_Oct11_Daisy.pdf).

9. UK government officials, MPs and Ministers need to spend considerably more time understanding the institutional reform agenda. Also, the UK government should invest more senior diplomats in Commonwealth affairs: whilst most Commonwealth countries send High Commissioners to Commonwealth institution Board meetings, the UK tends to send less senior officials.

10. *Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?*

11. The Commonwealth will only retain a purpose and value if member governments use it as a political instrument to help solve national, regional and global political problems. Unlike other international organisations, the Commonwealth was not established with a remit for a specific sector or region. Rather, it is, as the first Secretary-General Arnold Smith said "a tool to be picked up and used when the time is right and the issue is appropriate." Therefore, governments—and especially Commonwealth leaders—must give the Commonwealth purpose and value by using it as a tool to achieve foreign policy and development objectives.

12. Despite the rhetoric that the CHOGM would deliver on "reform, relevance and resilience", it achieved little. In many respects, the Perth CHOGM was a disappointment, but there is an opportunity for the UK to host a 2012 Special Commonwealth Summit (in the wings of Queen Elizabeth II's Diamond Jubilee) which could provide a "second bite at the cherry" to kick-start a revitalised Commonwealth.

13. In Perth, the final Communiqué reference to Zimbabwe showed no progress since 2009 and made no offer to assist the country with its elections next year. Nor did it include any reference to decriminalising

homosexuality—an issue that many had hoped would be discussed by Commonwealth leaders for the first time. More than ever before, the Communiqué reflected the national interests of the host country—the responsibilities of the extractive industry (Australia’s largest industry), piracy in the Indian Ocean (damaging to Australia’s new trading links with emerging economies), and an initiative on UN Security Council reform (to support Australia’s bid for a non-permanent seat this year). The Perth Declaration on Food Security was effectively a launch pad for the announcement of new national development commitments: the \$100 million Australia-Africa Food Security Initiative and the establishment of a \$47 million Australian International Food Security Centre. Arguably, this sets a dangerous precedent for the 2013 CHOGM in Sri Lanka—currently boasting about defeating terrorism on home soil, whilst standing accused by others of only doing so through gross human rights abuses, possibly tantamount to war crimes.

14. The Secretary-General’s renewal for a full four year second term in office was announced without any sense from leaders of their expectations of their CEO, and Sri Lanka was confirmed as the host for the 2013 CHOGM—reportedly with only one leader, the Prime Minister of Canada, threatening to boycott.

15. Newcomers to the Commonwealth Peoples Forum expressed their disappointment with the lack of engagement with governments compared with other international forums; whilst those who had attended several CHOGMs felt that the dialogue with Foreign Ministers was the best attended (with around 20 Ministers and around another 15 government reps) since the dialogue had begun in 2005.

16. The Commonwealth Ministerial Action Group’s (CMAG) new mandate will only be meaningful if members use their new powers, and the most important recommendations of the EPG face an uncertain future. Some of the Commonwealth’s largest contributors were already sceptical about the value of the organisation: this CHOGM should have done very little to convince them otherwise.

17. However, a possible 2012 Special Summit could take place just two weeks before the Rio+20 Summit (or “Earth Summit”). Based on precedent, Commonwealth leaders could a) issue a Commonwealth consensus statement ahead of the meeting (like they did at the 2009 Commonwealth Heads of Government Meeting, just weeks before the Copenhagen Climate Change summit) and b) deploy a Commonwealth Action Group of Heads of Government or senior Cabinet ministers to advance their consensus position by touring major capitals before the Rio + 20 Summit (as per the Commonwealth Action Group which toured key capitals over eight days which helped close the Uruguay trade round after 7.5 years of negotiations).

18. *How does membership of the Commonwealth help the UK achieve its diplomatic objectives?*

19. The Commonwealth provides many opportunities for political action and interaction through its biennial Summits and numerous Ministerial Meetings. Yet, governments—including the UK government—do not have a comprehensive strategy for maximising the opportunities that these meetings afford—such as advancing bilateral relations, and advancing foreign policy objectives. If the UK is about to enter into tricky negotiations on any global issue, it could work with other key and influential Commonwealth governments to call a meeting of Commonwealth Ambassadors/High Commissioners in the relevant capital to hear all the major arguments and build consensus. This could be supported by the creation of a Secretariat post at the Commonwealth Small States Office in New York, with the remit and powers to convene such meetings on issues of importance. The UK government should also make a commitment to send Ministers (not just their representatives) to all Commonwealth Ministerial Meetings.

20. *What benefits does the UK’s membership of the Commonwealth bring in terms of:*

- (a) **Trade.** Commonwealth meetings provide the UK with access to leaders and Ministers from potential trading-partner countries, but Commonwealth fora do not offer that exclusively (many other international meetings offer that too). Historical ties play a limited role in the modern trading system. Some organisations have claimed that trade is higher between Commonwealth countries (due to a shared language of English, and/or similar trading systems) but these claims have been disputed, and would, we suggest, require further empirical research. Given the diversity of the Commonwealth’s membership, the UK can play a very important role in consulting with other Commonwealth countries on their trade needs, and then taking those views forward in the G8, and the G20 etc.
- (b) **The promotion of human rights.** The current UK government has expressed its commitment to supporting the efforts of other countries seeking to advance human rights. Some of the most egregious criminal policies to which the UK is opposed—such as the criminalisation of homosexuality and the death penalty—are legacies of colonial legislation. The UK could use every major Commonwealth Ministerial Meeting to make steady diplomatic progress on these issues in the coming months and years, as part of a longer-term “Commonwealth engagement strategy”.
- (c) **The promotion of “soft power” and a positive image of the UK?**

Queen Elizabeth II, Queen of 16 sovereign states including the UK and Head of the Commonwealth, has arguably done more to promote a positive image of the UK than any other individual. Following her reign, there will be no constitutional or democratic reason to retain the post of “Head of the Commonwealth” which she enjoys as a named individual (the post is

not hereditary). The UK should plan ahead on how to deal with the absence of its most effective promoter of a positive image of the UK.

At a political level, it is CA/B's view that there are some internal contradictions between UK domestic government policies and the promotion of "soft power" and a positive image overseas. For example, the cap on immigration including from Commonwealth countries has had an impact on the number of overseas students and professionals coming to the UK (who have traditionally maintained links and an "affinity" with the country on departure). Moreover, the UK is no longer regarded as the only Commonwealth country with first-class Universities. In recent years, the UK has closed down embassies in smaller Commonwealth countries (eg in the Pacific) and it has downsized the BBC World Service. Also, the UK is no longer the "aid provider" of first choice for many countries, given the competitive offers from China and other new donors. The UK could use the Commonwealth to promote soft power and a positive image of the country but to some extent this is undermined by domestic policies, which arguably warrant re-examination.

21. *What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?*

22. The Commonwealth Secretariat and Foundation are not engaged in delivering direct benefits to citizens of any country, nor should they be; but they do deliver very important indirect benefits through their policy and technical assistance work to strengthen governments and civil society. (Of course, rightly, the technical assistance is directed to developing countries in the Commonwealth).

23. On the other hand, the Commonwealth's 90+ professional and civil society organisations provide very direct opportunities for professionals from the UK and all other Commonwealth countries to engage in mutual learning; policy development and advocacy on a whole range of issues (from the separation of powers; judicial independence; forestry; urban planning etc).

24. *What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?*

25. No comment.

26. *General observations on the timing and purpose of the inquiry*

27. The Committee will be aware of other recent initiatives concerned with "the role and future of the Commonwealth". These are: the Royal Commonwealth Society's "Commonwealth Conversation" in 2009 (funded solely by the UK government); the report of the Eminent Persons Group, established to make proposals to reinvigorate the Commonwealth in 2010–11 (to which the UK government made a significant financial contribution and on which Sir Malcolm Rikfind MP served); and the Review of the Commonwealth Ministerial Action Group in 2010–11. In 2011, the UK's own Department for International Development (DfID) conducted a Multilateral Aid Review (MAR): the Commonwealth Secretariat's development programmes were ranked joint last and the organisation was placed in "special measures" meaning that the UK government is demanding performance improvements as a matter of absolute urgency.

28. In launching this exercise, the Committee referred to the "disappointing" outcomes of the Perth CHOGM. Notwithstanding, some have questioned why the UK parliament has sought to run its own review now, rather than contribute to the EPG process from 2010–11. Others have expressed concern that, in light of the outcomes of the DFID MAR, the Committee may be looking for reasons to reduce funding to Commonwealth institutions and associations. Rather, CA/B hopes that the review is spurred by good intentions, namely that the Committee is looking for ways in which the UK government can more constructively engage and contribute to the Commonwealth, as well as maximise the benefits of Commonwealth membership for the UK. The prospect of increased financial backing to institutions and organisations that can demonstrate improvements and results should be on the table.

29. The UK continues to have an uneasy relationship with the Commonwealth. The UK government is still sometimes seen by other Commonwealth governments and commentators, as "clumsy" or worse, as a "bully". The UK continues to send relatively junior-level officials to the governing bodies of Commonwealth institutions (unlike other countries most of which send High Commissioners); and the UK often doesn't always send Ministers to Commonwealth Ministerial Meetings. As the UK government and the Commonwealth's HQ are both in London, there has been at least one recent instance where the UK has convened a meeting on a Commonwealth subject, and has in effect "preached" to other Commonwealth governments, rather than consult with them.

30. Currently, the UK government is full of warm words for the Commonwealth, but it lacks any sort of engagement strategy, and has failed to back-up its warm words with practical action or financial commitment. Meanwhile, the Canadian government has appointed a "Special Envoy for Commonwealth Renewal" (in the form of Senator Hugh Segal, a member of the 2010–11 Commonwealth Eminent Persons Group).

31. CA/B would like to strongly recommend that the time for warm words is over, and that the Committee should propose a number of practical ways in which the UK government should engage more constructively with the Commonwealth over the coming years.

32. The various recommendations made throughout this submission, as well as those from other organisations, could be captured in a comprehensive Commonwealth engagement strategy that spans the next three Commonwealth Heads of Government Meetings.

33. CA/B would be available to advise the Committee or the Government on the proposed engagement strategy under the CA/B “Maximise Your Membership” advisory scheme:

http://www.commonwealthadvisorybureau.org/fileadmin/CPSU/documents/Advisory_Services/Maximising_your_membership.pdf

10 January 2012

Written evidence from The Round Table: The Commonwealth Journal of International Affairs

A. Executive summary

1. The Commonwealth is a unique organisation of extraordinary potential but it needs to sustain its reputation as a values-based organisation.

2. Implementing the agreed reforms recommended by the Eminent Persons Group (EPG), along with other innovations, will be central to the Commonwealth’s renewal.

3. Questions remain as to whether the Commonwealth has the capacity, the collective will or the necessary leadership to implement the change agenda in a timely and effective manner.

4. UK membership of the Commonwealth, if properly used, provides a positive context in which British diplomatic objectives can be pursued.

5. The Commonwealth “effect” is also valuable to the UK in terms of trade and investment, as well as in the promotion of its fundamental political values, particularly human rights and democracy.

6. As the UK’s military and diplomatic reach becomes more limited, the proper use of the Commonwealth can connect the UK to an extensive network of soft power.

7. Recognising the value of Commonwealth connections within the UK can also assist the process of creating a confident, tolerant and unified multicultural society in Britain.

8. The British Overseas Territories, Crown dependencies and self-governing jurisdictions—along with the UK’s devolved administrations of Scotland, Wales and Northern Ireland—make a valuable contribution to the Commonwealth by virtue of British membership.

9. A more distinct identity within the Commonwealth would enable many of these administrations to take greater advantage of what the Commonwealth can offer (whether it be greater understanding and recognition of the principle of self-determination, or lobbying internationally on behalf of small states).

B. Introduction and background to the Round Table

10. *The Round Table*: The Commonwealth Journal of International Affairs welcomes the inquiry by the Foreign Affairs Committee of the House of Commons into the role and future of the Commonwealth. We value the opportunity to make brief comments on some of the key issues facing the Commonwealth and the United Kingdom’s role within it.

11. Founded in 1910, *The Round Table* is Britain’s oldest international affairs journal. Published six times a year by Taylor & Francis, the journal is a major source of coverage for policy issues in the contemporary Commonwealth, and provides analysis and commentary on all aspects of international affairs. In addition to overseeing the production of the journal, the Editorial Board also sits as a Moot, or discussion circle. It has periodic dinner meetings and organises seminars and conferences on a regular basis.

C. What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

12. The Commonwealth is a growing organisation of extraordinary diversity, with a global reach and a presence in most parts of the world. Its core attributes—a shared history, the use of a common language, experience of similar systems of law, administration and education, for example—encourage a familiarity and ease among its members. This is reinforced by a myriad of non-governmental connections through Commonwealth organisations, professional associations and civil society bodies. Above all, the principal source of the Commonwealth’s unity is its adherence to a common set of fundamental values. These were most recently set out in the *Affirmation of Commonwealth Values and Principles*, adopted in Trinidad & Tobago by Commonwealth Heads of Government in 2009.

13. The Eminent Persons Group (EPG), established by the Trinidad & Tobago Commonwealth Heads of Government Meeting (CHOGM), devoted a significant part of its 2011 report (*A Commonwealth of People: Time for Urgent Reform*) to reviewing the Commonwealth's purpose as a values-based organisation, and exploring how Commonwealth activities and networks could be directed towards upholding and supporting more effectively its values and principles and the moral authority deriving from them.

(a) A Charter of the Commonwealth

14. A key recommendation of the EPG was for the creation and adoption of a Charter of the Commonwealth. This proposal was accepted by Heads and adopted in their CHOGM communiqué. Heads stressed that the Charter should embody the principles contained in previous declarations “drawn together in a single, consolidated document that is not legally binding”.¹ Heads plan to agree a text for the Charter in 2012, following a process of national consultations, consideration by a Task Force of Ministers, and approval by a full meeting of Foreign Ministers in New York in September.

(b) The Commonwealth Ministerial Action Group (CMAG)

15. In giving substance to any Charter, the principal mechanism for upholding the Commonwealth's values is CMAG. In recent years CMAG has failed to build on the promise of its beginnings. It has been slow to act and, on key issues such as Zimbabwe, its role has been usurped by the troika of past, present and future chairpersons. This is now set to change. At their Perth CHOGM, Commonwealth leaders approved an expansion of the terms of reference of CMAG beyond its original and limited focus on military regimes and unconstitutional changes of government. Several previous attempts to widen CMAG's remit have, since 1999, ended in failure. It is therefore particularly welcome that Heads of Government should have agreed the CMAG reforms “in order to enable the Group to deal with the full range of serious or persistent violations of Commonwealth values”.² Changes to the composition of CMAG for the next biennium were also agreed in Perth.³

(c) A Commissioner for Democracy, the Rule of Law and Human Rights

16. One of the EPG's principal recommendations was for the creation of a Commissioner for Democracy, the Rule of Law and Human Rights to help give substance to the work of CMAG and to the good offices role of the Commonwealth Secretary-General. It was always unlikely that such a proposal would find easy acceptance among the majority of Commonwealth governments, for a number of reasons. First, agreement on the expansion of CMAG's mandate was a remarkable achievement, opening up new areas where member countries might expect external Commonwealth intrusion if the circumstances allowed. To agree a further mechanism in support of this was perceived by many as a step too far. Second, the idea of a “Commissioner” was seen by some as unduly threatening, with anxieties about the scope of the new post needing to be addressed in greater depth than allowed for in the summit's various sessions. Some others felt the position might undermine the powers and authority of the Secretary-General (SG), including his good offices role, and opposed it for that reason.

17. Even so, contrary to the impression given in some parts of the media, the proposal was not rejected. Instead, a mandate was given to the SG and CMAG's Chair “to further evaluate relevant options relating to the EPG's proposal for a Commissioner for Democracy, the Rule of Law and Human rights”⁴ and to report back to Foreign Ministers at their New York meeting in September 2012.

18. Of course, the 106 recommendations of the EPG report ranged far more widely than simply addressing matters relating to Commonwealth values. Equally important are proposals designed to tackle other shortcomings, such as whether Commonwealth institutions are “fit for purpose”, including their staffing; Commonwealth priorities and the association's comparative advantage; the quality, impact and resourcing of its programmes; strategic partnerships within and beyond the Commonwealth; and the quality of Commonwealth leadership. All this amounts to an urgent and substantial agenda for Commonwealth reform.

D. Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?

19. The modern Commonwealth, since 1949, has undergone many challenges. It has established beyond doubt that it is an organisation of political and racial equality. This entailed creating an independent Secretariat (in 1965), and other intergovernmental bodies, and being involved in the sometimes bruising struggles over racism in southern Africa. It has developed—in 1995—a groundbreaking mechanism to sustain its own standards and principles among its membership and to deal with any failure to uphold those values. On issues like debt relief, climate change, HIV/Aids or the vulnerabilities of small states it has led—and helped change—the global perspective. It is not perfect—little is—but its societies are largely open and democratic. The

¹ CHOGM Communiqué, Perth, Australia (31 October 2011).

² *Ibid.*

³ New CMAG members are: Australia, Bangladesh, Canada, Jamaica, Maldives, Sierra Leone, Tanzania, Trinidad & Tobago and Vanuatu.

⁴ Perth CHOGM Communiqué 2011.

unofficial Commonwealth provides a flourishing civil society dimension to the Commonwealth. Commonwealth literature, art and sport continue to excite and challenge at the highest level.

20. The Round Table believes that the Commonwealth retains purpose and value; and we suspect that this confidence in the association is shared by those countries which would wish to join the 54-member body.

21. That said, many countries currently in membership came to the recent Commonwealth summit with the expectation that certain changes to the association were now pressing.

22. The Perth CHOGM attracted widely divergent reviews. Some (including the Commonwealth Secretary-General, Kamallesh Sharma) counted it a “landmark” summit, firmly setting the Commonwealth on the path of renewal and reform. Others were much gloomier. Richard Ottaway MP, the Chairman of the Foreign Affairs Committee, called the summit “disappointing”. Others were more damning still.

23. The Round Table devoted much of its recent Cambridge conference⁵ to analysing the outcomes (or outputs, as one speaker wisely advised) of the Perth CHOGM. The general view was that the meeting had been largely positive, with a raft of key proposals adopted or currently under active review. This strongly suggests that Commonwealth governments—and indeed other parts of the Commonwealth family—do indeed see purpose in the modern Commonwealth, with its value being considerably enhanced providing that the various elements of reform agreed in Perth are fully implemented.

24. The negative perceptions of the Perth CHOGM may well be based on two factors. First, the handling of the EPG report was poor. It was a mistake not to release the report into the public domain before the CHOGM (it having first been submitted to Heads of Government in their capitals). Second, the treatment of this group of genuinely-eminent Commonwealth figures, most of whom had taken the trouble to travel to Australia especially for the meeting, was seen to be cavalier, and consideration of the report perfunctory. That Heads of Government in their Retreat largely rescued what could have been a major public relations disaster by treating the report with much greater seriousness than was evident from the behaviour of Foreign Ministers did not entirely dispel this negative view. With the benefit of hindsight, it is clear that a report of this complexity and importance ought to have merited far better preparation and analysis than was apparent in Perth.

25. There is also considerable scepticism that the Commonwealth has the digestive capacity, the collective will or the necessary leadership to tackle the major challenges of implementation facing the association in 2012.

26. There is, first, the fate of the 43 of the EPG report’s recommendations which have been remitted to Foreign Ministers for their consideration and recommendation. Sir Ron Sanders, an EPG member, is not alone in fearing that the proposals will be “kicked into the high grass”.⁶

27. Second, there is the proposed public consultation over the Commonwealth Charter. Upholding the Commonwealth’s values and principles is essential to the Commonwealth’s credibility and unity. These values are the responsibility and privilege of all, and sustaining them must be the task of civil society as much as member countries and the intergovernmental Commonwealth. This is one sense in which the ownership of the Commonwealth should be in the hands of all its stakeholders.

28. It follows that a genuine process of pan-Commonwealth national consultations will be central to the credibility and authority of the Charter. As of now (mid-January 2012) there is little indication that either the Commonwealth Secretariat or the Commonwealth Foundation is driving the consultative process forward, though the responsibility for each national consultation is in reality the responsibility of the respective member government. By this point, there has been no general notification of national consultations to Commonwealth organisations (who might be expected to play a major part in the process) and there has been no announcement by the UK government of a British consultation. And yet, officers of the Secretariat indicate that consultations must be concluded by March 2012. This is an impossible timeframe for any adequate process of national consultation, even in those member countries where Commonwealth organisations are strong and where member governments are likely to be supportive of the process.

29. Some argue that because the Charter is not intended to be legally binding and will embody principles already enunciated in previous declarations, it will be a drafting exercise only, with little scope for public comment and consultation.

30. In our view, this would be a profound mistake. The Commonwealth’s previous declarations on human rights, democracy and development and the rule of law have been welcome but broad agreement on principles has concealed wide variations in how such values are respected and upheld across the Commonwealth association. The widely divergent approaches to rights based on sexual orientation are an immediate example. Differing attitudes to gender equality, to religious freedom and civic rights are other examples. If the Commonwealth is genuine in its desire to give its citizens a voice, the drawing up of the Charter of the Commonwealth must allow a proper national consultative process in every member country.

31. Third, there is the proper implementation of CMAG’s revised terms of reference. The new CMAG has not yet met and has therefore not yet selected its new Chair. The report of CMAG to Commonwealth Heads

⁵ “The Commonwealth After Perth: Implementing Change” A Round Table Conference, held at Sidney Sussex College, Cambridge, 9–10 January 2012.

⁶ Sir Ronald Sanders speaking at the Round Table Conference in Cambridge, 10 January 2012.

has still not been released into the public domain, nearly three months after the event. Without the benefit of the report, it is difficult to be precise about how CMAG might exercise its mandate.

32. There is also the question of how CMAG's enhanced role will fit with the increased authority given to the Commonwealth Secretary-General (SG) to speak out. The Secretary-General will now be expected to articulate the Commonwealth's concerns, and be its clear voice of conscience in defence of its values everywhere—within its membership; and in the wider world.

33. Additionally, there is the mandate placed on the Chair of CMAG and the Secretary-General to further explore the options relating to the proposal for a Commissioner for Democracy, the Rule of Law and Human Rights. Secretary-General Sharma was reported in Perth to be hostile to the proposal; and many countries recoil from the punitive connotations of a "Commissioner". Nevertheless, what is surely indisputable is the need for the Secretary-General and CMAG to have a greater technical capacity available to them to investigate and report on areas of concern. Otherwise, it is difficult to see how the expanded mandates of both the SG and CMAG can be properly fulfilled.

34. There is therefore much work that needs to be done before there can be confidence that the Commonwealth will uphold its commitment to its core values in a robust manner.

35. Finally, there is the question of reform to the Commonwealth's institutions (principally the Commonwealth Secretariat and the Commonwealth Foundation). Both organisations are at something of a low point at present. Both are in need of strong leadership in reshaping priorities, sunsetting redundant programmes, attracting new staff and greater resourcing, fashioning strategic partnership and demonstrating that, as regards the reform agenda, they are not part of the problem but are intrinsic to its solution.

E. How does membership of the Commonwealth help the UK achieve its diplomatic objectives?

36. Membership of the Commonwealth helps the UK in its objective of strengthening the rules-based international system founded on common values. More than a quarter of the countries in the world are Commonwealth members and mechanisms to refine and sustain the core values of the association are helpful in seeking a global consensus in this respect.

37. There are other ways in which the Commonwealth's ability to connect and communicate through language, shared traditions, experience of common systems in administration, education and law (including some recognition of common citizenship rights), sporting and cultural links and the like all make it more likely that member countries will be open to, and understanding of, the UK's diplomatic objectives. Most of the UK's bilateral aid goes to Commonwealth countries. There is also a special connection to the UK through the Head of the Commonwealth and her regular visits (as well as by other members of the Royal Family) to Commonwealth realms and nations. Judging by the enthusiasm with which the Queen has been most recently received in various parts of the Commonwealth, the surprise is not that there are voices in the Queen's realms raising questions about their countries' constitutional status in the long-term. The wonder is that these arrangements have so far proved to be as durable as they are.

38. As well as the UK's bilateral relations, the Commonwealth itself is an effective tool for multilateral relations. This is further explored below.

39. Of course, none of this is likely to cause a Commonwealth country to override its perceived national interest where this conflicts with the UK's diplomatic objectives. But it does provide a positive context in which these issues can be presented and discussed.

F. What benefits does the UK's membership of the Commonwealth bring in terms of:

— Trade

40. The 1996 Foreign Affairs Committee Report on the future role of the Commonwealth⁷ concluded that, for the UK, the old Commonwealth ties had become the new economic opportunities. Since then, those opportunities for UK trade and investment have only grown. Some of the largest and fastest growing economies in the world are in the Commonwealth. Africa, home to nineteen Commonwealth member countries, is currently an area where there some spectacular examples of growth and development. Some have argued that the use of the Commonwealth's shared attributes on an economic and commercial level amount to a "Commonwealth effect", reducing transaction costs and facilitating trade.⁸ Certainly, Commonwealth trade and investment is considerable, amounting to around 20% of the global total.

— The promotion of human rights

41. It is no longer the case that the UK is in a position to export the Westminster system of parliamentary democracy to other parts of the Commonwealth. Indeed, in many respects, the UK is now a net importer of democratic innovation, with its asymmetrical electoral systems reflecting an ancient democracy that is still in the process of change.

⁷ "The Future Role of the Commonwealth", Report of the Foreign Affairs Committee of the House of Commons, released 3 April 1996.

⁸ "Trading Places: the Commonwealth effect re-visited", Royal Commonwealth Society, 2010.

42. Nevertheless, support for the Commonwealth's programmes for democratic development, for advancing human rights and for the strengthening of the rule of law are all valuable in promoting internationally those fundamental values which form the bedrock of the United Kingdom's democracy.

43. The deployment of Commonwealth Observer Groups at national (and sometimes local) elections in member countries has, since 1991 in particular, proved their effectiveness. At the same time, the EPG report pointed up a number of ways for improving current practice. Extending the period of deployment of Commonwealth election observers would be important. In practice, this may require a functional distinction between what are, in effect, Long and Short-term Observers (though they should not be identified as such). There should be no change in the calibre of observers recruited but it might be useful to establish a register of those who are able to give a greater time commitment and therefore be used for longer periods of deployment (within any mission).

44. A welcome development is the apparent acceptance by CMAG that an adverse report by a Commonwealth Observer Group at the national elections of a member country on a significant aspect of the polls should trigger automatic referral to CMAG of the country concerned. A further EPG proposal is for a "Commonwealth Academy of Democratic Development". This is an attractive and necessary idea. At least initially this might be a "virtual" academy, with services delivered, on a fee basis, by a collaborative network of Commonwealth and specialist organisations.

45. There are other ways in which democratic and human rights values can be promoted, not least through the Commonwealth's extensive network of Commonwealth organisations, professional associations and civil society bodies. The Commonwealth Parliamentary Association, the Commonwealth Local Government Forum, the Commonwealth Human Rights Initiative, the Commonwealth Lawyers Association, and the Commonwealth Journalists Association are just some of the organisations whose work in this field has extended beyond the boundaries of the Commonwealth.

— *The promotion of soft power and a positive image of the UK?*

46. As the UK's military role becomes increasingly constrained, and as its diplomatic footprint shrinks, it is important that other ways are found for the UK to achieve its international objectives. In this respect, the Commonwealth is a pre-eminent network of soft power.

47. The Commonwealth's diversity is a key strength, giving it dynamism and authority on a practical level. This same characteristic provides the Commonwealth with an extraordinary facility for creating and sustaining networks and connecting with member governments at the highest levels.

48. In terms of advancing the Commonwealth's fundamental values, there have been many examples where, either by example or by persuasion, collective Commonwealth ideals and policies have become accepted internationally. Many regional and international organisations now adopt a similar approach to upholding their values to that pioneered by the establishment of CMAG: and alleviating the debt burden internationally—to take another example—has been greatly advanced by Commonwealth pressure. On both these issues, the United Kingdom played a prominent role.

49. A more recent example has been the support the Commonwealth has been able to give—and the access which it has been provided—to the G20. Five Commonwealth countries—one-quarter of the total—are members, and form significant elements of other international organisations. Commonwealth members constitute nearly 40% of the WTO; and more than a quarter of the UN. The Commonwealth is not just a powerful potential advocate—it is also a significant interest and lobby which can bear on the leadership of such organisations.

— *UK Society and the "Commonwealth within"*

50. There are also the many manifestations of the Commonwealth apparent in British society—evidence of "the Commonwealth within".

51. First, among older generations there are visceral connections forged in conflict, when Commonwealth and British forces have fought together in defence of common values. This "imperial" memory may be diminishing but its effect can still be powerful. When some years ago, Spain and Canada were in dispute about the fishing grounds off Newfoundland, the British public (especially in Cornwall) rallied loudly and unequivocally in support of Canada rather than backing the UK's European partner.

52. Second, the military link between Commonwealth countries remains strong. Five Commonwealth countries are currently serving in the International Security Assistance Force in Afghanistan; and the main burden of UN peace-keeping operations is borne by Commonwealth contributing countries. In the British Army itself, Commonwealth nationals, together with the Gurkhas from Nepal, make up nearly 10% of the total. Commonwealth soldiers have been prominent among those recognised for outstanding acts of bravery and self-sacrifice.

53. Third, it is not only in the armed forces but in every facet of British society—business, sport, art, culture and entertainment as well as media, transport, education and health—where the Commonwealth connection remains vivid and enriching. For many "new" British citizens, the UK's full-hearted involvement internationally

provides validation for the multiple cultural identities they may possess within the security of a common citizenship. There is also regular movement of families between the UK and other Commonwealth countries (even where some members are now settled in the UK). This contact between contrasting societies can sometimes put to the test notions of religious tolerance and shared values. Generally, however, such contact is likely to be positive. Many Commonwealth leaders continue to have personal links with the UK, either through study or following a period of residence. The current President of Zambia, Michael Sata, early in his life worked in public transport in London. He is by no means the first Commonwealth Head of Government to have lived and worked in the UK before achieving office.

54. While very few Commonwealth countries now provide any kind of concession to other Commonwealth citizens in terms of right of access and abode, at least 11 Commonwealth countries do provide other citizenship rights—particularly the right to vote in local and national elections; and right to stand for office—to those granted residence for any period of time. Recent research has indicated that 24% of Commonwealth member countries grant foreign Commonwealth citizens the right to stand for office, and 30% provide voting rights.⁹

55. In the case of the UK, eligibility for office and the right to vote in local and Parliamentary (but not European) elections are both provided to Commonwealth citizens during their stay in the UK (political rights which in this respect could be considered superior to those granted to EU citizens). In recent times, the UK government has considered the removal of these rights, but was persuaded not to do so. This, surely, was the right decision, since the existence of these political rights reinforces in a practical way the aspiration of the Commonwealth to be “a community of democracies”.

56. In summary, the domestic manifestation of the Commonwealth within British society is not primarily visible in the weakening links of a distant and half-forgotten organisation; rather, it is a vibrant part of the reality of the UK’s multicultural society. As the Queen, the Head of the Commonwealth, has put it: “it is, in lots of ways, the face of the future.”¹⁰

What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?

57. The Overseas Territories, Crown Dependencies and self-governing jurisdictions are all members of the Commonwealth by virtue of their relationship to the British Crown. As such, they play a full part in various Commonwealth activities. Jersey, Guernsey and the Isle of Man, along with Gibraltar, Bermuda and St Helena are among the large majority which are members of the Commonwealth Parliamentary Association. Bermuda and the Cayman Islands participate in—and have hosted—Commonwealth Finance Ministers’ meetings. The Falkland Islands encourages its school students to take part in the Commonwealth Essay Competition and has run poster competitions for Commonwealth Day. Guernsey, Jersey, Gibraltar and Bermuda all have branches of the Royal Commonwealth Society located in their territories. Nearly all regularly participate in the quadrennial Commonwealth Games.

58. Recent UK governments have displayed a rather more progressive approach to the Overseas Territories and their economic and constitutional development than previously.

59. Gibraltar is a case in point. The territory now enjoys a new relationship with the UK Government, following the adoption of the 2006 constitution. Self-determination under these arrangements has enabled Gibraltar to move beyond the historic issues of sovereignty and flourish as a self-governing and self-sufficient territory. The Tripartite process, with the UK and Spain, under the Cordoba Accords, has given Gibraltar equality of voice in dealing with issues which are directly its concern. On a host of practical issues—improved communications (from air links to telecommunications) and infrastructure development, including the airport—Gibraltar is now able to move forward.

60. This is a far cry from previous negotiations between the Spanish and UK governments where Gibraltar was treated as little more than a colonial chattel, its future traded in discussions from which the territory’s representatives were invariably excluded.

61. The British Prime Minister, David Cameron, recently emphasised this new approach in relation to the Falkland Islands. He told the House of Commons that Argentina was “acting like a colonial power in seeking to re-open the issue of sovereignty”.¹¹ He continued: “The absolutely vital point is that we are clear that the future of the Falkland Islands is a matter for the people themselves”.¹² Respecting that principle in respect of discussions of sovereignty is as much an issue for the UK government to honour in the full as it is for the Government of Argentina to recognise.

62. The primacy of self-determination for the territories and dependencies of the Crown is one which can be protected and promoted through their wholehearted involvement in the Commonwealth. The presence of a Commonwealth Observer Group at the 1967 Gibraltar referendum, witnessing a resounding vote for continuing

⁹ Tendayi Bloom “Contradictions in formal Commonwealth citizenship rights in Commonwealth countries”, *The Round Table*, Vol 100, No 417 (December 2011) p 639.

¹⁰ The 2009 Queen’s Christmas Message.

¹¹ *The Times*, Thursday 19 January 2012, p 1.

¹² *Ibid* p 6.

British sovereignty in the territory, served to open the eyes of many Commonwealth leaders.¹³ They appreciated that national self-determination, rather than colonialism, was the core issue.

63. Similarly, when an overseas territory attends—or even hosts—a Commonwealth intergovernmental meeting, its representatives rub shoulders with their counterparts in fifty-four member governments across the globe. The same effect is true of “people-to-people” Commonwealth initiatives in areas such as sport, education and culture, particularly involving young people. It all serves to internationalise perceptions, broaden understanding and emphasise that all territories and dependencies have a human identity—and a collective will—which is greater than their “Britishness”.

64. It is also the case that the Commonwealth’s long-standing concern for the special problems and vulnerabilities of small states resonates well with a number of territories and dependencies. The Commonwealth’s success in bringing about a more understanding approach to small states by the World Bank, for example, has led some to see lobbying within the Commonwealth as more worthwhile on certain issues than expecting their administration’s policies to be faithfully reflected by the UK government.

65. The question remains as to whether there should be any change of status within the Commonwealth for overseas territories, crown dependencies and self-governing jurisdictions.

66. The Commonwealth is, first and foremost, an association of free and sovereign nations. Thus, in 1997, Palestine’s application for Commonwealth membership was “laid on the table”, rather than being accepted, pending its graduation to full sovereignty. The bar of sovereignty, rather than nationhood and self-determination, as a condition of Commonwealth membership is unlikely to change.

67. Might there be some arrangement short of full membership—such as associate membership—which would give greater recognition and identity to overseas territories? The last review of Commonwealth membership, by an intergovernmental committee under the former Jamaican Prime Minister, PJ Patterson, showed little enthusiasm for the idea.¹⁴ Even on the assumption that an associate member would have to meet the same criteria as full members regarding adherence to democratic and human rights norms and practices, there are other obstacles.

68. First, any change in Commonwealth status for British overseas territories would also need to be acceptable to Australia and New Zealand, who also have dependent territories, as well as to the Commonwealth as a whole.

69. Second, short of independence, it would be difficult to contemplate a higher status for the Turks & Caicos Islands within the Commonwealth, for example, than for the Scottish nation (due to host the Commonwealth Games in 2014). The devolved institutions of the United Kingdom have also begun to demonstrate a larger, more independent role within the Commonwealth, although would undoubtedly wish for more. They certainly would not want an inferior status to anything that might be secured by the Overseas Territories.

70. This has wider implications. Creating a new category of membership which included the provinces of Canada, the states of India, South Africa, Malaysia and Australia, as well as Scotland, Wales and Northern Ireland (and the overseas territories and crown dependencies) would involve considerable challenges for limited benefit.

71. The answer may lie in greater recognition that the Commonwealth is more than an association of governments; it is also an association of peoples, who are to be found in a wide variety of bodies and associations, from the governmental through to the non-governmental. Properly revealing and celebrating the multiple dimensions of Commonwealth membership may be the best way that overseas territories can reap the full benefits of their place in the Commonwealth family.

CONCLUSION

72. The current UK government has expressed strong support for the Commonwealth from the outset. The Foreign Secretary, William Hague has made it clear that the Commonwealth is “back at the very heart of British foreign policy”.¹⁵ The Round Table applauds this re-kindling of enthusiasm for the Commonwealth by a British government.

73. The Commonwealth is, in many ways, tailor-made for the 21st century, potentially equipped to serve the wider world as well as its members. But it faces immediate challenges of reform and renewal. Our hope is that the UK government—along with other Commonwealth governments—will now make every effort to encourage this process of change, will help secure the implementation of key reforms, and re-fashion the Commonwealth into a global force for good.

26 January 2012

¹³ Gibraltarians voted by 12,138 to 44 to remain under British sovereignty.

¹⁴ The Report of the Committee on Commonwealth Membership 2007, Commonwealth Secretariat.

¹⁵ Speech by Rt Hon William Hague MP, Secretary of State for Foreign & Commonwealth Affairs, to the Commonwealth Parliamentary Association, July 2011.

Written evidence from Ruth Lea, Economic Adviser, Arbuthnot Banking Group

SUMMARY

- The Commonwealth should develop a new economic and trade focus. The establishment of a Commonwealth Free Trade Agreement (FTA) is recommended.
- Commonwealth countries together account for 15% of the world's GNI. They are economically important.
- They have favourable demographics and growth prospects. They are likely to be some of the most important growth markets of the future. The Commonwealth countries should not be regarded as the “past”. They should be more of Britain's “future”.
- There is evidence that Commonwealth countries trading with each other benefit from cost advantages.
- The UK's trade with other Commonwealth countries is already significant. But more could, should, be done. The establishment of a Commonwealth FTA would provide such a stimulus, but Britain would almost certainly need to withdraw from the EU's Customs Union in order to participate.

SUBMITTER OF EVIDENCE

Ruth Lea has worked in the Civil Service (the Treasury, the Civil Service College, the CSO and DTI (1970–88) with a short break lecturing in economics); the City (Mitsubishi Bank (1988–93), Lehman Brothers (1993–94), Arbuthnot Banking Group (since 2007)); ITN (1994–95) and the Institute of Directors (1995–2003). She was Director of the Centre for Policy Studies (2003–07) and Director of Global Vision (2007–10). Global Vision is a campaign group that seeks a looser Swiss-style relationship with the EU and extensive free trade links with favoured nations including Commonwealth countries. Ruth Lea is a member of the Royal Commonwealth Society.

I would be give oral evidence to the Committee.

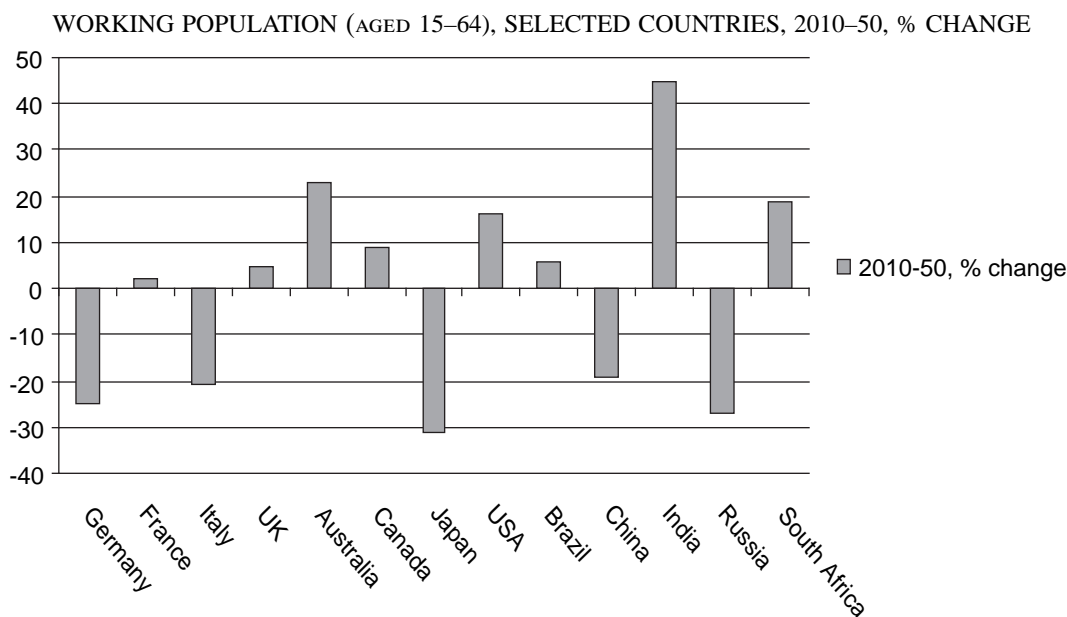
SUBMISSION

1. In the light of the disappointing outcome to the recent Perth CHOGM, the Commonwealth needs to develop a new economic and trade focus, with the UK as a fully-involved and committed member. The establishment of a Commonwealth Free Trade Agreement is recommended. However, this clearly presents Britain and the other EU Member States (Cyprus and Malta) with a major difficulty as they cannot freely negotiate or unilaterally belong to a Commonwealth FTA whilst they are members of the EU's Customs Union. The opportunity costs for Britain and, by extension, other Commonwealth members can only be significant given the economic importance of the Commonwealth.

2. Commonwealth countries considered together as an economic entity are rarely discussed in Britain. But they account for 15% of world GNI and contain over two billion of the world's seven billion people. The modern Commonwealth spans five continents and contains developed, emerging and developing economies—including some of the largest economies and some of the smallest. In its diversity it captures the character of the 21st century globalised economy as no other economic grouping can. The Commonwealth's membership includes two of the world's largest ten economies (the UK and India), two members of the G7 (Canada and the UK) and five members of the G20 (the UK, India, Canada, Australia and South Africa). The Commonwealth has global significance and huge potential. The Commonwealth also has the advantage of being a group of friendly (non-threatening and non-adversarial) countries which includes many with deep reserves of key natural resources. Statistics for selected Commonwealth countries are shown in table 1 in the annex.

3 The latest IMF forecasts, up to 2016, show that the major Commonwealth countries have healthy growth prospects in the medium-term.¹ Moreover in the longer-term they have favourable demographics. Their working populations are projected to increase to 2050 and, insofar as economic growth is correlated with growth in the working population, they will be some of the most important growth markets of the future, along with the US and China. Specifically, the Commonwealth's demographics compare very favourably with the major European countries, where working populations will tend to age and shrink. It is mistaken and old-fashioned to regard the Commonwealth as the “past”, an outmoded relic of Empire. Commonwealth countries are young and dynamic and should play a much bigger part in Britain's future.

4 The UN estimates that between 2010 and 2050, Australia's working population will increase by 23%, Canada's by 9% and India's by 45%. In contrast Germany's working population will fall by 25%, Italy's by 21% and Spain's by 14%; though the UK's is expected to rise by 5% and France's by 2%. Note too that other big fallers include Japan (31%), China (19%) and Russia (27%). The USA's working population will incidentally increase by 16%. The key data are shown in the chart below.



Source: UN, *World Population Prospects*, medium variant, 2010 revision. The age group 15–64 is taken as the proxy for the working population.

5. It has been estimated that business costs are 10–15% lower for Commonwealth countries trading with one another compared with Commonwealth countries trading with non-Commonwealth countries of comparable size and GDP. This benefit, the “Commonwealth advantage”, reflects shared history and commonalities of language, law and business practice.² The “Commonwealth advantage” should act, *ceteris paribus*, as an incentive to Commonwealth trade, not least of all between the UK and the other Commonwealth countries.

6. UK-Commonwealth trade is indeed already significant. In 2010, total exports of goods and services to the major Commonwealth countries were nearly £37 billion, over 8% of the total UK trade (table 2). But these exports were dwarfed by exports to the US (£72 billion) and in particular to the EU27 (£210 billion). The equivalent figures for imports were £36 billion from the Commonwealth, £46 billion from the US and nearly £243 billion from the EU27. When the balances for income and transfers are also accounted for, Britain ran a healthy Current Account surplus with the major Commonwealth countries and the USA in 2010, but a hefty deficit with the EU27. Arguably more can be achieved. The British imports penetration ratios in some of the Commonwealth countries are relatively modest, disappointingly so given the above-mentioned “Commonwealth advantage”, compared with France and Germany (see table 3). This suggests there is some scope for “catching up”, especially so in the case of India and Canada.

7. Commendably, the coalition government has stepped up its efforts to encourage Britain in the world’s future growth markets, including Commonwealth countries. And Foreign Secretary William Hague has already acknowledged the Commonwealth’s growth potential. He said recently “...increasingly, Commonwealth countries are...proceeding with some of the fastest growth rates in the world”.³

8. But much more should be done. The establishment of a Commonwealth FTA, including the UK, would be a major step forward. But, as already stated, Britain’s participation would be restricted by membership of the EU’s Customs Union. Britain should withdraw from EU’s Customs Union, noting all the political implications for Britain’s EU membership, in order to be able to develop free trade links with the Commonwealth. Britain could then align more of its trade with the fast-growing Commonwealth countries rather than being over-dependent on slow-growing Europe, where the share of global output is in secular decline.

9. The key document concerning trade and economic cooperation (and development issues) was the “Edinburgh Communiqué”, following a Commonwealth Heads of Government Meeting (CHOGM), in 1997. This Communiqué covered the members’ agreed objectives but, crucially, left the individual members to decide the policies they should implement in order to achieve the objectives. The Commonwealth does not legislate for its members, unlike the EU. This has all to commend it. Sovereign nations should legislate for themselves and the Commonwealth should resist all temptations to centralise legislation. The Commonwealth Business Council was established in 1997 following the Edinburgh meeting.

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1. IMF, *World Economic Outlook* database, September 2011.
2. Sarianna Lundan and Geoffrey Jones, “The “Commonwealth Effect” and the process of internationalisation”, in the *World Economy*, January 2001.

3. The Commonwealth Business Council & City of London, *Commonwealth Economic Partnerships Forum*, October 2010.

Annex

Table 1

SELECTED COMMONWEALTH COUNTRIES

Country	Population (2009, millions)	GDP pc annual average growth (%), 1990–2009	GNI, US\$ billion, 2010	
			Atlas method (MER)	PPP
India	1,198.0	4.8%	1,554	4,160
Pakistan	180.8	1.7%	183	484
Bangladesh	162.2	3.4%	105	270
Nigeria	154.7	1.7%	186	344
United Kingdom	61.6	2.3%	2,387	2,266
South Africa	50.1	1.2%	305	518
Canada	33.6	2.1%	1,476	1,307
Malaysia	27.5	3.2%	220	404
Australia	21.3	2.3%	957 (2009)	842 (2009)
Singapore	4.8	3.9%	203	283
New Zealand	4.3	2.0%	124 (2009)	121 (2009)
Commonwealth 54 (including Fiji)	2,172.9	Na	8,063	11,666
World	6,818.7	Na	62,364+	76,288+
Commonwealth, world %	31.9%	Na	12.9%	15.3%

Sources: (i) Commonwealth Secretariat, www.thecommonwealth.org, for country population estimates and GDP growth rates; (ii) UN population database for 2009 world population estimate; (iii) World Bank, *World Development Indicators Database*, 2011, for GNI data. The Atlas method smoothes market exchange rates (MER) data; PPP stands for Purchasing Power Parities.

+ The GNI world totals were computed in July 2011.

Table 2

UK CURRENT ACCOUNT TRANSACTIONS, £BILLION, SELECTED COMMONWEALTH COUNTRIES, 2010

	Goods and services		Balance	Income Balance	Transfers Balance	Current account Balance
	Exports	Imports				
Commonwealth, major economies:						
Canada	7.0	7.3	-0.2	2.2	-0.2	1.8
India	6.1	8.1	-2.0	1.6	-1.0	-1.3
Pakistan	0.8	1.3	-0.5	0.2	-0.3	-0.6
Malaysia	2.0	2.1	-0.1	0.6	0	0.4
Singapore	7.1	5.9	1.2	1.7	-0.1	2.7
Australia	8.4	4.5	3.9	6.6	-0.2	10.2
New Zealand	0.9	1.2	-0.3	0.4	-0.1	0
South Africa	4.6	5.5	-0.9	1.2	-0.4	-0.1
Total	36.9	35.9	1.1	14.5	-2.3	13.1
Other:						
USA	72.2	46.2	26.0	-5.1	-0.5	20.4
EU27	210.1	242.8	-32.7	-9.7	-10.0	-52.4
World total	436.8	476.5	-39.7	23.0	-20.1	-36.7

Source: ONS, *UK Balance of Payments, The Pink Book*, 2011 edition.

Table 3

UK EXPORTS/GDP OF IMPORTING COUNTRIES, 2010

	<i>UK exports of goods and services</i>		<i>Importing country, nominal GNI (\$bn)</i>	<i>UK exports, % importing country's GNI</i>
	<i>£bn</i>	<i>US\$bn+</i>		
Germany	38.7	59.8	3,522	1.7%
France	28.1	43.4	2,750	1.6%
US	72.2	111.6	14,646	0.8%
Commonwealth:				
Canada	7.0	10.8	1,476	0.7%
India	6.1	9.4	1,554	0.6%
Pakistan	0.8	1.2	183	0.7%
Malaysia	2.0	7.7	220	3.5%
Singapore	7.1	11.0	203	5.4%
Australia	8.4	13.0	957 (2009)	1.4%
New Zealand	0.9	1.4	124 (2009)	1.1%
South Africa	4.6	7.1	305	2.3%

Sources: (i) export data from ONS, *UK Balance of Payments, the Pink Book*, 2011 edition; (ii) GNI data from the World Bank, *World Development Indicators Database*, 2011. + taking the 2010 average spot rate \$/£1.546, source Bank of England.

15 January 2012

Written evidence from the Commonwealth Consortium for Education

SUMMARY

Introduction

- Introduction to the Commonwealth Consortium for Education (CCfE) (paras 1, 2).
- The People's Commonwealth and the Official Commonwealth, while complementary, are distinct entities (para 4).
- Education is central to Commonwealth relations as the foundation of the People's Commonwealth and the sector with the most extensive inter-governmental co-operative infrastructure (paras 5, 6).
- Education gets insufficient attention in the EPG Report & CHOGM Communique (paras 7, 8).

Future of the Commonwealth and reforms needed for success

- Although the Commonwealth is likely to figure less prominently in member countries' external relations as the balance of power and influence in the world shifts towards new players, and as regional ties become more important, this does not necessary mean that the Commonwealth's usefulness and influence need diminish. If the Commonwealth is courageous in addressing issues facing humanity and in using its position as a bridge between countries at different levels of development and diverse faiths ethnicities, and cultures it can continue to contribute significantly to building a better world (paras 9–11).
- Important ways forward in developing a more effective association include greater attention to building the "People's Commonwealth", more emphasis in Secretariat work on human development, and mobilisation of creative thinking on global problems through use of high-level expert groups (paras 12–14).

The Commonwealth's purpose and value and the impact of the Perth CHOGM thereon

- The Commonwealth certainly retains purpose and value in the education sector; and evidence of this is provided by the health of the series of Conferences of Commonwealth Education Ministers, the operations of eg the Commonwealth of Learning, Commonwealth Scholarship and Fellowship Plan, and the Association of Commonwealth Universities. The EPG recognised the value of CCEMs and CSFP but failed to recognise the pivotal place of education interchange in Commonwealth relations as did the CHOGM Communique. Both were curiously silent on the work of COL, widely thought to be the most effective of the three Commonwealth IGOs (paras 15–17).

Commonwealth Membership and UK diplomatic objectives?

- Commonwealth members often support one another in global bodies and consult together informally in foreign-country capitals. CHOGMs afford the possibility for leaders to develop close personal relationships. Opportunities to study in the UK for extended periods under CSFP can be especially effective in creating long term friends abroad for Britain (para 18).

Benefits to UK in trade, promotion of human rights, “soft power” and a positive image of the UK

- Study or service in UK under Commonwealth programmes can be very influential (paras 19–21).

Direct Benefits

- For UK the reckoning should include presence of Commonwealth bodies in London, including the employment effect; benefit to UK colleges/universities and their students; jobs abroad.
- Overseas Commonwealth members have gained from the Secretary-General’s good offices role, and programmes like CFTC, COL and CSFP. Small states have been significant gainers (para 22).

Dependent territories

- Should participate in UK delegations, be eligible to gain from/contribute to CW programmes (para 23).

Recommendations (pages 5, 6)

- R1. UK should be represented by a senior Department of Education Minister at CCEMs.
- R2. The Diamond Jubilee Trust should be encouraged to give priority to CW education exchanges.
- R3. Promote Commonwealth through curriculum, re-established CW Museum and observing CW Day.
- R4. Establish post in Secretariat to co-ordinate CSFP and give human development higher priority.
- R5. Make greater use of high-level specialist advisory groups.
- R6. Enhance usefulness of CCEMs by establishing ongoing Ministerial advisory/steering group.

THE SUBMISSION

1. The Commonwealth Consortium for Education is a grouping of 20 Commonwealth voluntary and professional civil-society organisations concerned with the development of education in Commonwealth countries, and with the promotion of Commonwealth co-operation to that end. The majority of the members are based in the UK, but six of them operate from other Commonwealth countries (Australia, Barbados, Canada, Jamaica, Kenya, South Africa). Most are formally accredited to the Commonwealth.

2. The Consortium itself, whose website is at www.commonwealtheducation.org :
 - undertakes representative functions as the collective voice of Commonwealth civil society organisations in education and related areas;
 - provides common services for its members
 - publishes information on Commonwealth Education co-operation;
 - convenes conferences and workshops on important contemporary issues; and
 - engages in advocacy on the way forward for Commonwealth educational co-operation.

3. In this submission the Consortium will not respond to every question posed in the Inquiry’s Terms of Reference but confine itself to aspects more directly relevant to its own work and expertise.

4. We start with two general points First is the need to distinguish formal Commonwealth membership from those many informal Commonwealth links and connections that would doubtless persist for some time even if the formal structures of the Commonwealth, whether official or non-governmental, were to dissolve. We assume that the Inquiry is mainly concerned with the value of formal Commonwealth membership and named structures: and that it will focus on the Commonwealth as an organised international association of nation states with formal structures, procedures, budgets and programmes. There is clearly a difference between the formal inter-state Commonwealth on the one hand and the Commonwealth seen as a group of societies linked by a common heritage of similar institutions, values and shared use of English—a family or Commonwealth of Peoples—on the other.

5. Second, education is central to Commonwealth relations in each of these two distinct but interdependent spheres, the formal and the informal. It is estimated that well over half the population of Commonwealth countries is aged 25 or under. Education lies at the heart of personal and social development, and has always been a key priority for developing and developed Commonwealth countries in their plans for social and economic improvement. It has a key role to play in promoting knowledge and awareness of the Commonwealth and its values. It provides the setting and the impetus for much of the movement of persons, services and ideas that has produced a shared sense of Commonwealth identity. Student and teacher mobility, academic exchange, cross-border provision of courses examinations and qualifications, trade in books and educational materials, all contribute significantly to building Commonwealth consciousness. The education sector has more pan-Commonwealth voluntary and professional organisations and associations than any other. Shared use of English has of course been an important factor facilitating all this unofficial educational interchange.

6. Education also provides a significant focus for inter-governmental co-operation. Indeed there is more public Commonwealth infrastructure in education than in any other sphere. Seventeen triennial Conferences of Commonwealth Education Ministers (CCEMs) have been held in the last 50 years and the 18th will take place in Mauritius in August this year. CCEMs and their associated forums have constituted—after the CHOGMs—the biggest of all Commonwealth consultative gatherings and it a matter of regret that in recent years UK has often not been appropriately represented at senior Ministerial level (**R1**). One of the three Commonwealth inter-governmental organisations—the Commonwealth of Learning (COL) in Vancouver—is devoted to education co-operation, and education also provides the focus for programmes run by the Secretariat/CFTC and by the Foundation. The Commonwealth Scholarship and Fellowship Plan (CSFP) of which there are now about 30,000 graduates is a major programme that works bilaterally within a multilateral framework. The UK is the largest contributor, mainly through DFID but also to a small extent through DBIS. Governments also have a significant interest in the work of the Commonwealth Education Trust, formed when the Commonwealth Institute closed.

7. We would add that there is much that Governments could do to use education, both formal and informal to promote the Commonwealth and its values. We make certain suggestions for consideration by the UK Government to that end (**R2, R3**).

8. Against this background it is surprising and disappointing that educational co-operation often fails to receive the attention it deserves in discussions of the role and future of the Commonwealth. The recent Heads of Government Communiqué from Perth hardly refers to its central role in addressing issues like insecurity and terrorism, environmental degradation and sustainable development, skill needs for competitiveness in a global economy, promotion of democracy and good governance. With the exception of the CSFP, and the recommendation that Conferences of Education Ministers should continue, the Report of the Eminent Persons Group is equally inattentive to the role of education.

What is the future for the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

9. Realistically, one must expect that with the passage of time the Commonwealth as a collective entity will figure less prominently in member countries' overall external policies relative to their regional and other international ties. Allegiances inevitably undergo modification as new world powers like China and Brazil or within the Commonwealth, India, gather strength. It is quite possible that after the present Queen's reign, the same commitment and loyalty she has inspired as Head of the Commonwealth, and for many member countries as Monarch, will not be vouchsafed to her successor(s).

10. Emerging regional groupings and regional economic interests will become more prominent, to some extent displacing older connections. But in this context one should note that certain regions and sub-regions—the Caribbean, Eastern and Southern Africa, South Asia, and Australasia/the Pacific are in a sense Commonwealth sub-regions because of the preponderance of Commonwealth states in their membership. In some of them the regional universities (University of the West Indies, University of the South Pacific) and examination boards (eg Caribbean and West African Examinations Councils) constitute an important part of the Commonwealth association's educational infrastructure.

11. These conclusions do not necessarily mean that Commonwealth *influence* must diminish. That will depend on imaginative leadership and the readiness of the Commonwealth to think outside the box and to be courageous in raising issues and espousing causes that are in the interest of the whole of humanity—such as the sharing of the world's resources more equitably, protecting the global environment, advancing human rights and non-discrimination, promoting tolerance and social cohesion, investing for the long-term future. As a community that bridges country differences in population size, wealth, faiths, languages and cultures the Commonwealth must strive always to promote the common global good, to accommodate different viewpoints and to reach consensus, seeking through mediation to protect the interests of the small and vulnerable in the face of dominant economic and social interests.

12. A much greater investment should be made in building the “Commonwealth of Peoples”, focusing on programmes of human development, institution-building and the exchange of persons, ideas and experience. The Commonwealth should exploit more fully its comparative advantage of shared language and commonalities in institutions and practices. This suggests *inter alia* a larger investment in programmes supported by the Commonwealth Foundation, stronger support for the Commonwealth of Learning, and building up the Commonwealth collective institutions, not only in education but also importantly in sport, youth, business, local government and parliamentary affairs.

13. The Commonwealth Secretariat needs to balance its work in the diplomatic and economic/trade areas with a more purposeful programme of work on human development, professional and technical co-operation and to effect better co-ordination between its programmes in education, youth, gender and health (**R4**). What it should avoid is a plethora of small programmes in areas where—simply it sometimes seems for the sake of putting down a Commonwealth marker in the area—it duplicates on an ineffective scale the programmes of major bilateral and multilateral agencies. In education, to take an example with which we are familiar, Commonwealth inter-governmental institutions would appear to have far less of a comparative advantage in

co-operation on basic education, where a plethora of other agencies are active, than on exchange and co-operation at the post-school level.

14. The collective Commonwealth should strive to be a leader in the realm of ideas in thinking about emerging global issues, highlighting challenges and developing innovative solutions. Some of its most creative and influential work has been of this nature—the Task force under Manmohan Singh on democracy and development (British member: Sir Richard Jolly) or the *Civil Paths to Peace* Report from the Commission on Respect and Understanding chaired by Amartya Sen (British member: Lord Alderdyce). There is great potential to be derived from making more use of such high level groups (R5).

Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?

15. We believe the Commonwealth does retain a purpose and value generally. In the education sector the Commonwealth certainly has salience and comparative advantage. The Commonwealth of Learning dedicated to co-operation in distance learning for the public benefit, is unique in its field and has been instrumental in familiarising developing countries with new technologies and educational modalities. It has a high reputation among member states: significantly Australia has rejoined. The Association of Commonwealth Universities has 500 subscribing tertiary institutions in its membership, testimony to the value that the Commonwealth connection has for academic leaders round the world. The Commonwealth Scholarship and Fellowship Plan has gone from strength to strength in its 50-year span of operation and DFID evaluation reports suggest that its developmental impact is substantial.

16. The Commonwealth Consortium for Education was encouraged by some but not all of what was said and done in Perth. As regards the EPG Report we:

- welcome much of what the Group has to say about strengthening the Commonwealth and the importance it attaches to the role of civil society;
- support its ideas about improving the operation of ministerial meetings, not excluding those recommendations that Governments have subsequently rejected (R6);
- commend the positive conclusions and recommendations on the Commonwealth Scholarship and Fellowship Plan, especially the creation of a co-ordinating post at the Secretariat (R4);
- regret, however the Group's seeming unawareness of the major effective contribution to development being made by the Commonwealth of Learning; and
- deplore its inattention generally to the role of education and educational exchanges in Commonwealth relations.

17. The Heads of Government seem to have been wrong-footed by the EPG's Report, reacting in a somewhat maladroit way to its appearance. By their apparent inability to respond quickly to the EPG's recommendations—and doing so negatively to important suggestions about reforming ministerial meetings and a more important role for civil society in the Commonwealth—Heads created a sense of anti-climax at a meeting that had been intended to give the Commonwealth a dynamic fresh start. The EPG report with its 106 recommendations, has been criticised on grounds of length. Alas, the messages of the Heads' own Communique are hardly more accessible, given that the document is so wordy and poorly "signposted" that readers have difficulty in locating content of particular relevance to them.

How does membership of the Commonwealth help the UK achieve its diplomatic objectives?

18. Based on observations of diplomacy in our own limited education sector, we note that the UK draws benefit from the following factors:

- In international organisations Commonwealth countries are often inclined to support each others' initiatives, resolutions and candidatures for office.
- In many international organisations and individual countries Commonwealth representatives periodically gather informally to exchange views and concert common approaches.
- CHOGMs and Commonwealth ministerial meetings provide opportunities for Commonwealth leaders to spend time together in less formal settings enabling them to reach understandings on difficult issues and to develop close personal relations.
- The opportunity to spend 12 to 36 months studying in British universities under the Commonwealth Scholarship and Fellowship Plan has been a formative influence on the lives and careers of some 20,000 Commonwealth students who have in many cases later become prominent politicians, or leaders in other spheres, in partner Commonwealth countries. The goodwill and friendship so generated is of incalculable but real value.

What benefits does the UK's membership of the Commonwealth bring in terms of:

— *Trade*

19. This is outside our main area of expertise and we prefer to leave it to others to comment.

— *The promotion of human rights*

20. This too is outside our main area of competence.

— *The promotion of "soft power" and a positive image of the UK?*

21. Respect for and assimilation of British values and culture constitute a huge asset for the UK and its "soft power" objective of winning over "hearts and minds" of those abroad with whom it interacts. The English language, study abroad, UK-based qualifications together represent elements in a powerful nexus of influence. To the extent that these relations are mediated through programmes like the CSFP or through Commonwealth institutions based in the UK, then UK membership of the Commonwealth adds to their impact.

What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?

22. These benefits include:

- Unlike European cities (Brussels, Geneva, Paris) the UK is home to comparatively few international inter-governmental organisations (IGOs). The presence of Commonwealth institutions, mainly but not only the two IGOs based in Marlborough House, contributes to London's character as an international city, and provides a constant reminder that as well as pursuing its own interests through diplomacy the UK has wider responsibilities.
- Commonwealth organisations are a direct source of employment for several hundred people, many of them British. The UK economy benefits modestly from their spending.
- Because of the presence of Commonwealth institutions in London, overseas high commissions and some embassies maintain a higher level of representation in London than they might do if dealing with the British Government alone.
- UK academic and other institutions benefit greatly from programmes like CSFP which attracts some of the best international students to study alongside British young people. Evidence of this has been shown by the willingness of universities in the UK to engage in co-funding Commonwealth awards, most recently those offered by the Department of Business Innovation and Skills for students from more developed Commonwealth countries. Reciprocally, UK students have also themselves been able to benefit from Commonwealth Scholarships tenable in other Commonwealth countries, awarded by their governments: this flow is expected to grow.
- Commonwealth programmes have also supported UK expertise undertaking development assignments abroad.
- For other Commonwealth countries, the benefits have been felt at both collective and individual levels. The Secretariat's "good offices" role has frequently helped defuse tensions and forestall overt conflict. Commonwealth programmes under the CFTC and COL have played an important part in human resource development and in building institutional capacity. The support for the small states of the Commonwealth and for their agendas, one of the hallmarks of Commonwealth co-operation, has been particularly valuable to them, and the Commonwealth has also been particularly proactive in assisting emerging Commonwealth states to negotiate favourable agreements with the large mining companies and other multinationals.
- Every independent Commonwealth country and dependent territory has benefited substantially from Commonwealth Scholarships from UK and her Commonwealth partners. These awards have provided important staff development opportunities for governments and new universities, and have provided overseas nationals with access to disciplines not yet taught at home.

What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?

23. They should be:

- Consulted about UK policy towards the Commonwealth and the position the UK will adopt at CHOGMs and ministerial meetings.
- Represented on official UK delegations, in the case of the more affluent among them at their own expense, to CHOGM and ministerial conferences.
- Invited to assume the role of spokesperson for the UK in some sessions of ministerial meetings.
- Allowed to be full beneficiaries of Commonwealth co-operative programmes like the CSFP or through the Commonwealth of Learning. Where they are in a financial position to do so (eg Bermuda, British Virgin Is, Cayman Is.), they should be encouraged to contribute to Commonwealth programmes in their own right, eg offering Commonwealth Scholarships tenable in their institutions, and themselves contributing to the CSFP Endowment Fund.

RECOMMENDATIONS FOR ACTION

R1. The UK Government should ensure that it is represented at senior level at sectoral Commonwealth Ministers' conferences, both as a matter of courtesy and to increase the value of these events to other participants. In the case of the triennial education gatherings (Conferences of Commonwealth Education Ministers—CCEMs) this should be by a senior Minister from the Department for Education, preferably the Secretary of State, who should stay for the duration of the Conference. The delegation should include appropriate representation from DFID and, if so requested, from Northern Ireland, Scotland, and Wales.

R2. The Government should encourage the Diamond Jubilee Trust to focus on promotion of links, exchanges and reciprocal visits between schools and colleges, students, teachers and other education professionals in Commonwealth countries.

R3. Following the demise of the Commonwealth Institute, which for many years took the lead in promoting knowledge of the Commonwealth in British schools and the adult population, the Government should consider fostering and supporting initiatives to develop awareness of the contemporary Commonwealth and its values by

- incorporating suitable content in the school curriculum;
- supporting efforts, whether through the Diamond Jubilee Trust or other channels, to secure the relocation and re-opening of the British Empire and Commonwealth Museum; and
- setting aside a modest sum of money to fund national events in the UK marking Commonwealth Day each year, and encourage major cities, towns and schools to undertake appropriate activities at their own level to the same end.

R4. The UK Government in consultation and in concert with Commonwealth partner countries should encourage the Commonwealth Secretary-General to:

- (a) Give a higher profile to the Secretariat's human development work; and at the same time secure greatly improved integration and co-ordination of programmes in education, gender, health and youth as well as between them and Secretariat activities in the domains of economic and political affairs including the promotion of good governance, democratic values and human rights.
- (b) Create a post in the Secretariat to co-ordinate and promote development of the Commonwealth Scholarship and Fellowship Plan as recommended by the EPG (EPG Recommendation 93).

R5. The Commonwealth Secretary-General should be encouraged to draw more extensively on expertise residing outside the Commonwealth inter-governmental organisations, particularly where this is available to him on a non-commercial basis. One useful device used successfully in the past and to which significantly greater recourse could be made in future is the high-level specialist Expert Group to examine critical emerging issues affecting member countries and to make recommendations to Commonwealth governments.

R6. With other Commonwealth governments the UK should endeavour to strengthen the usefulness of Ministerial Conferences paying particular attention to ensuring leadership and continuity in the face of the inevitable high turnover among Ministers between triennial meetings. A device worthy of consideration is creation of a small ministerial advisory or steering group to monitor and facilitate the work of the Secretariat in fulfilling mandates from past conferences and preparing agendas for the next one. Our own long experience of Education Ministers' Conferences convinces us that this would have positive value in the education sector.

30 January 2011

Written evidence from the Royal Commonwealth Society

SUMMARY

- The Commonwealth suffers from a growing perception that it is not living up to its purported values. At a time when the public, media and governments are losing faith in the association, pressure is mounting for the Commonwealth to realise its ambition, achieve its potential and prove its relevance.
- The Royal Commonwealth Society's *Commonwealth Conversation*, the largest public consultation on the Commonwealth, confirmed what many had feared about the plummeting profile of the Commonwealth and public cynicism toward the institution. Many of the *Commonwealth Conversation's* recommendations were further echoed in the report submitted by the Eminent Persons Group (EPG) to Heads of Government in Perth.
- Research conducted by the Royal Commonwealth Society (RCS) into favourable trading patterns within the Commonwealth suggests an underreported, and underexploited, advantage for the association.
- Bold reforms must be undertaken if the intergovernmental Commonwealth is to survive in a highly competitive global environment. In order to prove its relevance, the Commonwealth must be seen to promote and uphold its stated values and principles. Implementing key EPG recommendations, including appointing a Commissioner for Democracy, Rule of Law and Human Rights, could help the Commonwealth regain its moral leadership.

- The RCS’s experience at the 2011 Commonwealth Heads of Government Meeting (CHOGM) in Perth prove there is a great deal of opportunity for civil society to undertake pan-Commonwealth initiatives leveraging the shared values-base of the wider institution to impact positively on the international development agenda. A revitalised People’s Commonwealth will be critical.
- A strengthened and streamlined Secretariat, delivering more effective Heads of Government and Ministerial meetings, could enable the Commonwealth to make an invaluable contribution to broader social and political development outcomes. The future of the entire project relies on political and financial commitment from member governments, courageous leadership from the Secretariat and a dynamic and engaged civil society.

AUTHOR BIOGRAPHIES

THE ROYAL COMMONWEALTH SOCIETY

Founded in 1868 and headquartered at the Commonwealth Club in central London, the RCS is an international charity engaging people in the modern Commonwealth through events, educational, youth and cultural programmes, member activities and a branch network in over 40 countries. HM Queen Elizabeth II is Patron.

DR DANNY SRISKANDARAJAH

Dhananjayan (Danny) Sriskandarajah became the Director of the Royal Commonwealth Society (RCS) in January 2009. Dr Sriskandarajah is an established researcher and commentator on international migration, economic development, the political economy of conflict and ethnic diversity. Before joining the RCS, Dr Sriskandarajah spent five years at the Institute for Public Policy Research (ippr), where he finished as Deputy Director and head of the institute’s Migration, Equalities and Citizenship team. In October 2011, Dr Sriskandarajah was named one of Devex’s “Top 40 Under 40 International Development Leaders”.

PETER KELLNER

Peter Kellner became Chairman of the Royal Commonwealth Society in 2009. Mr Kellner is the President of YouGov, a research, opinion polling and consulting organisation. Formerly the political analyst for BBC *Newsnight*, over the last 30 years he has also been a journalist with *The Sunday Times*, *The Independent*, *New Statesman* and *Evening Standard*. He was a visiting fellow at Nuffield College, Oxford and the Institute for Policy Studies.

Does the Commonwealth retain a purpose and value? How has the Perth CHOGM impacted upon this purpose and value?

1. The comparative advantage of the intergovernmental Commonwealth comes from its commitment to shared values and principles, enshrined in numerous Commonwealth Declarations. The intended purpose and value of the Commonwealth, and indeed much of the purported moral authority of the institution, stems from this commitment. Ostensibly, this should be what distinguishes the Commonwealth in a crowded global marketplace: as a values-based organisation, its members united in their dedication to democracy, good governance, rule of law, human rights, freedom of expression and sustainable economic and social development.

2. However, there is a growing disconnect between action and word in the Commonwealth; an impression which is far from baseless. Today, the association too often fails to “walk the talk” and this failure is doing untold damage to its reputation, identity and profile. Undemocratic regimes, human rights abuses and inequality abound in today’s Commonwealth, creating cynicism and confusion about what the association actually stands for.

The Commonwealth Conversation

3. Research conducted by the RCS further confirms the decaying public profile of the institution. Between July 2009 and March 2010, the RCS conducted the largest-ever public consultation on the future of the Commonwealth. The *Commonwealth Conversation* concluded with a call for bold reform and greater investment if the 54-member association hopes to avoid being marginalised. It is widely understood that the *Commonwealth Conversation* was a precursor to—and catalyst for—the creation of the Eminent Persons Group, who themselves presented a bold set of reform proposals to leaders at the Commonwealth Heads of Government Meeting in Perth, Australia in October 2011.

4. The *Commonwealth Conversation* gathered the opinions of tens of thousands of people through a range of methods including a website, nationally representative surveys, opinion polling, events and online focus groups. On average, people in developing countries were twice as likely to think the Commonwealth was important compared to developed countries. Indians value the Commonwealth more than America or South Asia. South Africans value it more than America or Africa. Yet, Canadians are four times more likely to value America higher, Australians are twice as likely to value Asia higher, and the Commonwealth comes a distant

third behind Europe and America to Britons. In general, of the countries polled, the Commonwealth was least valued in Great Britain.

5. The report makes clear that the association has neither the clout nor the resources to fulfil its potential. Its official institutions, charged with promoting development and democracy across its member states, have a workforce half a percent of the United Nations and an annual budget 1% of that of the UK Department for International Development. The Secretariat's budget has dropped by 21% in real terms within the last 20 years, despite the number of Commonwealth members rising from 48 to 54.

6. But additional funding will be no panacea. The association is perceived as failing to live out its values and principles. Bolder leadership, more ambition and innovation, and a better use of its unique strengths will be crucial to long-term survival.

7. The *Commonwealth Conversation's* final report, *An Uncommon Association, A Wealth of Potential*, contains recommendations for the entire Commonwealth "family", some of which were echoed in the Eminent Persons Group's report presented to Heads of Government in Perth. The ten recommendations:

- The Commonwealth must "walk the talk" on the values and principles it claims to stand for.
- The Commonwealth needs stronger leadership if it is to have a meaningful voice on world affairs.
- The Commonwealth is often seen as anachronistic and fusty. It needs to become bolder and much more innovative in the ways that it works.
- To attract more investment and correct misperceptions of being largely ceremonial, the Commonwealth needs to prove its worth by measuring and demonstrating its impact.
- The Commonwealth must stop spreading its limited resources too thinly and instead identify and exploit its unique strengths.
- Greater investment is needed if the Commonwealth is to fulfil its potential.
- The Commonwealth is a complex association. It must clearly communicate its identity, purpose and achievements in an accessible way.
- Lengthy Commonwealth communiqués and statements appear unfocused and unattainable. They must be used to set priorities.
- The Commonwealth is as much an association of peoples as it is of governments. The interaction between the two requires significant improvement.
- The Commonwealth is often seen as elitist. It must reach wider, become less insular and engage beyond narrow Commonwealth circles.

THE COMMONWEALTH AFTER PERTH

8. Despite the discomfiting results of the *Commonwealth Conversation*, the purpose and value of the Commonwealth remains. Its greatest strength is the high level of trust across the Commonwealth family, underpinned by collective values. These values, when properly protected and promoted, lend the Commonwealth credibility and moral authority. They allow the Commonwealth's work to include the sensitive issues of governance and human rights, the latter being the defining issues of the 2011 CHOGM held in Perth, Australia in October.

9. There was much anticipation, and controversy, surrounding the EPG's report, but many civil society representatives and indeed, even some governments, were left disappointed as many of the most potent reforms recommended by the EPG which dealt with human rights—including the creation of a Commissioner for Democracy, the Rule of Law and Human Rights—were "deemed inappropriate for adoption" or relegated "for further discussion".

10. The EPG's report distilled and codified not only the stated values and principles of the Commonwealth, but also the views and aspirations of almost 100 Commonwealth civil society and professional organisations.

11. Many civil society organisations were emphatic in their endorsement of the Commissioner role recommended by the EPG. In this act, Commonwealth civil society defined the association as one whose purpose is to uphold certain agreed upon values. When the Heads of Government failed to accept the creation of a Commissioner post, Commonwealth moral authority shifted.

12. The values of the association have been undermined by the intergovernmental actors, through flagrant human rights abuses in member countries, or the silence of an overly-cautious Secretariat. But it was the 2011 CHOGM which marked an important moment for Commonwealth civil society and the RCS in particular. The RCS, in partnership with global children's charity Plan, embarked on a sophisticated campaign, resulting in Commonwealth leaders formalising historic first steps toward ending early and forced marriage across the Commonwealth (P. 5(f), 2011 CHOGM communiqué).

13. This success proved the Commonwealth can be a space for non-government actors to impact the global development agenda. The RCS and Plan are now targeting Commonwealth Ministerial meetings in the continuation of their joint campaign. It is unfortunate that a number of EPG recommendations (R75–78)

intended to improve the impact and efficiency of Commonwealth ministerial meetings were deemed inappropriate for adoption.

14. Nonetheless, rather than continuing to knock on the door of the institutional Commonwealth, civil society organisations like the RSC can act as though the EPG's report has been implemented; we can leverage our vast Commonwealth networks and expertise to be bold and idealistic, to speak out when the institutional Commonwealth falls silent, and to improve the development performance—and the reputation—of the entire Commonwealth project.

15. Perth could be seen as an opportunity squandered, but also as a challenge accepted. If the institutional Commonwealth does not have the appetite for change, the real purpose and value of the Commonwealth concept may still be achievable with civil society at the helm, promoting and embodying the values that so many governmental actors seem unwilling to claim.

What benefits does the UK's membership of the Commonwealth bring in terms of trade?

16. In September 2010, the RCS published a research paper, *Trading Places: The "Commonwealth Effect" Revisited*, which used a revised methodology to develop work first carried out in the late 1990s by Lundan and which showed a significant "Commonwealth Effect" on trade and investment.

17. This research demonstrates that a Commonwealth country's trade with another member is likely to be a third to a half more than with a non-member, even after taking into account other possible contributory factors such as proximity, level of development and language.

18. The research also reveals that, over the last two decades, the importance of Commonwealth members to each other as sources of imports and destinations for exports has grown by around a quarter and third respectively. Other key findings from the report:

- Between them, Commonwealth countries traded around US\$4 trillion worth of goods in 2008.
- Intra-Commonwealth trade accounts for about one-sixth of the total value of trade amongst member states, and, because some countries do such heavy Commonwealth trade, the average for each member state is about a third.
- The share of intra-Commonwealth trade has grown steadily from around 12% in 1990 to around 16% in 2008.
- The Commonwealth dominates trade in some countries; for example more than four-fifths of Botswana's and Namibia's imports come from other Commonwealth countries; and more than 90% of the exports from Saint Vincent and Samoa go to other Commonwealth countries.
- The value of trade between pairs of Commonwealth member states is between 38 and 50% higher than between pairs of countries where one or both are not Commonwealth members, controlling for other factors.

19. Over three trillion US dollars in trade happens within the Commonwealth every year and its countries have seen over 200 billion US dollars worth of investment over the last 10 years. The business-related aspects of Commonwealth membership seem to be increasingly attractive to current and potential member states. For example, it is estimated that one billion US dollars worth of new business and investment deals were done on the fringes of 2009 CHOGM, yielding a significant windfall to the host country Trinidad and Tobago. Similarly, in explaining Rwanda's interest in joining the Commonwealth, President Paul Kagame repeatedly highlighted increased trade, investment and business opportunities as a primary motivation.

20. Our research shows that there is a considerable trade advantage to be found in the Commonwealth, providing further compelling evidence to suggest that Commonwealth membership does present some tangible benefits. But while the data collated shows there is a clear relationship between Commonwealth membership and increased trade and investment, but it doesn't explain causality. Future research to explore the reasons for a Commonwealth effect would help to build a more complete picture. If it can be shown that the effect does not just reflect past relationships, but implies an under-utilised resource which is able to be leveraged, then the possibilities of realising growth potential throughout the Commonwealth can be improved.

21. The results of the study are also telling given that the relative importance of economic and trade issues in Commonwealth life is small. Considerable attention is given to the inter-governmental aspects of the Commonwealth, yet, apart from the relatively new Commonwealth Business Council, no other Commonwealth organisations are explicitly devoted to promoting trade, investment or business links across the association. This could well suggest that much of the Commonwealth effect accrues despite not being a key focus of Commonwealth institutions.

22. With a rapidly changing global economic landscape and the increasing ease of conducting business across the globe, the comparative advantage of historical ties is likely to be diminishing. With almost a tenth of current Commonwealth member states having not been British Colonies and the prospect of more new members with little historical ties, the Commonwealth effect may also diminish. Yet, given the relatively small scale on which Commonwealth business and trade is currently promoted, the potential for the association to nurture these links is large. Indeed, if handled well, it could well be the economic ties and not political bonds that end up being the truly unique feature of the Commonwealth.

What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

23. If the Commonwealth is to halt its worrying decline into impotence and irrelevance, and if it is to function as the strong, dynamic and transparent association it can be, it must then demand all its member states uphold the commitments they have made to democracy, good governance, rule of law, human rights, freedom of expression and sustainable economic and social development. Without a willingness and commitment by member governments to see its principles upheld, membership of the Commonwealth is devalued and the association's identity and purpose are doomed to be irreversibly undermined.

24. We would suggest there are a number of practical measures the Commonwealth could take to uphold and support its values and principles. At the intergovernmental level the Commonwealth Ministerial Action Group can swiftly implement the recent revisions to its mandate, intended to allow for a wider interpretation of its role when faced with sustained human rights violations in the Commonwealth, not simply after the unconstitutional overthrow of a member government. Properly used, CMAG could go a long way towards turning the Commonwealth into an association that lives out its principles.

25. At the level of the Secretariat, more must be done to ensure the position of Secretary-General has a proactive public voice upholding the association's values. The identity, profile and influence of the entire Commonwealth would be strengthened as a result. This particular recommendation has also been made by the EPG (R 19), which has been referred to a Task Force of Ministers for more detailed advice.

26. The Secretary-General should develop a clear and prioritised vision to maximise the Commonwealth's contribution to development framed around:

- (i) upholding Commonwealth values;
- (ii) campaigning on global issues; and
- (iii) networking for north-south, south-south co-operation, as recommended by the EPG.

27. The Commonwealth's development activity is valued by its membership, but few would deny that there is considerable potential to strengthen its impact. The scale of the Commonwealth's programmes is small in financial terms—its budget is roughly one quarter that of Oxfam. Despite this, its demand-based approach means that it works across many sectors, spreading limited resources too thinly. Some Commonwealth programmes duplicate activities already being undertaken by others at greater scale and with greater impact.

28. The Secretariat struggles to demonstrate results and needs to strengthen its partnerships with other development actors. The Commonwealth's governance structure lacks a forum for consideration of development issues and this reduces the co-ordination across the Commonwealth family. Finally, there is a need to broaden engagement with a wider circle of civil society and private sector partners.

CONCLUSION

29. The Commonwealth is no more and no less than the people who make up its membership and the people who serve it. If the Commonwealth is to show vision and leadership for the future, it will be because world leaders believe in it and inspire it. It is a matter of isolating issues of concern to member states, identifying the most effective way to resolve them using the association's comparative advantage, and having the determination to pursue that solution with all the vigour and power that is available within the Commonwealth.

30. Whatever the attitude of Britain, the Commonwealth has the capacity to have a world influence, but it needs at its centre a leadership that is imaginative, that can understand current global problems and that has the energy and initiative to take effective action. It also needs effective civil society networks that can help spread and realise the values that underpin the association. Britain, within a vibrant and effective Commonwealth of Nations, has more influence in the world, to advance values that we all share, than would Britain alone.

23 January 2012

Written evidence from the Foreign and Commonwealth Office

EXECUTIVE SUMMARY

- CHOGM 2011 was positive for both the Commonwealth and the UK. Reform of the Commonwealth Ministerial Action Group was fully approved; a Commonwealth Charter was agreed; 42 Eminent Person Group (EPG) recommendations were adopted; and a process was established to reach decisions on the 43 EPG recommendations deferred for more detailed consideration, by the next Foreign Ministers' meeting in September. Reform remains at the top of the Commonwealth's agenda.
- Building on these successes, the Government will continue its work to enable the Commonwealth to reach its potential.
- It is in the UK's foreign policy and trade interests that we have a strong Commonwealth. This Government will continue to ensure that the UK is at the heart of the revitalisation process agreed in Perth. But responsibility for the Commonwealth's future is not the UK's alone.

- A number of member states, including emerging powers, remain to be convinced that the organisation can meet their needs. Key to winning over other member states will be the modernisation of Commonwealth institutions, and ensuring it is working only on issues where it can add value. The agreements achieved in Perth give the Secretariat and member states the tools and direction to complete the process.
- In an increasingly connected world, the Commonwealth provides a ready-made network to promote UK values, and increase global prosperity. To achieve this, it must be capable of defending the democratic and human rights values it was built on, and focus its energy on areas of comparative advantage.
- The Commonwealth's networks are every bit as important as its formal governmental connections. Business, civil society, and parliamentary links are central to the success of Commonwealth. The networks are reinforced by the combination of a global information revolution and a common language.
- The Commonwealth is a living entity which other nations and groups want to join or build trade links with. This should be encouraged. In the case of the UK, the Overseas Territories should be better able to benefit from Commonwealth programmes.

INTRODUCTION

1. The UK Government wants a strengthened Commonwealth focused on promoting democratic values, development and prosperity to benefit all member states. The Commonwealth of the 21st century should act as a recognised force for good on the issues of our times.

2. The Coalition's "Programme for Government" set out the Government's objective to "strengthen the Commonwealth as a focus for promoting democratic values and development". Since then the Government has consistently emphasised its renewed commitment to the Commonwealth and its determination to work with member states to reinvigorate the organisation. The Government demonstrated this renewed commitment by appointing Lord Howell as Minister for the Commonwealth on 14 May 2010, and increasing the size of the FCO Commonwealth Unit from two to six officials. Commonwealth issues are also covered by a wide-range of Departments across Whitehall including, among others, DFID, DECC, and the Ministry of Justice.

"The modern Commonwealth, including countries that were never British colonies, has been transformed. Today's Commonwealth bridges all of the continents, embraces almost two billion people, and represents all of the world's major faiths. Its membership includes many of the fastest growing and increasingly technologically advanced economies in the world. These are the great markets of today and tomorrow".

Foreign Secretary, Written Ministerial Statement, December 2010

3. The UK Government's approach has been to encourage institutional reform to shape the Commonwealth into an effective multilateral organisation that better upholds its values and promotes prosperity for its members. At the 2011 Commonwealth Heads of Government Meeting (CHOGM) in Perth, this approach had two strands—reform of the organisation through support of the Eminent Persons Group (EPG) recommendations, and reform of the Commonwealth Ministerial Action Group (CMAG).

REFORM OF THE COMMONWEALTH

(i) *The EPG process*

4. The present reform agenda began at the Port of Spain CHOGM in 2009, where the FCO funded "Commonwealth Conversation" led to the creation of the EPG, tasked with identifying measures for reform. The UK Government supported this process to focus the Commonwealth on its strengths and areas of comparative advantage, and prevent duplication of work done more effectively by other multilateral organisations. Securing reform through the EPG process at CHOGM 2011 was a key UK objective.

5. The EPG sent their final report to Heads of Government on 30 September 2011. Despite requests from the UK and some other member states, the report was not made public prior to CHOGM. The report contained 106 recommendations for reform. The recommendations fell broadly into three main categories: strengthening Commonwealth values; increasing advocacy for small states; and creating institutions fit for purpose. The Government agreed with the overall thrust of the recommendations which, if agreed as a package, would strengthen institutions and processes and refocus the Commonwealth on its core values, delivering a more effective and efficient organisation.

6. There were two key EPG recommendations for the UK Government—the establishment of a Commonwealth Commissioner and the creation of a Commonwealth Charter.

7. The Government considered that a Commissioner would strengthen the Commonwealth's ability to hold itself accountable to its values, and monitor and respond to crises, particularly those affecting human rights, democracy and rule of law, in its member states. The role should support, but be independent of, the Secretary General and CMAG.

8. The Charter would set out simply the Commonwealth's values and purpose in a single document, which would be used to promote the organisation and, importantly, raise its profile within member states and globally.

9. The EPG tailored their report to address the priorities of all Commonwealth member states, which led to wide-ranging recommendations recognising, for example, work across youth, music, and sport. This approach contributed, in part, to the overly large number of recommendations in the final report.

10. While a number of member states, including the major donor countries Australia, Canada and New Zealand, recognised and supported the need for reform, many other states were reluctant to embrace the EPG process or accept the pressing need for change. The Government acknowledged that achieving consensus of all 53 member states—required to adopt the full package of EPG recommendations—would be a major challenge. Some key partners, including India and South Africa, were vocally opposed to key EPG recommendations, in particular the Commonwealth Commissioner. However, FCO Ministers saw this CHOGM as a pivotal moment for the future of the Commonwealth, and the Government was determined to strive for this ambitious objective.

“Our challenge between now and October is to raise awareness of, and build support for, the EPG recommendations. We are working closely with like-minded partners and the EPG members themselves to do this, identifying opportunities for outreach events in all regions of the Commonwealth.”

Lord Howell, speaking at the 57th Commonwealth Parliamentary Conference, 26 July 2011

(ii) *Reform of CMAG*

11. Reform of CMAG was an equally important objective for CHOGM. The UK considered this vital to secure the Commonwealth's long term viability on the international stage.

12. CMAG—made up of nine Foreign Ministers who rotate on or off the group for two year terms—is effectively the Security Council of the Commonwealth. Set up in 1995 to monitor member states' adherence to the Harare Declaration, it is mandated to respond to, and act upon, “*serious or persistent*” violations of the Commonwealth's core values. Its ability to suspend or expel member states makes it unique among international organisations. But the group's self-imposed restricted mandate meant it could only respond decisively to clear and discrete violations and, in practice, an overthrow of a democratically elected government (eg by military coup) was the only real trigger for suspension. So, while CMAG has currently suspended Fiji, and twice previously suspended Pakistan following military coups, it has failed to act on serious violations of Commonwealth values in other member states.

13. Reform of CMAG was therefore crucial for maintaining the Commonwealth's credibility. To achieve reform the group needed to: play a constructive role in preventing serious or persistent violations occurring; achieve a better balance between constructive action and punitive reaction; improve its relationship with the Secretary General and his Good Offices programme; consider all breaches of all the core values (not just military coups); and prevent member states on CMAG from vetoing action.

14. Reform of CMAG was led by the Foreign Minister of Ghana, Chair of CMAG. Their report “Strengthening the role of the Commonwealth Ministerial Action Group” was presented to member states in September 2011. The UK is not currently a member of CMAG, having rotated off in 2009.

(iii) *UK support for reform*

15. In the months leading up to CHOGM, the FCO supported the reform agenda by funding and assisting in the organisation of a series of regional EPG events covering Southern Africa (held in Mauritius), West Africa (Ghana), East Africa (Tanzania), the Caribbean (Trinidad and Tobago); and the Pacific Islands (at the Pacific Islands Forum). These events connected the EPG with member states' Governments (both Ministers and officials) and helped raise awareness of the pressing need for reform. Working through our network of High Commissions, the FCO used these events to raise the profile of the EPG's recommendations in member states, promoting dialogue within governments and the media. The importance of Commonwealth reform was reinforced through lobbying by our High Commissions, and Ministerial engagement.

16. Ministers publicised our objectives widely in the run up to Perth, through speeches, online articles, meetings with civil society, and interviews with foreign media.

“Acceptance of the Eminent Persons Group recommendations will strengthen the Commonwealth's core values and reinvigorate this unique organisation . . . We look forward to CHOGM 2011, its potential to re-launch the Commonwealth as the network for the 21st Century, and to the opportunities it will deliver for the UK.”

Lord Howell, 100 Days to CHOGM news article, 20 July 2011

CHOGM 2011, PERTH, AUSTRALIA

17. The Prime Minister, Foreign Secretary and Lord Howell represented the UK in Perth, attending a wide variety of CHOGM events. In addition to the official CHOGM programme, Ministers participated in the

Commonwealth People's Forum (Civil Society), Youth Forum, Business Forum, and other side events. Lord Green also attended the Business Forum and conducted a UKTI programme including meetings with business leaders from other member states.

18. The official CHOGM programme was dominated by discussions on reform of the Commonwealth—an ambition shared by the hosts Australia, who were keen that Perth should be a turning point for the organisation. The majority of the agenda for both Foreign Ministers and Heads' meetings was therefore dedicated to the EPG report and the reform of CMAG. The Commonwealth Commissioner and Charter (an Australian priority outcome for Perth) were given particular attention.

CHOGM Outcomes:

(i) *The Commonwealth Charter*

19. The agreement to create a Commonwealth Charter was a major success for Perth. The Charter will set out in one place, and in a straightforward way, the core values to which Commonwealth members are committed. It will help focus the Commonwealth on the areas where it can make the most difference and reinforce the Commonwealth's global brand.

20. The process for agreeing the Charter text is covered in further detail in "The Future of the Commonwealth" section below.

(ii) *A Commonwealth Commissioner*

21. Australia, recognising the significance of this recommendation to the future of the organisation, dedicated a specific slot in the Foreign Ministers' agenda for discussion of a Commonwealth Commissioner. This proposal was, by far, the most contentious of the 106 EPG recommendations. The majority of states objected outright to the creation of such a post, expressing concerns that the role would act as a "Commonwealth policeman", would duplicate existing human rights mechanisms (both domestic and in other international organisations, eg United Nations Human Rights Council), undermine the role of the Secretary General, and increase costs.

22. The UK supported the recommendation strongly, arguing that the post would strengthen the Commonwealth's protection of its core values. It would assist, not duplicate, existing bodies by providing independent, expert advice to the Secretary General and CMAG. The Commissioner's advice would act as an early warning, allowing the Commonwealth to provide timely help to member states where there were signs that violations of Commonwealth values were at risk. The post would also allow the Secretary General to make objective decisions when faced with serious or persistent violations of Commonwealth values, strengthening his ability to respond effectively. Concerns around the funding of this post were also unjustified as a large proportion of the running costs would be met from efficiency savings within the Secretariat, and the majority of any additional funding would fall to the four major donors (UK, Australia, Canada and New Zealand).

23. Despite lobbying efforts in the run up to Perth, the UK was in a very small minority arguing in support of the Commissioner. However, the UK's strong support for the role played a large part in preventing outright rejection.

24. Heads agreed that the idea of a Commissioner (or similar role) should be explored in further detail. They referred the recommendation to the Secretary General and CMAG with instructions to evaluate options and report to Foreign Ministers at their September 2012 meeting in New York. We see this outcome as a major achievement for Perth. The Government will continue to work with the Secretariat and other member states to explore options and build further support for such a role.

(iii) *The remaining 104 EPG recommendations*

25. Following intensive discussions on the Commissioner and Charter, Heads instructed Foreign Ministers to discuss the remaining 104 EPG recommendations with a view to categorising those which could be adopted outright; those with financial implications but which could be adopted in principle; those on which member states wanted more detailed advice; and those which were inappropriate for adoption.

26. The 104 recommendations were considered in detail by Foreign Ministers and a consensus decision was reached for each. Heads approved their Foreign Ministers' recommendations to:

- adopt 42 recommendations (30 outright, 12 subject to financial considerations);
- defer 43 recommendations for further deliberation by a special Task Force of Ministers; and
- reject the remaining 11 EPG recommendations.

(Eight recommendations mirrored CMAG reforms already agreed and were therefore deemed redundant.)

27. The decisions can be found at <http://tinyurl.com/EPGdecisions>. The 43 recommendations deferred by Heads for further deliberation will be considered by a geographically representative Task Force of Ministers at a meeting in early June. A background paper, being prepared by the Commonwealth Secretariat, will be circulated to member states in March. The FCO will work closely with other Government departments to develop a strong negotiating position for this meeting.

(iv) CMAG Reform

28. The reform of CMAG was a significant achievement from Perth and received wide-spread support from all member states—a further demonstration of the commitment to reform which the organisation is now embracing.

29. Putting in place the practical changes to CMAG agreed in Perth will be a major focus of the newly constituted CMAG's next meeting on 16–17 April.

30. CMAG is selected by the Secretary General to represent the diverse geographic footprint of the Commonwealth. The current composition is: Australia, Bangladesh, Canada, Jamaica, Maldives, Sierra Leone, Tanzania, Trinidad and Tobago, and Vanuatu.

THE FUTURE OF THE COMMONWEALTH

UK view on CHOGM 2011 outcomes

31. The Government considers the outcome of CHOGM 2011 positive for both the Commonwealth and the UK. 86% of the EPG recommendations were either accepted outright or deferred for more detailed discussions. The UK strategy to negotiate for agreement of the full EPG package was instrumental in delivering this result.

32. Those recommendations most important for the long term reform of the Commonwealth were either approved or deferred for further consideration. The 11 rejected outright were of low priority for the UK. This result should be seen as a major step forward for the organisation, especially in light of widespread negative rhetoric towards many the EPG recommendations in the run-up to Perth.

33. Despite some negative reaction in the media and civil society in the immediate aftermath of CHOGM, the outcomes of Perth should be viewed positively. The Commonwealth, like any consensus based organisation, cannot be expected to reform overnight. CHOGM 2011 was a significant step in this process and the organisation now has momentum for change.

“The UK therefore came to Perth with high hopes that the Commonwealth would agree to strengthen its role as a standard bearer for human rights and democracy. And we saw some of the most significant reforms in recent Commonwealth history.”

Lord Howell speaking at the Royal Over-Seas League, 10 November 2011

34. That 43 recommendations, including the Commonwealth Commissioner, were deferred for more detailed deliberation, rather than being rejected outright, is a further indicator that the Commonwealth is now moving in the right direction. By choosing not to simply reject recommendations where a consensus could not immediately be reached, member states have demonstrated a real desire for credible reform. A process has been established to continue discussions on reform with an end date—the Foreign Ministers meeting in the United Nations General Assembly in September 2012—agreed. Reform remains at the top of the Commonwealth's agenda.

Delivering Reform

35. The Government is committed to deliver further progress on Commonwealth reform. The FCO is focussing on three interlinking strands of work: securing adoption of as many of the remaining 43 EPG recommendations as possible; agreeing a text for the Commonwealth Charter; and encouraging support for a Commonwealth Commissioner.

36. The first six months of 2012 will be vital in maintaining the momentum established at Perth. The Commonwealth Secretariat is already working to implement the 30 EPG recommendations adopted outright; and is preparing a report on the 12 recommendations with financial implications, which will be circulated to member states before the end of January. We welcome the Secretary General's swift action in this regard.

(i) The remaining EPG recommendations

37. The next milestone will be a pan-Commonwealth meeting of senior officials in the UK on 12–13 April. This meeting will allow member states to consider the report on the 12 recommendations with financial implications, the 43 recommendations deferred for further deliberations, and the text of the Commonwealth Charter. The FCO will work closely with the Commonwealth Secretariat to support this process.

38. A geographically representative Task Force of Ministers will then meet in early June to consider the recommendations from the April senior officials meeting. We expect the Secretary General to announce the composition of the group soon. The Task Force will report their conclusions to all Foreign Ministers at their annual meeting in New York in September.

(ii) The Commonwealth Charter

39. The FCO will consult its Commonwealth partners across Government and civil society on the draft text of the Charter in the first few months of 2012. Our intention is for the UK consultation to be led by a

Commonwealth civil society organisation as we believe this is the most appropriate way to help produce a Charter text for the people of the Commonwealth.

40. In addition to the full Charter text, the UK intends to propose a standalone “summary” for the Charter that would simply and clearly state the values and purpose of the Commonwealth. We consider this proposal a valuable addition to the Charter which could be reproduced as an educational hand-out or poster for schools, colleges, civil society organisations, and governments in all member states. It should be a simple and low cost resource to raise the profile of the Commonwealth domestically and internationally.

41. The outcomes of national consultations will be considered by the pan-Commonwealth meeting of senior officials on 12–13 April, and then by the Ministerial Task Force in June, before being put to all Foreign Ministers at their annual meeting in New York in September. The Charter would then be circulated to all Commonwealth Heads for adoption on a “no-objections” basis.

(iii) *The Commonwealth Commissioner*

42. The Secretary General and the newly constituted CMAG will discuss the EPG recommendation for a Commonwealth Commissioner at their first meeting on 16–17 April. The outcomes of their discussions will be conveyed to the September meeting of Foreign Minister in New York. Although the UK is not currently on CMAG, the Government remains fully engaged with the group in support of this process.

(iv) *Reform of the Commonwealth Secretariat*

43. Ensuring that the Commonwealth achieves maximum value for money, and directs its energy to activities that demonstrate a comparative advantage, remains a priority for the UK Government in 2012.

44. A section of the EPG report focussed on reforming the internal institutions and processes to ensure that the Commonwealth remained effective and fit for purpose. These included recommendations authorising the Secretary General to examine existing activities and to identify programmes to be retired where they no longer demonstrate a comparative advantage. These recommendations were among the 43 deferred for further consideration. The Government believes that such recommendations should be adopted as they would provide the Commonwealth Secretariat with the mandate to prioritise their activity.

45. We welcome recent steps made by the Secretary General—including the review of the Secretariat’s strategic work plan—to deliver organisational changes to improve efficiency and delivery, but further progress is needed.

(v) *The Multilateral Aid Review*

46. In 2011, the Secretary of State for International Development commissioned a Multilateral Aid Review (MAR) to assess the value for money and impact provided by multilateral agencies that receive funding from the UK. The MAR found that the Commonwealth Secretariat has not fully delivered on its potential for contributing to international development objectives, and assessed it as offering poor value for money. Ministers placed the Secretariat under “special measures” which means that its performance needs to improve urgently to address the weaknesses identified by the MAR. DFID’s future funding levels for Commonwealth Secretariat development programmes will be informed by progress made against key associated reforms. DFID is increasing its engagement with the Commonwealth Secretariat to help deliver real improvements, especially in the following areas:

- Greater focus on areas of comparative advantage, especially around soft power and convening and networking. DFID expects this to include: the development and implementation of a new Strategic Plan and associated results framework that is clear and robust; better prioritisation and improved performance of Commonwealth Youth Programme interventions; evidence of innovation, drawing on new technologies, in outreach activity and networking.
- Improved value for money—driving down costs and making efficiencies. DFID expects this to include: the realisation of measurable efficiencies in administration costs; improved portfolio management and cost effectiveness with Commonwealth Secretariat management challenging partners on issues of cost and value for money; and, better quality policy and cost control systems in key areas including procurement.
- Strengthened management and oversight systems. DFID expects this to include: the development and mainstreaming of Results Based Management Systems and practice; improved quality of HR management and systems; and, improved quality of financial systems and financial statements.

47. DFID stands ready to help the Commonwealth Secretariat to take forward its reform programmes. This may include practical support and advice, for example on technical issues such as results based management, and political support for change.

48. As far as DFID support is concerned, Ministers agreed that funding for Commonwealth Secretariat programmes for financial years 2011–12 and 2012–13 should remain at 2010–11 levels. The level of funding for 2013–14 and 2014–15 will be dependent on progress against the reform agenda set out in the MAR.

Progress will be monitored through regular reviews, including a “mini-MAR” in early 2013, which will focus on the areas identified above.

49. Assistance to the Secretariat is part of a broader package of DFID support to Commonwealth development programmes, consistent with the Government’s goal of strengthening and deepening relations with the Commonwealth. This package currently encompasses: intergovernmental cooperation through the Commonwealth Fund for Technical Cooperation (CFTC) and the Commonwealth Youth Programme (CYP); local government capacity building through the Commonwealth Local Government Forum (CLGF); civil society strengthening through the Commonwealth Foundation (CF); the promotion of open and distance learning through the Commonwealth of Learning; and providing scholarships and fellowships to academics and professionals in the Commonwealth’s developing countries through the Commonwealth Scholarships Commission (CSC).

50. The share of UK bilateral aid funding that will go to Commonwealth member countries will rise over the next four years, reaching 56 % in 2013–14. This money will help improve the health, education and basic services for millions of people in some of the poorest countries in the world. 14 of the UK’s 27 countries identified as a priority for future help and investment are from the Commonwealth, with Pakistan and Bangladesh set to become the biggest recipients of British help.

(vi) *CHOGM 2013*

51. The UK Government looks to Sri Lanka, as incoming Chair-in-Office, to take a constructive role in progressing Commonwealth reform initiatives in 2012, setting the Commonwealth on a strong footing to tackle the pressing issues of the day when member states meet for the next CHOGM in Colombo in 2013.

52. The success of Colombo 2013 will depend on Sri Lanka upholding the Commonwealth’s values of good governance and respect for human rights. We look to Sri Lanka to demonstrate its commitment to these values, both now, and in the run up to 2013. The UK looks to Sri Lanka to fully address longstanding issues around accountability and reconciliation after the war.

THE VALUE OF THE COMMONWEALTH

53. While the Commonwealth segment of the MAR focussed on the development programmes of the Commonwealth Secretariat, the review presented an opportunity to consider the wider context and to re-examine the contribution the Commonwealth makes to development. The outcome of this part of the review served largely to reaffirm the great value that the UK Government places on the Commonwealth as an important force for positive change, particularly in its role in strengthening democracy, supporting development and in making the voice of small and vulnerable countries heard on global issues.

54. The review found that the Commonwealth’s greatest value can be achieved by using its networks and political processes for advocacy, consensus building on global issues, and in facilitating South-South and North-South cooperation. The MAR described the Commonwealth’s international network, spanning developed and developing countries, as “irreplaceable” and noted its unique place in the international system as a network of networks that allows it to share experience and to influence beyond its membership.

(i) *Increasing Commonwealth membership*

55. One of South Sudan’s first actions on becoming the world’s newest independent state was to apply for Commonwealth membership. This is a clear indication that the Commonwealth is seen as an organisation worth belonging to. Many other countries have expressed an interest. As a values-based organisation it associates member states with democratic principles, and respect for human rights and the rule of law. It provides small states with a voice in international forums, and its networks are an ideal way of sharing expertise and experience on a wide range of issues.

56. The UK Government is open to expansion of the Commonwealth. We were pleased that leaders at CHOGM 2011 welcomed South Sudan’s application for membership. The Government considers that Commonwealth membership is a matter for the government of the state concerned, but we will support an application from any country that meets the criteria for membership.

57. The Government is also keen to re-open discussions with the Commonwealth Secretariat and member states on different categories of membership, such as observer status. There are some clear advantages for introducing observer status, including:

- the benefits of a more diverse membership bringing a greater breadth of expertise to the Commonwealth;
- enabling countries seeking full membership to gain experience of how the Commonwealth works;
- allowing non-members to receive the benefits of engagement with Commonwealth associated organisations (eg the Commonwealth Business Council, Commonwealth Local Government Forum etc);

- allowing more countries to benefit from the Commonwealth trade, civil society and other networks and to contribute to these networks;
- encouraging political reform in those countries that may not meet the core values criteria; and
- The Overseas Territories and Crown Dependencies could benefit from increased engagement with the Commonwealth (see section below).

58. These proposals are likely to meet resistance from some member states. The Commonwealth last rejected observer status in 2007 following a two year review. However, this review considered observer status for sovereign states as well as for Overseas Territories. The UK will re-open discussions on this issue by approaching Australia as Commonwealth Chair-in-Office, and the Commonwealth Secretariat, before opening the discussion up to other member states.

ACHIEVING UK OBJECTIVES THROUGH THE COMMONWEALTH

59. The DFID MAR recognised that multilateral organisations are an essential part of the international system for humanitarian and development aid. It also acknowledged that multilateral organisations have a global presence and the legitimacy to work even in politically sensitive contexts where national governments are not welcome. This is particularly true of the Commonwealth Secretariat which is a trusted partner and has much better access at senior levels in member states than other multilateral organisations, enabling it to play an important mediation role and to facilitate South-South networking.

60. The Commonwealth Secretariat undertakes a range of programmes which are relevant to the UK's high level development objectives. The MAR noted, however, that whilst the Secretariat delivers across the Millennium Development Goals (MDGs), its delivery role is small scale. It recognised that the Secretariat's greatest potential lies in advocacy, influencing and building an international consensus on global issues, including MDGs, and in giving a voice to the priorities of small states in international fora. An example of this is its efforts to represent small states at the G20 development working group.

61. The Commonwealth is underpinned by a set of democratic values as defined in the Harare Declaration, which members are expected to meet. The Secretariat has a good range of mechanisms by which it upholds these values including:

- election observation;
- the Good Offices work of the Secretary General (including the use of envoys);
- CMAG;
- the multiple Commonwealth networks, such as the Commonwealth Parliamentary Association and the Commonwealth Association of Public Administration and Management; and
- technical co-operation programmes: these can be broad in scope, including for example judicial reform, public administration reform and work with civil society.

62. The MAR also recognised the potentially critical niche development role that the Secretariat plays, which is not well covered elsewhere in the international system, including support to small states on trade, debt management and maritime boundaries.

THE BENEFITS TO THE UK OF COMMONWEALTH MEMBERSHIP

(i) *The promotion of "soft power" and a positive image of the UK*

"The Commonwealth is the soft power network of the future. The sheer breadth and diversity that the Commonwealth typifies is extraordinary and is something to be celebrated."

Lord Howell speaking to the Commonwealth Parliamentary Association, 26 July 2011

63. The huge role non-Governmental networks play in the Commonwealth was demonstrated at CHOGM 2011. The Commonwealth People's Forum and Commonwealth Youth Forum met for three and five days respectively, illustrating the scope of civil society activity in the organisation. The Government welcomed the opportunity to engage with these networks. The Foreign Secretary delivered the keynote speech at the People's Forum, attended a separate civil society round table and participated in a youth breakfast. Lord Howell spoke at the People's Forum, and met delegates at the Youth Forum.

64. There are around 100 associations (70 accredited) in the Commonwealth network working directly for the interests of the organisations' two billion plus citizens. These associations represent wide-ranging and diverse issues across all member states including, for example: land rights, culture, gender equality, health, humanitarian relief, disability, education and trade unions. This level of civil society participation is one of the network's key strengths.

65. These organisations play a unique and vital role fostering links between Commonwealth countries and developing, embedding and protecting the Commonwealth's core values. They help the organisation to maintain and strengthen its identity, and increase the prosperity and prospects of the Commonwealth's member states and citizens.

66. The Government sees engagement with civil society associations as a vital strand in advancing our foreign policy, and the Commonwealth is an ideal network to achieve this. Working directly with civil society gives the UK the opportunity to extend our reach, influence our priorities at a working level, and to promote UK values on issues which may not gain traction at an intergovernmental level. The Foreign Secretary's promotion of Lesbian and Gay rights in his speech to the People's Forum is one such example of the value of working directly with the Commonwealth's civil society networks.

67. The major proportion of youth in the Commonwealth—50% of its citizens are under the age of 25—presents another valuable opportunity for UK engagement. The Arab Spring showed the world the ever increasing role that youth will play in shaping global politics. The Commonwealth can enable its member states to establish strong links between young people, allowing them to learn from one another's cultures, foster new young leaders passionate about Commonwealth values, helping to prevent future conflict. Furthermore, a large number of Commonwealth students study at UK universities and higher education facilities. This not only brings revenue to these institutions, but has reputational benefits for the UK and helps forge lasting links between Commonwealth citizens and the UK.

68. The UK will need to maintain and build on partnerships based on shared interests and values in order to deal with global issues that affect us all. A revitalised Commonwealth offers the UK a ready-made network that cuts across traditional UN and regional voting blocks, and which spans six continents and includes all of the major religions. We are already seeing a rise in the influence of a largely Commonwealth-focussed small states grouping who look to the UK and the other four Commonwealth members of the G20 to champion their causes. The voice of developing and small Commonwealth states on major global issues such as climate change and the global economy has already had a positive impact on negotiations in other international organisations. The shifting patterns of global power will mean their influence on the international stage will only increase.

(ii) *The promotion of human rights*

69. Commonwealth membership is based on the shared values of democracy, human rights and the rule of law. The Government therefore sees the Commonwealth and its networks as a valuable partner in protecting and promoting human rights globally and in helping to deliver UK human rights policy. We work with the Commonwealth to encourage the implementation of human rights standards, and to strengthen the international response to human rights violations. The Commonwealth is a valuable forum in which the UK can raise sensitive human rights issues, and seek to increase debate on these issues within and among Commonwealth countries. The Commonwealth is also a significant partner in promoting respect for democracy, and plays a key role through its election observation work.

70. Sexual orientation and gender identity remains a sensitive issue in the Commonwealth, with many countries reluctant to discuss the promotion and protection of the rights of lesbian, gay, bisexual and transgender (LGBT) people. The Foreign Secretary called for the Commonwealth to do more to promote rights of its LGBT citizens in his speech to the Commonwealth People's Forum. The People's Forum and other civil society networks within the Commonwealth offer a useful means of debating such issues, which would otherwise be blocked at the intergovernmental level.

71. The Commonwealth has provided an important forum in which the UK can advocate our position against the death penalty, and to increase international debate on global abolition. The Minister of State for Justice raised the death penalty at the Commonwealth Law Ministers meeting in July 2011, and the Foreign Secretary called for the abolition of the death penalty in his speech to the Commonwealth People's Forum. While progress and consensus on the death penalty has been as difficult to achieve in Commonwealth discussions, as in other organisations, we will continue to look for further opportunities to raise the death penalty in the future, for example working more closely with the Commonwealth Secretariat.

72. Women's rights are a key priority in the Commonwealth. The empowerment and engagement of women is central to effective and sustainable development. The Government is working to implement its commitments on the Commonwealth Gender Plan of Action (2005–15). The Women's Affairs Ministers meeting provides an excellent forum to bring together ministers, civil society and other key partners to discuss critical strategic issues in gender equality and women's empowerment. The UK Government also works to ensure that progressive language is included in any Commonwealth policy development. At Perth, Australian Prime Minister Gillard hosted an "Empowering Women to Lead" event reflecting the 2011 Commonwealth Theme "Women as Agents of Change". European Special Representative Baroness Ashton joined the panel of female leaders.

73. The UK has also benefitted from Commonwealth support for the UN Human Rights Council's Universal Periodic Review (UPR) process. In 2010, we supported the work of the Commonwealth Secretariat's Human Rights Unit in facilitating and strengthening member states' engagement with the UPR process. We continue to support the Secretariat as they shift their focus away from helping member states to prepare for the review, to helping them implement the recommendations they receive during the review. This includes regional seminars to enable Commonwealth countries to discuss, develop and share good practices and lessons learned. This has helped us secure some changes on the ground, and enter into longer-term dialogues about human rights.

74. The Commonwealth is a significant partner in promoting respect for democracy and plays a key role through its election observation work. The Commonwealth Secretariat regularly sends election observation missions to monitor elections across the Commonwealth. These are well-regarded, and often gain access when others cannot. The Commonwealth has observed over 70 elections since 1990, and last year observer groups monitored elections in Sri Lanka, St Kitts and Nevis, Rwanda, the Solomon Islands and Tanzania. A Network of Election Management Bodies has been set up to support election processes through sharing skills and exchange of experience. The UK has worked with the Commonwealth Secretariat to ensure the network's success. We are encouraging greater emphasis on implementation of key recommendations in member states following these missions.

75. The Government is committed to strengthening the Commonwealth as a focus for democratic values and human rights. Decisions made at Perth strengthened the Commonwealth's capacity to promote human rights. This included agreement on CMAG reform, the Commonwealth Charter, developing proposals for a Commonwealth Commissioner, and language in the Perth Communiqué.

(iii) UK Trade with the Commonwealth

76. There is a growing economic dimension to the Commonwealth's success. The recent shift of the global economy towards emerging markets presents a real opportunity for enhanced UK-Commonwealth trade partnerships.

77. From January to October 2011 (the latest available data) the UK total trade with the Commonwealth was £52,979 million: £29,117 million in imports and £23,863 million in exports. This compares with total trade of £44,857 million for the same period in 2010, an increase of £8,122 million or 18.11%. UK imports have grown 11.44% while exports have grown 20.08%.

78. The UK's total trade with the Commonwealth has been on an upward trend, growing over 65% from 2001–10.

<i>Total Trade</i>	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010*
Absolute Total	33,301	31,870	35,117	37,591	40,791	44,824	44,953	49,257	44,641	55,213
% change on previous year		-4.30%	10.19%	7.04%	8.51%	9.89%	0.29%	9.57%	-9.37%	23.68%
Index (2001=100)	100	95.703174	105.45437	112.88246	122.4921	134.60207	134.99213	147.91662	134.05403	165.80122

Source: Trademap, *BIS. £bn

(iv) *Trade potential*

79. The outlook for the Commonwealth is encouraging. Trade worth over \$3 trillion happens every year within the Commonwealth and its combined GDP nearly doubled between 1990 and 2009. Over the last two decades, the importance of Commonwealth members to each other as sources of imports has grown by a quarter, and by a third as destinations for exports. More than half of Commonwealth countries now export over a quarter of their total exports to other Commonwealth members.

80. The Commonwealth is also home to several of the world's largest sovereign wealth funds. Its membership contains some of the world's fastest growing economies including India, South Africa, Malaysia, Nigeria and Singapore—countries that will shape the global economy of the future and, with their rapidly expanding middle classes, offer growing consumer markets.

81. The importance of the Commonwealth's global footprint should not be overlooked. Its membership spans regions of increasing economic importance—the majority of Indian Ocean Rim countries, for example, are Commonwealth members. The organisation therefore presents the UK with a ready-made network to access emerging power markets.

82. The Commonwealth also provides further links to other international organisations. Singapore, Brunei and Malaysia link the UK to ASEAN and make up a quarter of its entire GDP. 44 of the G77 countries are members of the Commonwealth, as are 19 of the 39 African Union countries, 12 of the Caribbean Community and the Organisation of the Islamic Conference, 10 of the Pacific Island Forum, and seven of the Asia-Pacific Economic Cooperation. This equates to huge opportunities for our partnerships within the Commonwealth to help us to compete in these peripheral markets.

83. There is also evidence that with a common working language, familiar legal systems, and shared values, there is a natural advantage for UK-Commonwealth trade. Entrenched democracy and transparent government also equate to greater investment confidence, and a business environment ripe for commerce to flourish. This is often referred to as the "Commonwealth factor", and while not a product of the contemporary organisation it plays a major part in the growth of intra-Commonwealth trade.

84. A Royal Commonwealth Society (RCS) paper "*Trading places: the Commonwealth effect revisited*", published 2011, provided further evidence for a "Commonwealth factor" in intra-Commonwealth trade. The research found that when both trading partners were Commonwealth members, the value of trade was likely to be a third to a half more than when one or both of the trading partners was a non-Commonwealth country. While the true value of a Commonwealth factor is difficult to quantify, the RCS's findings are consistent with

UKTI surveys that show factors such as contacts and common language/culture are key factors for deciding which markets to target. Inward investors also quote the historical, legal and linguistic affinities among their reasons for choosing the UK as a point of access to the EU.

85. The increasing importance of the Commonwealth to trade was in evidence at CHOGM 2011. The Commonwealth Business Forum, at which both Lord Howell and Lord Green spoke, was the biggest business forum in Commonwealth history, attracting 1200 delegates from across the Commonwealth and beyond. The participation of delegations from China and Korea, for example, shows recognition of the strength of trade opportunities within the Commonwealth.

(v) *The Commonwealth Business Council*

86. The Commonwealth Business Council (CBC) was formed in 1997 at the Edinburgh CHOGM. It works to enhance trade and investment flows between Commonwealth countries. It promotes corporate social responsibility, works to reduce the digital divide and aims to integrate developing countries into the global market. According to its own literature, the CBC “strives to provide a bridge between the private sector and governments, between emerging markets and developed markets, and between small businesses and international private sector.” In practice, the CBC is part think-tank (submitting papers to Commonwealth governments) and part events organiser (around 70 events per year). They also provide limited consultancy services to businesses. The CBC’s largest event is the Commonwealth Business Forum which precedes each CHOGM. The 2011 Forum in Perth was the largest to date.

87. Across the board, the value of the CBC’s work to the UK has been seen by some as limited, although a number of large UK firms recognise the networking opportunities the CBC can offer and are active participants in their events.

88. The UK Government is keen to explore a fuller relationship with the CBC to facilitate UK business opportunities in the Commonwealth and inward investment to the UK. We hope to use the upcoming appointment of a new CBC director general as the starting point for renewed dialogue on cooperation between the CBC and the Government, especially UKTI, both in the UK and through our High Commissions.

89. Renewed dialogue with the CBC would allow the Government to explore how UKTI teams in Commonwealth Posts can further facilitate intra-Commonwealth trade. There should be ample scope for engagement if objectives can be aligned. Using the gateway principle (the UK as the route into Europe; Singapore, Brunei and Malaysia as gateways to ASEAN markets, etc.) this should be possible.

BENEFITS TO COMMONWEALTH CITIZENS

90. Upholding the Commonwealth’s core values benefits citizens of all member states. They have access to a network of intra-Commonwealth trade and investment flows; can participate in the many professional, educational, cultural and scientific associations and bodies which enable the sharing of skills, knowledge and expertise; and their views can be represented through caucusing in other international fora.

91. Commonwealth parliamentary links, primarily through the Commonwealth Parliamentary Association (CPA), facilitate peer to peer contact, strengthen parliaments, and support democratic processes across the Commonwealth.

92. Through these networks, Commonwealth citizens have a say, and a role, in all Commonwealth resolutions and commitments. The Commonwealth also provides access to rich cultural and social networks, and links between member states are further strengthened by the High Commissioners in London who provide a Commonwealth representation for every member state.

(i) *Scholarships*

93. The UK contribution to the Commonwealth Scholarship and Fellowship Programme (CSFP), administered by the Commonwealth Scholarships Commission (CSC), provides support for about 800 people per year from across the Commonwealth to pursue their academic or professional development with UK universities and other institutions. CSC scholarships cover PhD research, including the Commonwealth Cambridge Scholarship; Masters programmes; academic fellowships; split-site Scholarships for PhD students to spend up to one year in the UK; professional Fellowships for mid-career professionals in developing countries; distance Learning Scholarships for developing country students to study UK Master’s degree courses while living in their own countries; and shared scholarships.

94. A high proportion of the scholars from developing countries reside in their home countries on a long-term basis following their awards, thus retaining the socio-economic benefits resulting from tertiary education in countries where the development need is highest. Benefits include: more efficient government policies as a result of employing people in government with public policy qualifications; stronger research capacity; greater institutional strength (manifested by a more robust standard of governance); and improved public services.

95. In addition, tertiary education offers an opportunity for people to lift themselves from poverty and to enjoy better employment and career advancement opportunities. In doing so the same people are able to

contribute more to their nations' tax bases. A softer, but important, benefit also includes possible life-long associations with an overseas culture.

96. While the programme's main purpose remains that of international development, it also brings more direct benefits to the UK. The results of recent evaluations show that Commonwealth Scholarships contribute significantly to the public diplomacy activities of FCO. The Department for Business, Innovation and Skills and UK universities also value the role of Commonwealth Scholarships in bringing international students of the highest quality to the UK. This strengthens academic standards and reputation, develops international networks, and promotes UK research and teaching. The Scottish Government regards the programme as an important means to promote Scottish research and education. The value these different parts of government place in the CSFP is demonstrated by the support they provide for scholars from developed Commonwealth countries, which complements the support provided by DFID for scholars and fellows from the Commonwealth's developing countries.

(ii) *Technical assistance*

97. The UK, through DFID, also contributes to the Commonwealth Fund for Technical Cooperation (CFTC), managed by the Commonwealth Secretariat. The CFTC provides demand-led technical assistance to member states. Key areas of technical support from which member states benefit include:

- economic resilience and trade related work with small island states;
- supporting member governments in their negotiation of commercial investment agreements for the exploitation of mineral and petroleum resources;
- debt management support for small states including through the proprietary CS-DRMS debt recording software; and
- advice on the determination and agreement of international maritime boundaries.

(iii) *Queen Elizabeth Diamond Jubilee Trust*

98. The UK Government has pledged its support for the Queen Elizabeth Diamond Jubilee Trust, which was announced at CHOGM 2011. Chaired by Sir John Major, the Trust will provide a lasting legacy of the Diamond Jubilee. It will support charitable projects and organisations across the Commonwealth, and will place great emphasis on enriching the lives of individuals, by focussing on areas such as the tackling of curable diseases and the promotion of all forms of education and culture.

99. The Prime Minister announced at CHOGM that the Government would make a multi-million pound contribution to the Trust, to match funding from private donations and other sources. We have encouraged other Commonwealth Governments to support the Trust. We expect Sir John Major to announce more details of the Trust's aims, objectives and operational plans in the near future.

(iv) *Commonwealth Connects*

100. At CHOGM 2011 the Commonwealth Secretariat launched a new website for co-operation and collaboration called "Commonwealth Connects". The website is designed to support initiatives across the Commonwealth network by providing single access point to all associations that carry the Commonwealth badge. This should improve ease of access to information, promote knowledge sharing, and provide a secure online space for pan-Commonwealth collaborative working. The UK Government hopes that this initiative will help raise the profile of Commonwealth associations and enhance the impact of their work.

(v) *Other Commonwealth programmes*

101. Other programmes and institutions in receipt of UK Government support that provide benefits to Commonwealth citizens include:

- The Commonwealth Youth Programme (CYP) which helps to encourage and empower young people (ages 15–29) to enhance their contribution to development. Young people benefit from CYP initiatives aimed at promoting peace, positive living and increasing opportunities for employment.
- The Commonwealth of Learning which provides open and distance learning opportunities in formal education and livelihoods, benefiting teachers, farmers and other groups in Commonwealth developing countries.
- The Commonwealth Local Government Forum which shares best practice between local authorities in the Commonwealth's member states, helping to strengthen governance and improve service delivery to citizens.

BRITISH OVERSEAS TERRITORIES, CROWN DEPENDENCIES AND SELF-GOVERNING JURISDICTIONS

102. The only category of membership in the Commonwealth is that of a sovereign state as full member. The Overseas Territories and Crown Dependencies are not therefore members of the Commonwealth in their own right, although they are associated with it through their connection to the UK. There are already linkages

between the Territories and Crown Dependencies and the Commonwealth. For example, they have their own branches of the CPA and the Commonwealth Games Federation, and they send teams to the Commonwealth Games. They are invited to participate in the Commonwealth Youth, Business and People's Forums. In addition, they are invited to attend other meetings such as the Commonwealth Finance Ministers' and Sports Ministers' meetings, and other Ministerial meetings, as part of the UK delegation.

(i) *Overseas Territories*

103. In July 2011, the Prime Minister endorsed the agreement reached by the National Security Council on a new Strategy for the Overseas Territories. One of the key themes of the new strategy is to improve the quality and range of external support to the Territories.

104. It is through this strand of the strategy where we see the greatest opportunity to redefine and establish more tangible and beneficial links between the Territories and the Commonwealth. The range of issues faced by some of the Territories, such as good governance, climate change and economic diversification, are also being faced by several small Commonwealth nations whose experience could be usefully shared, for example through the Commonwealth Secretariat's assistance to Small States. This would benefit the UK through the gradual reduction in our liability, and improved self-sufficiency for the Territories.

105. In his letter of 26 September 2010 to Richard Ottaway MP, Chair of the FAC, the Foreign Secretary said we would look again at how the Territories interests could be best represented, and said he would explore the possibility of creating observer or associate member status from which the Territories might benefit.

106. We will also improve interaction between the Overseas Territories and the Commonwealth by making greater use of existing channels such as the CPA. For example, we are currently working with the CPA to secure a higher level of participation of Overseas Territories in their March 2012 Westminster Workshop on Public Accountability. The CPA is tailoring the programme for this event to focus on the specific challenges faced by smaller communities such as the Territories.

107. Many Commonwealth countries will be represented at this event. We are also exploring with the CPA the possibility of further involving Overseas Territories in a three-year programme of workshops with smaller states to strengthen cooperation, and improve understanding among participants of the common issues they face. We are also looking to increase engagement with the Commonwealth Secretariat to identify further areas of possible cooperation and funding streams for which the Overseas Territories may be eligible.

108. The Ministry of Justice intends to invite the Territories to participate in the Commonwealth Senior Officials of Law Ministries meeting in London from 30 April to 1 May.

(ii) *Crown Dependencies*

109. The Crown Dependencies have made no request to join or have greater engagement with the Commonwealth. However, the UK invites representatives from the Crown Dependencies to a wide range of Commonwealth meetings and events where possible. For example, the Attorney General of Guernsey was part of the UK delegation at the Commonwealth Law Ministers Meeting in Sydney, Australia in July 2011. Should the Crown Dependencies want to seek any changes in how they are represented at Commonwealth events, the UK would be willing to discuss this with them.

110. Other member states are more likely to support the Government's work to increase engagement for our Territories and Dependencies with the Commonwealth through including their representatives in meetings and events, rather than through creating a new status for them within the organisation.

CONCLUSION

111. Over the last two years, the Government has made significant progress in reinvigorating its relationship with the Commonwealth, and has supported reform of the organisation itself, which will ultimately benefit all its members. But the latter objective cannot be achieved by the UK Government alone; it requires the political will of all member states, strong leadership by the Commonwealth Secretariat, and it rests on its capacity to fulfil the real and growing needs of its members on the international stage. Collectively, we made good progress in Perth, but it is crucial that momentum is maintained throughout 2012. The Government remains committed to taking this forward by: raising the profile of the Commonwealth; supporting the streamlining of its institutions; and engaging more with Commonwealth civil society organisations. In this Diamond Jubilee year—when we celebrate HM The Queen's 60 years as Head of the Commonwealth—it is fitting that the Government continues to work to ensure that this unique organisation has a clear and coherent role, and can fully realise the value it can bring to all its citizens in the future.

23 January 2012

Written evidence from the Commonwealth Secretariat

SUMMARY

- This submission is a response from the Commonwealth Secretariat to the Foreign Affairs Committee's request for information on the "The Role and Future of the Commonwealth".
- It offers some observations on:
 - **The purpose and value of the Commonwealth**, particularly as encapsulated by the 2009 *Affirmation of Commonwealth Values and Principles*.
 - **The scope and criteria for membership** of the Commonwealth, particularly the accession of new members and the role and status of Overseas Territories, Crown Dependencies and self-governing jurisdictions.
 - **The continuing process of reform** through evaluation and evolution, particularly following the momentous decisions taken at the Perth Commonwealth Heads of Government Meeting (CHOGM) of 2011, that ensure the institutions and mechanisms of the Commonwealth reform, adapt and upgrade to remain effective in the constantly changing context of international and multilateral cooperation.
 - **Particular benefits accruing to the UK** through membership of the Commonwealth.

THE COMMONWEALTH SECRETARIAT

1. Her Majesty Queen Elizabeth II is Head of the Commonwealth and Kamallesh Sharma, current Secretary-General of the Commonwealth, is the principal global advocate for the Commonwealth and Chief Executive of the Secretariat.

2. The Secretary-General is appointed by Heads of Government for a maximum of two four-year terms. The two Deputy Secretaries-General and one Assistant Secretary-General, who serve for a maximum of two three-year terms, support the Secretary-General in the management and executive direction of the Secretariat.

3. The Secretariat is one of three intergovernmental organisations established to build and sustain the association: the Commonwealth Secretariat supports governmental business; the Commonwealth Foundation supports professional groupings and civil society; and the Commonwealth of Learning supports education programmes across the membership. There are around ninety Commonwealth professional bodies and other forms of civil society groupings.

4. The Secretariat has thirteen divisions and units which carry out programmes of work based on mandates set by Commonwealth Heads of Government at their biennial summit (CHOGM). The responsibility for delivering these programmes rests with specific divisions and units. The Secretariat currently employs under 300 full time staff from around three quarters of its 54 member states.

5. The Secretariat's mission statement is:

"We work as a trusted partner for all Commonwealth people as: a force for peace, democracy, equality and good governance; a catalyst for global consensus-building; a source of assistance for sustainable development and poverty eradication".

PURPOSE AND VALUE OF THE COMMONWEALTH

6. There is no other international organisation that can match the pedigree and record of the Commonwealth in striving for the progressive goals of strengthened democracy, sustainable development and respect for diversity.

7. Building on their shared institutions, and mutual support for each other, Commonwealth states have forged a voluntary association, founded in 1949, unparalleled in the history of the world. The Commonwealth today brings together 54 countries united by a shared sense of purpose and practical cooperation around shared values and also core principles of consensus and common action, mutual respect, inclusiveness, transparency, accountability, legitimacy, and responsiveness.

8. Drawing on the ties of friendship and trust that bind its members together the Commonwealth has shown a particular aptitude for taking innovative practical action that advances progress towards its shared values and principles, agreed on a consensual basis, so that the lives of Commonwealth citizens are changed for the better, regardless of the size, location, endowment, or stage of development, of the country in which they live. For instance Commonwealth countries worked together and devised a way of ameliorating the crippling effects of debt, as an impediment to growth and development, through a combination of advocacy in proposing and achieving the Highly Indebted Poor Countries (HIPC) initiative at the global level, buttressed by practical debt recording and management software that is now used in more than sixty countries, including non-Commonwealth states such as China.

9. The Commonwealth has a history of building progressively to achieve and consolidate political commitment to its fundamental values—the glue that binds the modern Commonwealth. The *Singapore*

Declaration of 1971 and the Harare Declaration of 1991 have now been advanced further by the 2009 *Affirmation of Commonwealth Values and Principles*, which includes the following statement:

“We reaffirm that the special strength of the Commonwealth lies in the diversity of its membership, bound together not only by shared history and tradition but also by an ethos of respect for all states and peoples, of shared values and principles, and of concern for the vulnerable.”

10. The Affirmation includes specific commitments to democracy, human rights, the rule of law, sustainable development, separation of powers and freedom of expression.

11. The Commonwealth embraces within its diverse membership states that are among the largest and smallest, the richest and poorest in the world, and that together are home to two billion citizens of all faiths and ethnicities—of whom around 60% are under 29 years of age. The Commonwealth is primarily a group of countries with young populations.

12. Member countries span six continents and oceans: 19 in Africa, eight in Asia, three in the Americas, 10 in the Caribbean, three in Europe and 11 in the Pacific.

13. Commonwealth member states seek consensus and are committed to working together in a spirit of co-operation, partnership and understanding. Openness and flexibility are integral to the Commonwealth's effectiveness.

14. Emphasis on equality has helped it play leading roles in decolonisation, combating racial and cultural divisions, and advancing sustainable development in poor countries. The Commonwealth believes that vibrant progressive democracy is best achieved through partnerships—of governments, business, and civil society.

15. As well as Heads of Government, ministers responsible for education, environment, finance, foreign affairs, gender affairs, health, law, and youth also meet regularly. This gives Commonwealth governments a better understanding of each other's goals in the compacting world of the twenty-first century and ensures that Commonwealth policies and programmes accord with the consensus among all members.

16. Citizen-to-citizen links are as important to the Commonwealth as the contacts between member governments. The Commonwealth's worldwide network of around ninety professional and advocacy organisations, most of which bear its name, continues to flourish with a third of these based outside the UK. They work at local, national, regional and international levels playing crucial roles in policy, political or social aspects of Commonwealth life.

17. As well as working with each other, member countries and organisations have also built alliances outside the Commonwealth. Commonwealth ideas on Small States have been taken up by the World Bank, and on the migration of doctors and nurses by the World Health Organization, and on the migration of teachers by the International Labour Organization. Its support and expertise has been enlisted by the European Union, African Union, Pacific Islands Forum on such work as strengthening governance and building capacity in public services.

18. *Membership—including the role and status of Overseas Territories, Crown Dependencies and self-governing jurisdictions*

19. Questions relating to the status and participation of Overseas Territories and Crown Dependencies in the Commonwealth were considered in detail relatively recently by Heads of Government collectively when they accepted the recommendations of a specially appointed Committee that examined various issues relating to the criteria for Commonwealth membership.

20. The Report and Recommendations of the *Committee on Commonwealth Membership*, chaired by the former Prime Minister of Jamaica, the Most Hon. PJ Patterson, were considered by Heads of Government at CHOGM 2007 in Kampala.

21. Members of the Committee reaffirmed their conviction that the Commonwealth was fundamentally an association of sovereign member states who were equal in all respects. In these circumstances, there could only be one type of membership.

22. The “Patterson Committee” reviewed in detail the status of Overseas Territories and Crown Dependencies observing in its Report that these territories have the option of achieving full sovereignty and applying for Commonwealth membership.

23. The Committee considered the possibility of using the term “Associate Member” for aspirant countries and dependent territories within the Commonwealth but felt that this idea to be fraught with difficulties as it would create another rung of membership.

24. The Committee also reviewed the existing practice of including dependent territories in various Commonwealth conferences. Participation in ministerial meetings and civil society and business forums follow different patterns for different dependencies according to arrangements with the administering power.

25. The recommendations made by the Committee in connection with the status and participation of Overseas Territories in the Commonwealth were endorsed by Heads of Government. These included the recommendations that:

- (a) the practice should continue of Overseas Territories hosting and/or attending Commonwealth functional meetings, as well as contributing to and benefiting from the activities of the CFTC where relevant;
- (b) so far as is possible, there should be consistent practices developed in the representation of Overseas Territories at Commonwealth meetings in consultations with their administering power;
- (c) the Secretary-General should devise ways to enhance the profile of Overseas Territories in the Commonwealth family, especially in the civil society and business sectors; and
- (d) applications from such territories for membership of the Commonwealth, when they attain sovereign independent status, need not await the next CHOGM for decision by Heads of Government.

26. Criteria for assessing applications for membership of the Commonwealth were also subject to comprehensive examination and review by the Patterson Committee and its recommendations on a process for considering membership applications were adopted by Heads of Government.

27. Rwanda is the newest member and was welcomed into the Commonwealth family at CHOGM 2009 in Port of Spain. An expression of interest in membership by South Sudan was received in August 2011. The Secretary-General now has remitted to him by Heads the task of making an appraisal of South Sudan's eligibility and readiness for membership.

REFORM OF THE COMMONWEALTH—A CONTINUING PROCESS OF EVALUATION AND EVOLUTION

Expanding scope and deepening mandates

28. A striking feature of the Commonwealth is its continuing adaptability to changing times. This has been achieved through rigorous self-examination and has resulted, over the years, in a deepening of the Commonwealth mandate to encompass a wide range of cross-cutting issues, including democracy, economics, education, gender, governance, human rights, law, small states, sport, sustainability, and youth.

29. In order to fulfil its mandates and deliver its programmes, the Secretariat and the Commonwealth Fund for Technical Cooperation (with its special characteristics as a mutual development assistance fund) provide assistance to members in the form of policy development, technical assistance and advisory services.

30. Over recent years the Commonwealth has greatly expanded the scope of its advocacy role and collaboration with other international organisations, in particular with the United Nations and its component specialist bodies, and with other multilateral partnerships such as the G20 with whom it has the special advantage of overlapping membership.

31. The Commonwealth has had high level reviews of its purpose and sense of direction regularly, most recently in 1991, 2001–02 and 2011 (Eminent Persons Group). A series of key declarations agreed at recent CHOGMs have maintained momentum in this regard:

- (a) 2002 Coolum Declaration on the Commonwealth in the 21st Century.
- (b) 2003 Aso Rock Declaration on Development and Democracy: Partnership for Peace and Prosperity.
- (c) 2009 Port of Spain CHOGM Communiqué, including decisions:
 - (i) to review the mandate and working methodology of the Commonwealth Ministerial Action Group (CMAG);
 - (ii) to form an Eminent Persons Group (EPG); and
 - (iii) to develop a Commonwealth Internet Platform (now known as Commonwealth Connects).

32. Continuing to move forward considerable work is currently being undertaken within the Secretariat and across the Commonwealth as a result of decisions taken at the landmark 2011 CHOGM in Perth where momentous decisions were taken:

- (a) to reform the Commonwealth Ministerial Action Group (CMAG), in order to strengthen adherence to the Commonwealth's political values; and
- (b) to implement a wide range of reforms arising from recommendations of the EPG aimed at sharpening the impact, strengthening the networks, and raising the profile of the Commonwealth.

33. Annexes A and B set out the collective position of Commonwealth Heads of Government as agreed at the two most recent CHOGMs, the 2009 *Affirmation of Commonwealth Values and Principles*, made at Port of Spain, and the 2011 Perth *Communiqué*.

CMAG Reform

34. The Commonwealth Ministerial Action Group (CMAG) was established in 1995 to consider and respond on behalf of the Commonwealth to serious or persistent violations of the association's political values.

35. Decisions taken in Perth mean the threshold for CMAG engagement in upholding Commonwealth values and principles has been lowered. The range of indicators for engagement has also broadened to take into account aspects of public conduct such as the independence of the judiciary and freedom of the media and civil society, and the space available for diverse political views to be advanced.

36. Furthermore, the Secretary-General's Good Offices work and CMAG agenda are now inextricably linked. This means that when Secretary-General engages on a Good Offices basis Heads of Government will now know that serious and convincing responses are needed, as the attention of CMAG may subsequently be drawn to the situation.

37. The extended range of criteria brings parallel need for objectivity in defining the agenda of issues requiring engagement by Secretary-General and CMAG, and in making assessments of possible breaches of Commonwealth values and principles. This new level of engagement means that the Secretariat will be required to deliver high quality and reliable advice over a broader range of issues. The Secretariat will need to have the capacity to scrutinise evidence and review data in order to furnish dossiers and provide the best possible service both to Secretary-General and CMAG.

38. One important way in which Secretariat capacity will be supplemented will be through working in closer collaboration with specialist Commonwealth professional and technical organisations across a range of disciplines and by drawing on the expertise of practitioners such as judges, magistrates, lawyers and journalists.

EPG Recommendations

39. 95 of the EPG's 106 recommendations have been adopted or remitted to Foreign Ministers for further consideration before decisions are taken. The range of recommendations accepted or remitted for further evaluation set out a number of significant new initiatives with a concomitantly increased or at least realigned workload for the immediate future and long term for member governments, the Secretariat, and other Commonwealth agencies. No new resources have yet been allocated for this ambitious agenda of the EPG.

40. However the Secretariat is now drafting its next strategic plan. This is a significant step forward. Rather than the plan reflecting the sum total of ambitions of its 54 member governments' national priorities—as has been the case in the past—the Secretariat will develop a synthesised, narrower, and more focussed work programme aimed toward streamlining goals onto fewer priorities where the organisation has a comparative advantage, where it can demonstrate real impact, and capturing the consensual sense of direction of the Commonwealth as a whole.

41. This will include a wide-ranging review of the communications strategy at the Secretariat in order to devise fresh approaches that will convey the role and achievements of the Commonwealth to upcoming generations.

42. Populating and utilising the innovative capabilities of the "*Commonwealth Connects*" internet portal will be a part of this strategy—and this will play a key role in binding Commonwealth networks—civil society, business and youth. They can all be used to greater effect given their reach and the range of professional and technical expertise at their disposal. The intention is to have a contemporary technology platform on which various Commonwealth "communities of practice" can network and build together.

43. The Queen's Diamond Jubilee initiatives—including a possible new volunteer youth corps, networks for schools and cultural festivals, and schemes to promote women's leadership—can be the launch pad for developing new connections and enhancing a sense of belonging and identity.

Empowerment of Women

44. *Women as Agents of Change*, the Commonwealth theme for 2011, caught the popular mood and imagination—particularly in the context of CHOGM and handover by woman to another of the Chair (Prime Minister Kamla Persad-Bissessar of Trinidad and Tobago to Prime Minister Julia Gillard of Australia).

45. There remains much work to be done towards empowering women politically, economically and socially. This will continue to be a high priority and a key element in developing the future work plan of the Secretariat and as a cross-cutting theme for engagement with member governments and other Commonwealth agencies.

Youth Development

46. The work of the Commonwealth Youth Programme (CYP) needs to be upgraded to regain its pioneering engagement with youth and to find contemporary ways of engaging dynamically on political and developmental programmes.

47. Nascent Commonwealth initiatives on youth enterprise and entrepreneurship and on Sport for Development and Peace show great promise for harnessing and directing the energy and idealism of the growing Commonwealth youth constituency towards positive goals.

48. Finding new ways of utilising the four CYP regional centres in India, Guyana, Solomon Islands and Zambia) for wider Commonwealth purposes will help bind youth into other Commonwealth initiatives to mutual benefit in terms of both impact and profile.

Global Relevance

49. Heads of Government in Perth gave the Secretariat a strengthened political mandate to insert Commonwealth thinking into the global agenda. Close engagement with the G20, enhanced through the value of the overlapping membership of the Commonwealth and G20, and the ability of the Commonwealth to speak authoritatively as an advocate on behalf of the many nations not represented at the G20 table enables the Commonwealth to bring real added value, through the close collaboration that has now been established with the G20 under successive presidencies. Only this month—January 2012—the Commonwealth’s relevance was exemplified when the Secretariat hosted a meeting of the G20 Working Group on Development.

BENEFITS OF COMMONWEALTH MEMBERSHIP TO UK:

50. The opportunities offered by virtue of Commonwealth membership are there to be seized, as much by the UK as by any other member state. The natural advantages and alliances arising from a shared commitment to the advancement of shared values can be maximised and multiplied to the benefit of national interests and policy objectives in many spheres, whether in promotion of trade and employment, enhancement of education or safeguarding respect for human rights.

51. Overlapping public and private sectors, similarities of democratic processes and machinery for national and local government, together with shared educational and legal systems give Commonwealth members a natural affinity and kinship. These ties, and the mutual sense of support engendered by regular intergovernmental and ministerial consultation on a basis of consent and consensus, provide the bedrock on which advantageous bilateral and multilateral relations within the family of the Commonwealth have been built, and can continue to be extended.

52. Through the Commonwealth, for instance, the UK gains linkages into key geographical areas of strategic importance to achieve its international development and other policy goals, working in a non-confrontational way with 53 likeminded countries that represent a quarter of the membership of the UN.

53. In sum the Commonwealth offers the UK the opportunity to advance practically and to magnify with impact its own values and international priorities in a sustainable and constructive way of lasting benefit to the UK itself as well as to the Commonwealth as a whole.

30 January 2012

Written evidence from the Commonwealth Telecommunications Organisation

1. INTRODUCTION TO THE CTO

1.1 The CTO was established in 1901 as an association of telecom operators in the Commonwealth that evolved through several phases to become the premier ICT agency for the Commonwealth mandated to help members Bridge the Digital Divide under the new constitution adopted in 2002.

1.2 The CTO’s two-tier membership structure was created in 2002 specifically to facilitate the multi-stakeholder dialogue that is critical in the ICT sector. Under this scheme, in addition to Commonwealth countries, private sector and civil society organisations engaged in the use of ICTs, primarily for development purposes, join the CTO as Sector Member. Currently the CTO has around 40 Commonwealth countries as members with over 100 private sector and civil society organisations as Sector Member.

1.3 Over the years, this unique membership structure of the CTO has proven to be a useful stepping stone for non-Commonwealth countries to join the Commonwealth. For example in 2005 Rwanda joined the CTO as a Sector member and joined the Commonwealth itself in 2009. South Sudan joined the CTO as a Sector member when it was still a part of Sudan in 2007 and may become a fully-fledged member of the Commonwealth in the near future.

1.4 More information is available on the CTO Annual Report for 2010–11 which can be downloaded from the CTO website at www.cto.int A hard copy will be submitted separately.

2. *Does the Commonwealth retain a purpose and value?*

We believe that the Commonwealth does indeed retain an important purpose and value, as evidenced by the following:

2.1 The Commonwealth values—democracy, freedom, peace, the rule of law and opportunity for all—are more valid today than ever, as shown for example by recent events in North Africa and the Middle East. The results of denying people’s right to exercise their fundamental rights have become all too familiar.

2.2 It is encouraging to note that in the majority of Commonwealth countries recent debate has been about strengthening democratic institutions and citizen empowerment rather than merely the availability of these rights. The norms set by the Commonwealth and the implicit pressure exerted by the collective body of membership has had an effect in ensuring the advancement of people’s inalienable rights. For example according to the democracy ranking (<http://www.democracyranking.org>) in 2010, 11 out of 18 African countries falling within the top 100 are Commonwealth countries.

2.3 The Commonwealth Secretariat’s current engagement with its members is built on two primary goals: Peace and Democracy, and Pro-Poor Growth and Sustainable Development. As the role economic growth plays on avoiding conflict is well documented, the entire focus of the Commonwealth Secretariat’s engagement aims to develop democracy, peace and prosperity.

2.4 In the Global ICT sector the Commonwealth has a strong position and exerts great influence due to the following:

- 2.4.1 Taken together, the Commonwealth represents one of the largest ICT markets in the world (some 2.1 billion people).
- 2.4.2 It is the home to emerging ICT powers such as India, Malaysia, South Africa, and Singapore, as well as major global ICT players such as the UK.
- 2.4.3 It combines both developed and developing countries, which lends itself to facilitating the flow of capital, technology and expertise.
- 2.4.4 Of its total population of 2.1 billion, over half are 25 or under. As youth are early adopters in ICTs, there is tremendous potential for growth of ICTs in the Commonwealth.
- 2.4.5 The shared language, institutions and legal structures, make inter-Commonwealth commerce, including that delivered through ICTs, comparatively easier.
- 2.4.6 The Commonwealth provides a mechanism for reaching joint positions on key areas facing the world. For example in the ICT world, the Commonwealth ITU Group strives to harmonize the different positions of Commonwealth countries within the ITU system and to act as a pressure group. Its strength has been proven on several occasions including elections to the ITU Council.
- 2.4.7 ICTs have the potential to strengthen and empower individuals and organisations, thus improving the opportunities for the civil society to engage actively in governance agendas. The Commonwealth’s role in promoting ICTs complement its core aims.
- 2.4.8 The exponential growth of ICTs has also brought about challenges, some of which warrant Commonwealth-wide responses such as in Cybersecurity.

3. *How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?*

3.1 Commonwealth Heads of Government Meeting (CHOGM) 2011 highlighted some of key global tensions that are reflected in Commonwealth countries such as human rights agendas and good governance. It provided a valuable opportunity for heads of government to discuss these agendas, share good practices, and seek to reach common agreements.

3.2 CHOGM was dominated by discussion of the Eminent Persons Group (EPG) report, which was very wide ranging, and in our judgment may have sought to cover too much ground. It sets out a very broad agenda, but did not provide sufficient time for enough focused attention to be paid in the meeting to ways of resolving the key challenges facing the Commonwealth. Much work therefore remains to be done in delivering on the vision.

4. *What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?*

4.1 As a “voluntary association” the Commonwealth’s future is dependent on its ability to be relevant to the context and address the main needs of the people. This applies not only to the overarching political goals but also to the specific needs and wants in different spheres including ICTs. While the Commonwealth Secretariat is tasked with and consequently responsible for making the Commonwealth relevant in the overarching goals, it is the responsibility of individual Commonwealth entities to make their work relevant and useful to the relevant stakeholders, so that the Commonwealth as an institution remains relevant to its stakeholders.

4.2 We recommend three main areas of reform:

- 4.2.1 The Commonwealth system of governance is based on a range of individual Commonwealth agencies, with different thematic focuses, varying sizes and mandates, striving to deliver value and benefits to the peoples of the Commonwealth, which unfortunately has led to some overlap and duplication of activities. A critically needed reform is to have a clear demarcation of mandates, activities and engagement frameworks for the various Commonwealth agencies and to promote cooperation and coordination of activities between the individual Commonwealth agencies. The Commonwealth Secretariat, as the apex/supreme body is ideally placed to deliver the overall political agenda and to set the broad outlines of its developmental activities, which could then be delivered by individual agencies based on their core competencies. For example the ICT agenda for the Commonwealth is efficiently and effectively delivered by the CTO.
- 4.2.2 The Commonwealth needs to put in place an effective mechanism for the accreditation of Commonwealth agencies that ensures that they subscribe to the Commonwealth's values and commitment to deliver real and felt benefits to stakeholders. While leading to rationalization of the various Commonwealth agencies, this will also ensure a common standard in governance and management which is in harmony with Commonwealth values. An effective accreditation process will require periodic evaluations and a form of enforcement in case of infringement.
- 4.2.3 The Commonwealth, led by the Secretariat, needs to embark on a focused exercise to strengthen the Commonwealth as a brand through promotion of Commonwealth values among states, organisations and individuals

5. *How does membership of the Commonwealth help the UK achieve its diplomatic objectives?*

5.1 The Commonwealth helps promote democracy, empowerment and inclusion. For example Commonwealth interventions have been partially credited with the elections held in Pakistan in 2008, which ended military rule.

5.2 The UK is the center of the Commonwealth and hosts a large number of Commonwealth bodies including the Commonwealth Secretariat, the CTO, Commonwealth Business Council and Commonwealth Broadcasting Association, through which it plays a large role in shaping the Commonwealth, its engagement with member countries and their people.

5.3 Peoples and governments of other Commonwealth countries often seem to value the Commonwealth more than do the people in the UK. The UK needs to improve its engagement with the Commonwealth. While UK civil society organisations maintain a reasonable scale of engagement with the Commonwealth, the participation of the industrial/private sectors needs to be improved.

5.4 If diplomatic objectives are seen as being to foster dialogue, shared values, and economic sustainability, then the Commonwealth presents a potent platform to promote the UK's priorities and focus areas. The fact that it is an already existing grouping of countries and people makes the task of canvassing, promoting and finding consensus much easier.

5.5 The Commonwealth has taken and can take in the future common positions at international bodies, which with the weight of the Commonwealth behind it, could be more forceful than individually held views. For example the Secretary General of the Commonwealth Secretariat is mandated to engage with the G8 on behalf of the entire Commonwealth, which provides UK with two channels in to this powerful group.

5.6 In the ICT arena the CTO provides the UK with a strong channel for promoting its interests. The Commonwealth ITU Group acts as a lobbying group for Commonwealth Common positions within the ITU and has successfully promoted the candidature of Commonwealth candidates during ITU elections. The UK's preferred method for improving Cybersecurity through promoting norms and behaviours could only succeed if it is adopted by a critical mass of countries and ICT stakeholders for which the Commonwealth/CTO provides the ideal platform.

6. *What benefits does the UK's membership of the Commonwealth bring in terms of trade, the promotion of human rights and the promotion of "soft power" and a positive image of the UK?*

6.1 The Commonwealth with over 2.1 billion people bound by a common language, governance structures, legal system, and heritage, presents a platform for promoting values, relationships, trade and commerce. It is a potent channel to build consensus on human rights, democracy, governance, gender and other key issues.

6.2 Within the field of ICTs, the UK could leverage the Commonwealth through the CTO (and has to a certain degree already done) in the following areas:

- 6.2.1 The Commonwealth offers a single window to the largest ICT market in the world. CTO is working with UK trade associations to promote the UK's expertise & technologies in ICTs across the Commonwealth.
- 6.2.2 In an industry where standardisation is a key, the UK's engagement with the Commonwealth's ICT sector through the CTO is critical. In the past CTO has provided UK with the diplomatic weight to promote and canvass for its positions within the ITU system, but this has to be a continuous process.

- 6.2.3 The Commonwealth ITU Group has provided and will continue to provide a useful channel to influence the workings at ITU whose decisions have a serious impact on the UK.
- 6.2.4 The UK's preferred approach to Cybersecurity, setting norms and behaviours, can only succeed if a critical mass subscribes to these norms, for which the Commonwealth presents an existing base of 54 countries to build upon.

7. *What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?*

7.1 Membership in the Commonwealth is an explicit assurance of the member countries' adherence to a set of norms and values encompassing democracy, transparency in governance, freedom of expression etc. These values implicitly translate into rights of the people. At the very least, membership of the Commonwealth, sets high aspirational standards in democratic ideals, which the people of the UK, over a period of time, assume to be a right.

7.2 The Commonwealth system has spawned a multitude of civil society organizations (as against Commonwealth agencies) who, with the support of the Commonwealth Foundation, help people of the Commonwealth in various ways, from promoting democracy to delivering basic human needs. The net effect of the collective of civil society organizations is to empower people across the Commonwealth.

7.3 As an institution the Commonwealth has always facilitated the flow of people, ideas and expertise, which has directly and indirectly benefitted the people of UK in various ways such as opening opportunities for UK experts and businesses. The CTO in particular has been active in promoting inter-Commonwealth trade and business in ICTs, and in hosting Professional Fellows from across the Commonwealth funded by the Commonwealth Scholarship Commission

7.4 The Commonwealth helps build shared understanding of global issues such as national debt. In addition to fostering a shared understanding and designing common responses, the Commonwealth provides practical responses. For example the **Commonwealth** Secretariat's **Debt** Recording and **Management** System (<http://www.csdrms.org>) has helped around 54 Commonwealth and non-Commonwealth countries record and manage their debt.

8. *What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?*

8.1 Considered in the context of the foundation of the Commonwealth, that being shared history, language and institutions and its values, democracy, freedom, peace, the rule of law and opportunity for all, Overseas Territories, Dependencies etc (hereinafter "Territories") should be as much a part of the Commonwealth as its current members. It is solely due to the fact that the Territories are not "sovereign nations" that the Territories are not fully fledged members of the Commonwealth.

8.2 However on a more practical note some of the Territories are larger in size and population and stronger economically than some of the members of the Commonwealth. For example, Bermuda, an Overseas Territory, with an estimated GDP of \$4.5 Billion is ahead of 14 member countries of the Commonwealth.

8.3 The Commonwealth needs to improve its engagement with the Territories in view of their relevance to the Commonwealth, the contributions they can make to the Commonwealth and the assistance Commonwealth could extend to them.

8.4 CTO admits Territories as Sector members (eg Bermuda) which gives them an opportunity to engage with ICT stakeholders across the Commonwealth on an equal basis. CTO membership is one of the few channels open to them to engage with the Global ICT agenda.

8.5 The constellation of Commonwealth agencies and civil society organisations presents a practical framework for Territories to build their internal capacities and engage with the Global community to advocate their interests.

4 January 2012

Written evidence from Mrs Anne Palmer JP (retired)

1. My first thoughts on this particular inquiry is that it does not seem to be appropriate in this, Her Majesty's 60th year of Her wonderful Reign to question Her Majesty's role and the future of the Commonwealth. On June 2012, Her Majesty Queen Elizabeth II will celebrate her Diamond Jubilee, and with it **60 years as Head of the Commonwealth. I question whether the Commonwealth of "yesterday" is the same as it is "today" and for the future? The Foreign Affairs Committee are asking the people to respond to their inquiry into "The role and future of the Commonwealth". It seems that the matter of the Commonwealth's future-if it lasts-has already been decided. We** are indeed looking at a "NEW" and very different Commonwealth. However, now I have started, I will continue to respond.

2. The Commonwealth, once known as the British Commonwealth, gave the UK a worldwide view at life. A Commonwealth of Nations that all shared the same values. The Countries cover six continents and covers

about one third of the Worlds population, absolutely amazing and it is still dynamic and growing. The Commonwealth has survived many years, and the people's of the Commonwealth have fought side by side, particularly in the last World War that many alive today realise that without them fighting side by side, many would not have had the freedom "today" that **they fought together for in 1939–1945**. Now the word and meaning of British has been dropped from its title and the allegiance to the Crown from its statute. There has never been any need for a Constitution for the Commonwealth nor a Charter but having read what is proposed for the future New Commonwealth? Who knows what will happen?

3. Sadly, our experience after all these years in the European Union the people feel trapped inside a dying political project, for the never ending EU Rules and Regulations make the people feel Governed by foreigners in everything they do. Indeed, the EU legislation are formed by foreigners and then transposed. Some are presented into this Country as if it is our own Government's idea such as the HS2 part of the European Union's Tran-European Transport Network (Ten-T) Policy and of course the recent Localism Bill also recorded in the Council of Europe. The permanent dividing of ENGLAND into Regions, for and on behalf of the European Union.

4. At one time the British people could do anything they wanted to, unless there was a law against. Now, they are only permitted to do some-thing if there is a law that says they "may". There is no freedom for once National Governments to breathe freely, yet our Government continue to accept willingly and without the people's consent every EU Treaty that comes along.

5. Having read the Eminent Persons Group recommendations for the "Reform of the Commonwealth" and the present British Commonwealth having survived a hundred years without "rules and regulations" written down with the request to sign certain documents, perhaps many free nations will just "walk away"?

6. I regarded Members of the Commonwealth as "family". For greater love has no one than this, that he lay down his life for his friends. Life is the most valuable matter we possess; and when a man is willing to lay that down for his friends or his country, it shows the utmost extent of love. Well over a million Commonwealth Forces died so that the people in these small British Isles remained free.

7. Not far from where I live are some of the graves of those Commonwealth Forces that gave their lives for us. Where we can go at times, and remember the sacrifice they made for us. They gave their lives so that all of YOU in that magnificent building could continue to Govern this Country according to its 600 year old Common Law Constitution, for that is the only lawful Constitutional foundation other new laws can legally/ lawfully be built upon. That is what our Members of the Commonwealth fought for; that no British person could or would allow a foreigner to ever set aside our own Constitution for any of their foreign laws.

8. Question: *"What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?"*

The Commonwealth is worldwide and it is many years old. The Commonwealth is and has been very successful indeed. Sadly, this country is losing many fine young people by choosing to live in Australia. It seems, in talking to them, listening to them, that they feel there is no future for them in this Country of their birth, unless the EU says there "may be so".

9. Question: *Does the Commonwealth retain a purpose and value?*

Yes, indeed it does, at least **if it is left as it is at present**. The present Commonwealth can achieve far more than the European Union can ever hope to achieve no matter how long the latter survives. If the former is changed however by what is proposed in the Report of the Eminent Persons Group to Commonwealth Heads of Government at Perth, Oct 2011, "A Commonwealth of the people-Time for Urgent Reform", **it too will eventually die as the EU is dying at present, for without the people behind it, it is doomed-even though it may take an unconscionable time in dying. Sadly, it looks as if the Commonwealth has been or is being hi-jacked, or destroyed from the great idea of what it was and what it stood for. For it is now to become the New Commonwealth, and from reading, "it is time for urgent reforms" it is reminiscent of the words in the EU Treaties.**

10. *How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?*

"At the 2011 Commonwealth Heads of Government Meeting (CHOGM) in Perth, which took place on 28–30 October, Heads agreed to a "Charter of the Commonwealth" which will set out in one place, and in a straightforward way, the core values to which Commonwealth members are committed etc". This amazes me that after all these years we now need everything set out, **a need to reform** and to demonstrate their support for real and tangible action on equality and development issues. **Absolutely Amazing!** How on earth did the Commonwealth manage to survive the first sixty to a hundred years without everything written down? Commitments made? Each signing a Charter? Members of the Commonwealth have never needed anything like this before. This is a NEW proposed Commonwealth and I understand fully why there seems to be some dissent.

11. If there was a need for some-thing different, some-thing NEW, the Commonwealth, as we knew it should have been left alone and a new organisation should have been introduced. This way may not recruit new members, but it may well destroy the “old” Commonwealth. Would that be deemed a success? Will the enlarged EU eventually take the New Commonwealth unto its bosom?

12. How does membership of the Commonwealth help the UK achieve its diplomatic objectives? This poses a great problem for me because all I could find what the main diplomatic objective seems to be, “DIPLOMATIC INFLUENCE & VALUES (DIV) FUND 2011–12—2014–15 *REUNITING EUROPE (RE) STRAND: STRATEGY PAPER. While the people of this Country are really hurting, losing their jobs, some, even their homes, everything they seem to need or touch is costing them more. Millions more pounds are being sent to reuniting Europe.* We read about the EU launching its Arab Spring through 16 Mediterranean partner countries from North Africa, the Middle East and the Balkans, only to watch as each country becomes embroiled in conflict, what a way for Heads of State to be replaced. Will this happen to the Commonwealth? *What is to be the estimated cost of creating this NEW Commonwealth? Can we really afford to make all these changes? Can other Countries also, at this particular time? I see absolutely no improvement in diplomatic objectives. Quite the reverse, yet I pray I am wrong.*

13. In writing this, and thinking of Her Majesty’s recent visits to the Commonwealth Countries I realize just how special the Commonwealth Countries are to us as they are at present. There are no EU Regulations or EU Directives telling each of them what they may or may not do for they are free one to the other-**for now**. It is this particular and special unique association of independent, democratic, multiethnic and multireligious countries that has survived the changes that have destroyed the global supremacy of the old power blocs. There are Historic connections with this country, which may be part of the answer. We certainly are proud of being a democracy. That, in a nutshell, is what I believe to be the real true unique point of the Commonwealth. Something that can never be achieved in the proposed New Commonwealth.

14. At the end of the Report of the “Eminent Persons Group to Commonwealth Heads of Government, Oct 2011”, it becomes quite clear that all are expected to sign a document that looks very much like a Treaty or Commitment, for indeed it has a “preamble”. It is a “commitment” to which each nation can be held. It will be the death of the old British Commonwealth of Nations and will be replaced by some-thing very different indeed. All very sad.

15. What benefits does the UK’s membership of the Commonwealth bring in terms of: (a) Trade? We tend to forget when people talk of needing the EU for trade, that the Commonwealth Market is nine times greater than that of the European Union. Part of what makes the Commonwealth unique is its diversity and its geographical spread, and this diversity must be cherished. It also represents developed countries, huge developing economies like India and small, dynamic countries like Singapore. This Country does not generally make demands on any member of the Commonwealth and not one Commonwealth Country makes any demand upon us. It does not make any Rules or Regulations or “fine” this once great Country if it does not fly its flag.

16. *The promotion of human rights?*

In the Commonwealth? I think perhaps we should look to our own Country before questioning other Countries particularly with the murders that have so recently taken place and the riots of last year? Where are the people’s human rights when they are afraid to walk down their streets? I fear more of both may be lurking round the corner of 2012 before the year is done.

17. *The promotion of “soft power” and a positive image of the UK?*

Soft power, Payment? Begging? Pleading? Bribery? **Hard Power**? Force? All guns blazing? Neither work successfully. I look to the MP’s people have elected to govern yet I see them obeying the same EU orders like the rest of us. The UK can never have a positive image until it can Govern this Country according to its long standing Constitution. The UK can never have a “positive image” until it tells the people in full, where the acts/legislation/directives/regulations, call them what you will, comes from. For instance the HS2 is part of the EU’s TEN-T Policy, the Localism Bill was even lodged in the Council of Europe’s Web-site for a tick to be placed by its name when completed for the UK, it was even noted on the UN Web-site, but went upwards to the UN rather than instigated by the UN. The longer the UK remains in the EU, the weaker its voice will become, until it has no voice at all. Should the transfer of UK Sovereignty over our Skies and Seas be transferred to the UK, I should imagine that transfer will be permanent for World Maps will be altered to note that transfer. Would that be classed as Sort Power or Hard Power?

18. *What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?*

Perhaps I might liken this question to a long-standing marriage? Both get out of it what they have put in to it? For part of a couple now in their sixty second year of marriage, I know what I am talking about. The Commonwealth has “always been “there” for us”, particularly in our hour of need, and we should never forget that, for sadly, that time may come again. I always remember my father saying there could never be another war and along came World War II. In most of the large Commonwealth Countries the peoples can understand

one another. Their customs are very similar too. Sadly this cannot be said of EU Countries and in this Country, sadly our youth have not been taught foreign Languages as they should have been, right from 1972.

19. What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth? If our Government is wise, exactly as they are at present. Close friends at all times. Even Diego Garcia became very important at one time in living memory, and the way matters are shaping up at present, it may well be needed urgently once again. I pray, for all our sakes, not. As for the Commonwealth, I sincerely hope it is not being created to become “A United European Commonwealth”.

20. I confirm once again my complete loyalty to my Country (The United Kingdom of Great Britain and Northern Ireland) and my solemn Oath of Allegiance to the permanency of the British Crown through Her Majesty, the Queen Elizabeth II, Her Heirs and successors.

9 January 2012

Written evidence from Ian Milne, Director, Global Britain

This submission consists of four observations (immediately below) about how the Commonwealth might develop, followed by a mainly statistical paper on the Commonwealth and UK export growth.

1. “The Commonwealth’s structure is based on unwritten traditional procedures, and not on a formal constitution or other code....the Commonwealth is a voluntary association of sovereign independent states, each responsible for its own policies”Declaration of Commonwealth Principles, Singapore, 22 January 1971.

Those principles should remain the foundation on which the Commonwealth operates. The Commonwealth should grow organically, “from the bottom up”, and remain an exceptionally efficient light structure (see 2 below). It should absolutely not be subject to “top-down” plans or directives or regulations and the inevitably cumbersome bureaucracies that go with them.

2. In 2009 the UK contribution to the operating costs of running the Commonwealth was £4.6 million—less than the UK contribution to the OECD (£12.5 million). UK contributions to other international bodies were: UN: £76 million; WTO: £6 million; World Bank: £1.2 billion#. In 2009, the UK net cash contribution to EU Institutions was £6,696 million*—a thousand and a half times greater than the UK contribution to the Commonwealth.

3. One way of enhancing the cohesiveness of the Commonwealth might be to invite representatives of those Commonwealth countries which have the Queen as their Head of State to sit in the House of Lords for a fixed term. “Associate” membership of the House of Lords might be offered to representatives of Commonwealth countries where the Queen is not Head of State.

4. India, which will account for half of the labour force of the entire Commonwealth by 2050, might be offered a more prominent role—perhaps even the lead-role—in the Commonwealth.

Written answer 28 June 2010 by Lord Sassoon to Written Question HL535

*Table 9.2, pp 100–102, United Kingdom Balance of Payments: The Pink Book 2011; www.statistics.gov.uk

The following paper focuses on British export growth to 2050, and why the Commonwealth has the potential to become a valuable component of British trade policy.

The paper consists largely of factual information from which the Committee might be able to draw conclusions or which might be put to other witnesses.

THE COMMONWEALTH AND BRITISH EXPORT GROWTH 2010–2050

Short Summary

- An overwhelming proportion of the world’s GDP growth between 2003 and 2050—nearly 80%—will occur outside of Europe, the United States and Canada.
- For the last 40 years, preoccupied with “Europe”, British governments have neglected the Commonwealth. In the next 40 years, by an accident of history, the Commonwealth will be where much of global GDP growth (and hence of growth in propensity to import) will occur.
- The United Nations has 192 member-countries. The **Commonwealth**, which will account for **38% of global labour force** by 2050, has 55 members. The **European Union**, which will account for **5% of global labour force** by 2050, has 27 members.
- This paper takes growth in Labour Force, here defined as Working-Age (15–64) Population, to be a proxy for growth in GDP, using the latest projections of working-age population from the United Nations.

- It concludes that the rest of the Commonwealth will represent a market **over nine times greater** than that of the rest of the EU by 2050. Competition to export to and invest in the developing world will be fierce. British exporters will need to maximise their strengths: which is why, over the next forty years, the Commonwealth has the potential to become a valuable component of British trade policy.

THE AUTHOR

Ian Milne has been the Director of the cross-party think-tank Global Britain (www.globalbritain.org) since 1999. He was the founder-editor (in 1993) of The European Journal (www.europeanfoundation.org), and the co-founder (in 1995) and first editor of eurofacts (www.junepress.com > eurofacts). He is the translator of Europe's Road to War, by Paul-Marie Coûteaux, and the author of numerous pamphlets, articles and book reviews, mainly about the relationship between the UK and the European Union.

His most recent publications are A Cost Too Far? (Civitas, July 2004, www.civitas.org.uk), an analysis of the net economic costs and benefits for the UK of EU membership; Backing the Wrong Horse (Centre for Policy Studies, December 2004, www.cps.org.uk), a review of the UK's global trading arrangements and options for the future; Lost Illusions: British Foreign Policy (The Bruges Group, December 2007, www.brugesgroup.com), which assesses UK foreign policy since 1945 and suggests how it could become more effective; and Time to Say No: Alternatives to EU Membership (Civitas, October 2011, www.civitas.org.uk).

He graduated in engineering from Cambridge University and in business administration from Cranfield. His business career was in industry and merchant banking in the UK, France and Belgium.

THE COMMONWEALTH AND BRITISH EXPORT GROWTH 2010–2050

“..an overwhelming proportion of the world's GDP growth between 2003 and 2050—nearly 80%—will occur outside of Europe, the United States and Canada”¹

Summary and Conclusion

For the last 40 years, preoccupied with “Europe”, British governments have neglected the Commonwealth.² In the next 40 years, by an accident of history, the Commonwealth will be where much of global GDP growth (and hence of growth in propensity to import) will occur. The Commonwealth, originating in the nineteenth century and functioning in its present form since 1949, is the user-friendly neglected colossus which could enable UK business to fully capitalise on its strengths, focussing on exporting to, and investing in, the growth markets of the future.

The United Nations has 192 member-countries. The **Commonwealth**, which will account for **38% of global labour force** by 2050, has 55 members. The **European Union**, which will account for **5% of global labour force** by 2050, has 27 members.

The UK is a member of all three organisations. It is the founder and headquarters of the Commonwealth, of which the Queen is Head. The common language is English, and the political, educational, financial, legal and accounting principles of most members are based on the British model.

This paper takes growth in Labour Force, here defined as Working-Age (15–64) Population, to be a proxy³ for growth in GDP, using the latest projections of working-age population from the United Nations.⁴ It concludes that the rest of the Commonwealth will represent a market **over nine times greater** than that of the rest of the EU (*Table 5 below*) by 2050. Similar analyses by firms in Germany, France, the United States and China will have reached similar conclusions: competition to export to and invest in the developing world will be fierce. British exporters will need to maximise their strengths: which is why, over the next forty years, the Commonwealth has the potential to become a valuable component of British trade policy.

Salient Points from the Tables in the Statistical Appendix below

- In 2010, 99.1% of global population lives outside the UK. By 2050, that percentage will have increased to 99.2%. *Table 1*
- In the forty-year span between 2010 and 2050 the world's labour force will increase by 30%, from 4.5 billion to 5.9 billion. *Table 2*
- Over that period, with one exception, every continent on the planet will experience growth in its labour force. **The exception is Europe.** *Table 2*
- Within EU-27, amongst the five biggest economies, the UK is the exception: its labour force grows between 2010 and 2050, while the labour forces of Germany, France, Italy and Spain all shrink. *Table 3*
- Between 2010 and 2050 the European Union (“EU-27”) experiences a loss in labour force of 16% or 54 million. In effect, over that period, EU-27 **“loses the whole of Germany”**, since Germany's entire labour force is currently 54 million. *Table 3*
- The **Commonwealth's labour force** will increase by **60% or 825 million** between 2010 and 2050. *Table 4*

- From the perspective of British exporters and investors, the labour force of the rest of the Commonwealth (“C-54”) grows between 2010 and 2050 by 822 million, while the labour force of the rest of the European Union (“EU-26”) shrinks by 57 million: a “swing” of 879 million. *Table 5*
- By 2050, 96% of the Commonwealth’s labour force will be in Asia and Africa. *Table 6*
- In 2050, the Commonwealth will account for 45% of the Asian and 45% of the African labour force. *Table 7*
- India alone will account for 50% of the Commonwealth labour force in 2050, compared with 57% in 2010. *Table 8*
- The four Commonwealth members of the Indian sub-continent: India, Pakistan, Bangladesh and Sri Lanka, will account for 67% of the Commonwealth’s total labour force in 2050, compared with 73% in 2010. *Table 8*
- Outside EU-27, between 2010 and 2050, the **USA’s labour force** will grow by 17% or 36 million: **almost as much as the entire 2010 labour force of Italy**. *Tables 3 and 9*
- Over the same period, China’s labour force will shrink by 11%, though it will still be three-and-a-half times as big as the USA’s in 2050. *Table 9*
- Russia’s labour force will shrink by 31% between 2010 and 2050; that of South Korea by 31%; and that of Japan by 37%. *Table 9*

General Conclusions

- The USA will become more powerful than it is today, economically, militarily, politically, culturally.
- Europe, and the European Union as a whole, will decline economically, militarily, politically, culturally.
- Growth in GDP, market size and equity returns will occur outside Europe.
- Continental EU will be a shrinking market, relatively unattractive to exporters and investors.
- The tax base of Continental EU will shrink: tax rates and public-sector debt will have to increase.
- Shrinking and ageing population in Continental EU will mean more demand for state-provided healthcare and pensions, with fewer active people to provide them.
- Most EU member-states will see falling demand for houses, schools, factories, shops and capital goods, with falling asset values and investment. This will affect both the tax base and the equity markets on which private pension provision depends.
- Sharply-diverging demographics within the EU will make EU-wide “one-size-fits-all” policies (monetary, tax, labour market, agricultural, asylum, immigration, environmental etc) ineffective.
- The political rationale of **integration into a fading regional bloc**—the EU—will become questionable.
- For British exporters and investors, the economic rationale of **integration into a contracting market**—the EU—will become questionable.

STATISTICAL APPENDIX

Table 1

TOTAL POPULATIONS: ALL AGES

<i>millions</i>	<i>2010</i>	<i>%</i>	<i>2050</i>	<i>%</i>	<i>Change</i>
UK	62	1 ³	72	1 ³	+ 10
EU-26 ¹	436	7	422	5	(14)
China/HK	1,362	20	1,426	16	+ 64
Commonwealth ²	2,159	31	3,239	35	+ 1,080
Rest of World	2,890	42	3,991	44	+ 1,101
World	6,909	100	9,150	100	+ 2,241

1 EU-27 minus UK

2 Commonwealth minus UK

3 Precisely: 0.9 % in 2010; 0.8 % in 2050

Table 2
WORLD LABOUR FORCE¹ 2010–2050

<i>millions</i>	2010	2050	<i>Change</i>
Asia	2,797	3,388	+ 591
Africa	582	1,311	+ 729
Central and South America	385	463	+ 78
Europe²	501	398	(103)
North America	236	274	+ 38
Oceania	23	32	+ 9
World	4,524	5,866	+ 1,342

1 Working-age (15–64) population

2 EU plus Russia and other Europe, of which EU 333 million in 2010, 280 million in 2050, reduction 54 million by 2050

Table 3
EUROPEAN UNION LABOUR FORCE¹ 2010–2050

<i>millions</i>	2010	2050	<i>Change</i>
UK	41	44	+ 3
Germany	54	39	(16)
France	41	39	(2)
Italy	39	30	(9)
Spain	31	27	(3)
Other EU	127	101	(26)
Total EU—27	333	280	(54)

1 Working-age (15–64) population

Table 4
COMMONWEALTH AND EU LABOUR FORCES¹ 2010–2050

<i>millions</i>	2010	2050	<i>Change</i>
C—55 ²	1,382	2,207	+ 825
EU—27 ³	333	280	(54)

1 Working-age (15–64) population

2 The 55 Commonwealth members as at 2010

3 The 27 EU members as at 2010

Table 5
BRITISH EXPORT MARKETS: COMMONWEALTH (EXCL. UK) VERSUS EU (EXCL. UK): LABOUR FORCES¹

<i>millions</i>	2010	%	2050	%	<i>Change</i>
C- 54 ²	1,341	29.6	2,163	36.9	+ 822
EU-26 ³	293	6.5	236	4.0	(57)
Rest of World	2,890	63.9	3,467	59.1	+ 577
World	4,524	100.0	5,866	100.0	+ 577
C- 54/EU—26	4.6 times		9.2 times		

1 Working-age (15–64) population

2 The 54 Commonwealth members (excl. the UK) as at 2010

3 The 26 EU members (excl. the UK) as at 2010

Table 6COMMONWEALTH BY CONTINENT: LABOUR FORCES¹

<i>millions</i>		2010	2050	Change
Commonwealth	in			
Asia		1,038	1,522	+484
Commonwealth	in			
Africa		256	588	+332
Commonwealth	in			
RoW ²		88	97	+9
Total C'wealth		1,382	2,207	+825

1 Working-age (15–64) population

2 RoW = Rest of World

Table 72050 LABOUR FORCES¹: COMMONWEALTH AS A PROPORTION OF WORLD

<i>millions</i>	Asia	Africa	RoW ²	World
Commonwealth	1,522	588	97	2,207
World	3,388	1,311	1,167	5,866
Commonwealth/World	45%	45%	8%	38%

1 Working-age (15–64) population

2 RoW = Rest of World

Table 8Commonwealth Members' Labour Forces¹

<i>millions</i>	2010	2050	Change
India	781	1,098	+317
Pakistan	110	224	+114
Nigeria	86	192	+106
Bangladesh	107	149	+42
Tanzania	24	70	+46
Uganda	17	58	+42
Kenya	22	56	+33
UK	41	44	+3
South Africa	33	38	+6
Ghana	14	30	+15
Mozambique	12	29	+17
Canada	24	26	+2
Malaysia	18	26	+8
Cameroon	11	24	+13
Malawi	8	24	+16
Australia	14	17	+3
16 most populous (above) in 2050	1,322	2,105	+783
39 least populous (not listed) in 2050	60	102	+42
Total: 55 C'wealth members	1,382	2,207	+825

1 Working-age (15–64) population

Table 9SELECTED NON-COMMONWEALTH LABOUR FORCES¹

<i>millions</i>	2010	2050	Change
China ²	979	875	(103)
USA	212	248	+36
Indonesia	156	184	+28
Brazil	132	137	+5
Mexico	73	80	+7
Russia	101	70	(31)

<i>millions</i>	<i>2010</i>	<i>2050</i>	<i>Change</i>
Turkey	51	62	+11
Japan	82	52	(30)
South Korea	35	24	(11)
Switzerland	5	5	(0.1)
Norway	3	4	+0.4

1 Working-age (15–64) population

2 China + Hong Kong and Macao

NOTES AND REFERENCES

1. In *The New Population Bomb*, by Jack Goldstone, George Mason School of Public Policy, in *Foreign Affairs*, January/February 2010 www.foreignaffairs.com. This article also cites a World Bank prediction that “by 2030 the number of middle-class people in the developing world will be 1.2 billion.....larger than the combined total populations of Europe, Japan and the United States”.

2. “The Commonwealth’s structure is based on unwritten traditional procedures, and not on a formal constitution or other code....the Commonwealth is a voluntary association of sovereign independent states, each responsible for its own policies”Declaration of Commonwealth Principles, Singapore, 22 January 1971. Founded in 1931 (though the concept originated in 1884), headquartered in London, the Commonwealth has 55 members, mainly but not exclusively former British dominions and colonies. www.thecommonwealth.org. See also Global Britain Briefing Note No 38, *The Commonwealth: Neglected Colossus?* www.globalbritain.org > Briefing Notes.

3. Growth in labour force is not the only driver of growth in consumer demand, and growth in consumer demand is not the only driver of growth in GDP. Nevertheless, the associations are strong in developed economies, less strong in poor and developing countries.

4. Population Division of the Department of Economic and Social Affairs of the United Nations, *World Population Prospects: The 2008 Revision* <http://esa.un.org/unpp> . This is the world’s most authoritative source of demographic data.

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11 January 2012

Written evidence from Richard Bourne

SUMMARY

The Commonwealth is a multilateral body unlike others to which the UK belongs. Its capacity lies in the network of networks which embrace its 54 member states, its familial connections and shared but contested history. The UK needs to build alliances across regions and levels of development to make it more proactive and effective, and to encourage the Secretary-General to see himself as a strategic leader, calling on bodies outside the small Commonwealth Secretariat to undertake its mission. Within the UK there should be a joined-up and long-term approach to participation, involving the Foreign and Commonwealth Office, the Department for International Development and the Department for Business, Innovation and Skills. Ignorance about the Commonwealth should be combated. The diplomatic value of the Commonwealth for the UK will lie particularly in developing solutions to global issues such as the mitigation of climate change and modernisation of the UN and its agencies, and seeing the Commonwealth as a pacesetter and laboratory for progress. Political leaders in the UK should not be afraid to criticise the Commonwealth, but recognise that other countries will criticise the UK, and should not treat it as an Aunt Sally or historical relic, but a serious 21st century instrument which deserves political and intellectual investment.

RICHARD BOURNE

Is currently Senior Research Fellow at the Institute of Commonwealth Studies, Research Associate for the Commonwealth Advisory Bureau (initially the Commonwealth Policy Studies Unit), and Secretary to the Ramphal Institute, London (the renamed Ramphal Centre) which promoted the Ramphal Commission on Migration and Development, 2009–11. Earlier a journalist, he became Deputy Director of the former Commonwealth Institute, Kensington, 1982–89; and since then has been the first Director of the Commonwealth Human Rights Initiative (now based in New Delhi), a Special Adviser to the Commonwealth Secretariat for the Iwokrama rainforest programme in Guyana (1991–92), co-Director of the Commonwealth Values in Education programme at the Institute of Education, London and simultaneously Director of the Commonwealth Non-governmental Office for South Africa and Mozambique (1995–97), and founder Director of the Commonwealth Policy Studies Unit (now the Commonwealth Advisory Bureau), from 1998 until retirement in 2005. His unpaid posts include four years as Deputy Chairman of the Royal Commonwealth Society and five years as Chairman of the Round Table board, which publishes the Round Table, the

Commonwealth Journal of International Affairs. Books include: “Shridath Ramphal: the Commonwealth and the World” (an edited collection of essays for Ramphal’s 80th birthday in 2008) and “Catastrophe: what went wrong in Zimbabwe?” (Zed Books, 2011). This submission is sent in a personal capacity, not on behalf of the bodies with which he is connected.

RECOMMENDATIONS FOR ACTION

- The UK Government needs a joined-up strategy, involving FCO, DFID and the DBIS, which focuses on long-term diplomatic and political goals where the Commonwealth adds value—these will include climate change and development issues.
- Given that few Commonwealth governments are in a position to increase resources for the Commonwealth Secretariat itself, the Secretary-General should be encouraged to become a strategic leader, with the Secretariat as a strategic hub; he should focus long-running internal task groups on issues which are key for the bulk of member states, and outsource other important questions to competent Commonwealth bodies, assisting them to raise the necessary finance.
- British politicians and diplomats should build alliances with diverse Commonwealth states, recognising changes in world politics and economics; this should take place not only at international meetings, but in regular exchanges of Ambassadors and High Commissioners in non-Commonwealth as well as Commonwealth capitals.
- The Commonwealth Advisory Bureau at London University’s Institute of Commonwealth Studies should be commissioned to carry out regular briefings of officials from FCO, DFID and BIS on Commonwealth issues, analysing the diplomatic and trade potential, and differing perspectives of the UK and key Commonwealth partners.
- The Commonwealth cannot afford to backtrack on its public commitments to democracy, the rule of law and human rights. It is therefore essential that the UK Government, in discussion with friendly governments across the range of the other 53 states, assists the Secretary-General and the Commonwealth Ministerial Action Group (CMAG) to implement the new rules for CMAG in a visible fashion, and find a practical solution to the technical problems raised by the proposal for a Commissioner from the Eminent Persons Group.
- The Commonwealth should be encouraged to put forward solutions to problems of particular seriousness to its members, which also have a global resonance. The Ramphal Commission on Migration and Development, an independent and qualified Commonwealth group which published three reports in 2010–11 under the chairmanship of Mr P J Patterson, a former Prime Minister of Jamaica, set a useful example.
- British politicians should be encouraged to quote and critique the Commonwealth, not to ignore it or stereotype it as some kind of dinosaur. This will raise interest in the media and among younger people. The successes and failures of the Commonwealth are of course successes and failures for the UK, as well as for 53 other nations, and its low-cost, voluntarist traditions reflect historic UK preferences. Commonwealth membership has influenced the UK in eg the establishment of an Electoral Commission, separation of powers which led to removal from judges from the House of Lords, and domestic anti-discrimination policy. The UK Government has now been requested to carry out a civil society consultation for a new Commonwealth Charter by the end of March 2012 following the decision by Heads in Perth in 2011 to create such a Charter.
- A strategy for youth involvement is crucial for the long-term health of the Commonwealth. In the UK there is an immediate opportunity in the upcoming Commonwealth Games in Glasgow in 2014. The FCO, devolved educational administrations, the Royal Commonwealth Society, the Commonwealth Advisory Bureau, the Commonwealth Youth Exchange Council, the Commonwealth Youth Programme and the Commonwealth Games Federation should meet and devise a plan as a matter of urgency.
- The Foreign Affairs Committee should, after every Commonwealth Heads of Government Meeting (CHOGM) invite the Foreign and Commonwealth Secretary and Permanent Secretary (a) to report on the outcome of that meeting and (b) to report on what governments, the Secretariat and other Commonwealth agencies have done to implement previous Commonwealth decisions; in 2013 they can report on the upshot of the work of the Eminent Persons Group, 2011, where many decisions were deferred. The FAC should ensure that at least two of its number attend conferences of the Commonwealth Parliamentary Association, where they should collaborate with colleagues to make the CPA itself more proactive, and afterwards brief the FAC informally on current opinion among Commonwealth parliamentarians.

1. What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

1. The future of the Commonwealth will be determined (a) by the degree to which member governments use it for their national and regional interests (b) by the degree to which the EPG and Perth decisions result in substantive change c) the extent to which younger persons know of its existence and see it as valuable.

2. As a multilateral organisation the Commonwealth, in its political incarnation, depends on being used by several governments for exchange, negotiation and common action; if only one or two were actively involved it would have little value. A perverse effect of the revision of subscriptions to the Commonwealth Secretariat in 1999—by which the subscriptions of the UK, Canada, Australia and New Zealand rose to over 67% of the total—was to diminish the sense of ownership of other states, and to entrench outdated definitions of “developing” and “developed”. Comments with regard to the UK follow below. But it is important that the Foreign Affairs Committee consider how far the Commonwealth is now being used by countries such as India and Pakistan, by African countries such as Nigeria, South Africa and Kenya, by Australia and Canada, and by those 32 states with populations of less than 1.5 million, in evaluating the future from a UK perspective.

3. The opportunities are both regional and international. For example, in the case of human rights and economic recovery in Zimbabwe, whose government left the Commonwealth in 2003, the Commonwealth has deferred to the Southern African Development Community and its successive facilitators, Thabo Mbeki and Jacob Zuma. From 1965–80 the Commonwealth was heavily involved, not always to the pleasure of successive British governments, in pressing for recognised independence on the basis of African entitlement. Whereas Arnold Smith, Commonwealth Secretary-General from 1965–75 sought diplomatic solutions to the civil war in Nigeria, the Commonwealth Secretariat played little part in trying to shorten the recent 20 year war in Sri Lanka.

4. The Commonwealth has important opportunities at the international level, for instance in climate change and the Doha Round. This does not mean that member states’ delegations will necessarily agree with each other, but traditions of collegiality can make possible a calm approach, even when the best that can be achieved is the definition of differences. As Ramphal stated, “The Commonwealth cannot negotiate for the world, but it can help the world to negotiate.” There is always a danger that Commonwealth governments will divide into various factions—developed and developing, African, Asian, Caribbean, small island etc—and decisions at CHOGM summit level are not always followed through in international fora. Limited staffing at the Commonwealth Secretariat, with uncompetitive employment terms, means that it is handicapped in providing relevant support. For example, while the Heads’ meeting at Port of Spain in 2009 produced helpful proposals—for instance for a climate change adjustment fund—in advance of the Copenhagen summit, there was no senior figure from the Secretariat sent to assist Commonwealth delegations there.

5. The Eminent Persons Group report, and decisions taken at the Perth summit, challenged national governments and civil society as well as the intergovernmental institutions—the Commonwealth Secretariat, the Commonwealth Foundation and the Commonwealth of Learning. All were being asked to see the Commonwealth as a more proactive and dynamic network of networks for the 21st century, what HM the Queen, Head of the Commonwealth has described as the pioneering worldwide web. It is not at all clear that governments and Commonwealth civil society bodies have recognised that the challenge is addressed to them also, though as far as the UK is concerned the FAC inquiry should firmly point this out.

6. The Commonwealth Foundation, the small body which promotes civil society, has had a turbulent year in 2011 and will pursue reorganisation under a new Director soon to be appointed. It is likely that the Commonwealth Secretariat, which is producing a new strategic plan in 2012, will make significant changes in response to Perth, focusing on priority tasks, possibly closing one or more divisions, and seeking to respond to the EPG proposals for a Commonwealth Charter and a Commissioner for Democracy, the Rule of Law and Human Rights (see below). The Secretariat’s limited capacity has to be utilised differently. With a staff of around 300, said to be smaller than the number employed by the UN canteen in New York, it has only one professional working on small states issues, seen by outsiders as a unique policy speciality of the Commonwealth. It has only just acquired a second specialist in environmental policy. In the area of development, so significant for the majority of member states where donor agencies like DFID and AusAid have expressed scepticism about the effectiveness of small-scale Secretariat interventions, a completely different approach is required. The Secretary-General should see himself not just as the captain of a small ship, but as a strategist inviting others to take forward issues of importance to the Commonwealth, and assisting them to mobilise the necessary resources; this could include food security, marine fisheries, and the management of mega-cities vulnerable to climate change. Many competent bodies, such as the Commonwealth Telecoms Organisation, the Commonwealth Parliamentary Association, the Ramphal Institute (initially called the Ramphal Centre) the Commonwealth Lawyers Association and the Commonwealth Local Government Forum, would willingly respond. The Secretariat itself should build high-powered teams to focus on international negotiations, like those on climate change, vital to humanity’s survival and the relief of poverty. An isolationist approach by the Secretariat in the 21st century, sometimes mirrored by divisions inside Marlborough House, is completely inappropriate when long-term strategy and persistence are needed.

7. Informing and involving young people in the Commonwealth needs to go far beyond the Commonwealth Youth Programme, to include the provision of knowledge in educational systems—a largely unsuccessful battle in the different curricula in the UK—and an opening up of often elite Commonwealth associations to younger members. The predecessor to the Commonwealth Advisory Bureau, the Commonwealth Policy Studies Unit, ran a series of summer conferences for Masters’ students from 2006–10 and a pilot project for Commonwealth clubs in schools in England, and the Royal Commonwealth Society has run student Commonwealth Heads of Government Meetings; but lack of finance has prevented continuity. The major Commonwealth attraction for younger people is of course the Commonwealth Games, but within the UK its excitement has not been sufficiently utilised for the benefit of Commonwealth understanding. The Manchester Commonwealth Games

of 2002 was accompanied by a Commonwealth Film Festival which soon petered out as an annual event. The Commonwealth Games in Glasgow in 2014 offers opportunities as great as the Olympics in London in 2012, which should not be limited to Scotland; the FCO, in conjunction with the RCS and Commonwealth civil society bodies, should plan a promotion campaign for the Commonwealth in the UK in 2013–14.

2. *What reforms are needed if the Commonwealth is to be successful?*

8. The UK Government, as the biggest contributor to the small Commonwealth budgets, needs to develop a coherent strategy for utilising and building coalitions in the only multilateral organisation established on its initiative and to some extent in its image. If the UK sees the Commonwealth as more important, so will other member states. After the end of the Cold War and of apartheid there was a phase in the 1990s when UK governments saw the Commonwealth as significant for spreading democratisation and human rights and, in the development field, for achieving debt write-off for the poorest countries. There has been no coherent UK strategy in the 21st century so far, apart from encouraging the recent review by the Eminent Persons Group. However this was not designed to advise the UK government, but the Commonwealth as a whole. There is no joined-up strategy embracing the FCO, DFID and the Department for Business. There is no recognition that the Commonwealth is unlike other international bodies to which the UK belongs—the UN and its agencies, the European Union—with a different record and potential.

9. The UK government should build closer relations with key member states which reflect the changing economic and power balance—for instance India, Pakistan, Malaysia, Singapore, South Africa, Nigeria—as well as traditional allies like Australia and Canada. With them, and in conjunction with the Commonwealth Secretary-General, it should work to utilise Commonwealth networks to respond to the global economic crisis, climate change and the frustrations of unemployed young people. It should exploit the convening and thought-leadership roles of the Commonwealth, and its ability to broker international agreements as well as to assist the most vulnerable member states. It will often improve the chances of diplomatic success if other nations take a lead.

10. It should recognise the political and economic significance of the fact that in the second decade of the 21st century there will be four CHOGMs in succession in the Indian Ocean (Perth, Australia, 2011; Sri Lanka, 2013; Mauritius, 2015; Malaysia, 2017); this is a region of 15 member states, in an arc from Australia to South Africa, with some 80% of Commonwealth population, and important economic growth already.

11. The Commonwealth Secretary-General and his Secretariat should refocus on key areas (see above) and outsource certain problems and issues, where the Commonwealth has comparative advantage but the Secretariat will not have capacity. Governments should encourage the Secretary-General to show public leadership, even though inevitably not all governments will be pleased all the time. Too much Commonwealth activity is not only below the radar, and therefore unobserved by media and politicians in member states, but its value is untested. A more public presence will raise the profile of the organisation, and is essential given the revolution in global communications.

12. More should be asked of bodies like the Commonwealth Foundation, the Commonwealth Business Council, the Commonwealth Local Government Forum, the Commonwealth Parliamentary Association, the Commonwealth Telecommunications Organisation, the Commonwealth Human Rights Initiative, the Ramphal Institute which promoted the influential Ramphal Commission on Migration and Development, and the Association of Commonwealth Universities. They may need assistance in raising funds to carry out tasks deemed important for the Commonwealth.

13. If the Commonwealth is a network of networks, it is foolish to expect a small Secretariat to carry the whole weight of reasonable expectation. For example, the Foreign Affairs Committee of the UK should share its current conclusions with other parliamentarians at the conference of the Commonwealth Parliamentary Association, and invite sister parliaments to carry out similar inquiries. Difficult discussions, on issues ranging from homosexuality to migration, can be undertaken by parliamentarians. The CPA can call on governments and Commonwealth agencies for action. In the 1950s the father of Art Donahoe, Canadian Secretary-General of the CPA in the 1990s, toured Nova Scotia on his return from a CPA conference to report on these deliberations to the citizens. There is little evidence that the CPA instrument is being used proactively, or that UK MPs or the FAC are regularly briefed on CPA conference discussions. Commonwealth parliamentarians as a whole, like UK parliamentarians, deserve to be taken seriously.

3. *How does membership of the Commonwealth help the UK achieve its diplomatic objectives?*

14. The UK's membership of the Commonwealth, as with all multilateral bodies, depends on its skill and energy in alliance-building. The FCO only has a small unit focused on the Commonwealth, although this has increased in size since the 2010 election, and it would appear that in practice the FCO interest in the Commonwealth is largely concentrated on the biennial CHOGMs and on interaction with the Commonwealth Secretariat. The efforts of Lord Howell to widen this concern—his understanding of the Commonwealth was enlightened when he chaired the FAC in 1995–96 which produced an influential report on the Commonwealth—are generally appreciated.

15. The Commonwealth's main advantage for the UK is that it can develop diplomatic support for difficult, long-term objectives—for instance on climate change mitigation, more rational approaches to international

migration, the Doha Round, modernisation of the UN and its agencies, maritime, fisheries and resource issues affecting Antarctica. There is evidence that the UN, and its agencies such as FAO, are looking to the Commonwealth to break logjams in international negotiations; they are disappointed when CHOGM statements are not followed through by governments collectively or by the Secretariat, or agencies that can properly represent the Commonwealth. In this respect the range of member countries is a diplomatic strength. One of the disadvantages is that too many still see the Commonwealth as simplistically divided between developing and developed states when in reality the socioeconomic gradations, reflected in different national priorities, are much more complex.

16. The Commonwealth's diplomatic benefit will rise when more politicians and opinion-formers appreciate what it does and can do, and stop discounting it as an Aunt Sally or hangover from an empire which, in the case of South Asia, ended 60 years ago. For example the UK will have much excitement this year when the Queen, as Head of the Commonwealth, celebrates her diamond jubilee and London hosts the Olympics. Few realise the Commonwealth angles here. Because so many Commonwealth leaders will come to the jubilee in early July the Brazilian Government and United Nations have postponed the Rio plus 20 Earth Summit to the end of the month. Without the lobbying at the Commonwealth Games Federation it is unlikely that London would have been awarded the 2012 Olympics in Singapore in 2007. Further, much of the Commonwealth value to UK diplomacy relies on social "soft power" exchange which uses friendships and a common language. In the past Commonwealth ambassadors have met monthly in capitals as diverse as Brasilia and Moscow to exchange notes. British politicians need to speak out about the Commonwealth from knowledge rather than stereotype, criticising it where necessary, but treating it seriously as a living organism.

4. *What benefits does the UK's membership of the Commonwealth bring in terms of:*

(a) Trade

17. The Department of Business, the Commonwealth Business Council and other agencies will provide up to date numbers and perspectives on trade, inward and external investment, and the experience of UK and international firms (including firms based in other Commonwealth countries, such as Tata). Anecdotally the Commonwealth and English-speaking links would appear to be of increasing importance at a time of shifting world economic relations. Sir Ronald Sanders, a Caribbean member of the EPG, has suggested publicly that most intra-Commonwealth trade is restricted to as few as half a dozen states, passing the majority by.

18. However it is not clear that UK international development priorities are always well-aligned with those of FCO, or that DFID yet shares the concern of the FCO and FAC to activate the Commonwealth networks. DFID gives significant aid to some Commonwealth countries, and has had a major influence in the past on UK diplomatic appointments in some African states. Without making the mistake of tying UK aid to UK exports or scholarship priorities, there is inevitably a connection between UK development aid and long-term economic and trade potential. DFID and AusAid have recently carried out critical audits of the development work of the Commonwealth Secretariat and its Commonwealth Fund for Technical Cooperation; they have pointed out that too many interventions are piecemeal, small-scale, lacking in impact or follow-up. The Commonwealth Secretariat has rebutted some of this critique, pointing out the variety of national priorities to which it is asked to respond and its exiguous resources. But for the UK it is important that the DFID should recognise that the Commonwealth, and its agencies and networks, can be a major strategic driver for development with economic benefits for the UK as well as other Commonwealth countries. There is a danger that the DFID, which has worked so hard for some member states, may be losing sight of the value of the Commonwealth as a collectivity.

(b) Promotion of human rights

19. Since the 1991 Harare Declaration the Commonwealth has been a serious player for human rights, in spite of disagreements among governments. Much that the Commonwealth has achieved over the last 40 years, in anti-racism, the promotion of democracy and socioeconomic development can be framed in a rights discourse. The creation of the Commonwealth Ministerial Action Group in 1995, followed by the suspension of several governments where civilian governments had been overthrown by the military, was a pioneering global contribution. The suspension of the civilian Zimbabwe government, followed by its walk-out in 2003 because it could not live up to the requirements of the Harare Declaration, was a turning-point. Unfortunately CMAG did little in the rest of the 2000s and the decision at Perth to make the Group more proactive for human rights, and acceptance that the silence of the Secretary-General is not an option when faced with extreme abuse, suggests a new push forward which the UK should support. The human rights work of the Commonwealth should be closely linked to the needs of CMAG, and the obligations member governments have made to UN and regional conventions.

20. Specifically, the UK should work with a cross-section of member states to strengthen the operation of CMAG, to increase the effectiveness of the "good offices" provided by the Secretary-General, and to make sense of the proposal from the Eminent Persons Group for a Commissioner for Democracy, the Rule of Law and Human Rights. There are a number of technical difficulties in the Commissioner proposal which will need to be resolved this year, but it would be appalling if the Commonwealth backtracked on its long-standing commitments to democracy, the rule of law and human rights. Much propaganda about "Commonwealth values" could be embarrassingly written off. The case for an independent expert to advise CMAG and the

Secretary-General is strong, for CMAG rarely contains such expertise within its own ranks, and the Secretary-General is inevitably subject to political considerations. In this connection the Commonwealth should assist the criticised Sri Lanka government in the area of reconciliation and human rights prior to the 2013 CHOGM; Commonwealth experience from Nigeria, Northern Ireland and South Africa, as well as the Amartya Sen report, “Civil Paths to Peace” could be drawn on.

(c) Promotion of “soft power” and a positive image of the UK

21. Lord Howell, in public, has described the Commonwealth as a “soft power” entity and he is right. It has no military capacity, though there is a good case for a Commonwealth Expert Group on Policing for Democracy and Development, as proposed by two successive Commonwealth Peoples Forums, in 2005 and 2007. It is not a treaty-based association. But because of its range of connections it has much value for the UK if they are utilised systematically by the FCO, DFID and Department for Business working together. Its capacity to promote a positive image for the UK is perhaps more limited, for the UK does not “own” the Commonwealth, and resentment is caused when this is even hinted at. British Council offices and activity in other Commonwealth countries and Commonwealth scholarships and fellowships awarded by the UK are more important here. The impact of the London University external degree programme, and the Open University, should not be overlooked. It is hoped that the FAC will look into the current situation of these cultural/educational links. “Soft power” depends on a greater sense of knowledge and ownership throughout the Commonwealth, which in turn depends on governments and civil society in 53 other states.

22. It would be appropriate to acknowledge the enormous significance of the 60 years of work by the Queen, Head of the Commonwealth, as a personification of service to a positive image of the UK. No other multilateral body has such a position: the UN does not have a “Head” and nor is the President of France accepted as “Head” of la Francophonie. Her success has, however, underpinned a continuing confusion between the Commonwealth of Nations and the “British Commonwealth” which it replaced, and the Headship has more meaning in some countries than others. The end of this reign will lead to much soul-searching about the role of the UK in the Commonwealth. Her successor will only be Head of State in a minority of countries, whereas at her accession only India was a republic.

5. What direct benefits does the Commonwealth bring to citizens of the UK and other Commonwealth countries?

23. Certain other Commonwealth countries provide visa-free entry to UK and citizens of other Commonwealth countries, but these rights are often not reciprocated, causing animosity. For example Jamaicans have to queue for visas to come here, whereas UK citizens do not need visas to visit the island. Citizens with specific interests—notably sportspeople who compete in the Commonwealth Games—are able to join Commonwealth networks and associations of various kinds, but too many of these are small, elitist, underfunded and little-known. Commonwealth citizens who travel in other member states benefit from familiarities in language, customs and procedures. Some more imaginative proposals to bring the Commonwealth alive to citizens have been stymied. For example Derek Ingram, doyen of Commonwealth journalists, wrote a critical report on Commonwealth information for the Secretariat, travelling over 70,000 miles in 1997–99, and recommended a “Commonwealth card”, comparable to a credit card with certain benefits attached. The proposal was not adopted.

6. What role and status does the Commonwealth should the British Overseas Territories and Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?

24. At present these territories are usually represented by the UK government at Commonwealth meetings, even though in population and wealth they may exceed small sovereign states. It is difficult to see how this situation can be altered unless they gain a recognised independence, for a key point of the modern Commonwealth is that it was established by states which were once colonies and are now sovereign. At some Commonwealth meetings, for instance the conference of Commonwealth Education Ministers, delegations from the Overseas Territories come with UK delegations. It should be a matter for negotiation between the UK and these territories as to how best to represent their interests. There is obviously a danger that they could be overlooked. Devolved administrations within the UK face some of the same difficulties at Commonwealth meetings. Although the Eminent Persons Group was specifically tasked by leaders in 2009 to make recommendations affecting ministerial meetings, these were brushed aside at the Perth summit.

Written evidence from Sir Peter Marshall, KCMG CVO

Will you permit me, as someone with many years of direct involvement in Commonwealth affairs, to express to you my delight that, in spite of your many other concerns, you have launched an inquiry into the Role and Future of the Commonwealth?

The present is a difficult context in which to form any long term judgment.

The Eminent Persons Group have produced the most far-reaching, comprehensive and detailed survey of Commonwealth activities ever submitted to Heads of Government. Thus it cannot be altogether a matter of surprise that there was caution in Perth. Time, moreover, is an essential ingredient. The question is whether there is sufficient momentum to carry forward the reshaping of the Commonwealth to meet the requirements of the 21st century. A longer perspective can help to provide the answer.

This is not to say that the Commonwealth should always proceed at the most cautious intergovernmental pace. Its evolution has been largely based on the talents, commitment and imagination on a handful of leaders, as witness the Imperial Conference of 1926, leading to the Statute of Westminster of 1931; the Commonwealth backing of The Smuts initiative for an inspirational Preamble to the United Nations Charter; and—above all—the adoption, at the Prime Ministers' Meeting of 1949, of the formula whereby India remained in the Commonwealth on becoming a republic. The United Kingdom has shown itself capable of providing such leadership now.

FOUR BACKGROUND CONSIDERATIONS:

1. It used to be said of the Commonwealth that it is a ruminant rather than a carnivore. This is an exaggeration. But it is useful to recognise that the Commonwealth lives by the consensus implicit in its organic quality. It is not therefore readily given to the acceptance of intergovernmental obligations more attuned to treaty-based organisations. Much has already been achieved in this regard which puts the Commonwealth ahead of other international organisations.

2. One of the great strengths of the Commonwealth is that much of the running is made by the non-governmental entities. Their liaison with the official Commonwealth is close and fruitful. But the sovereignty so closely cherished by governments means that it may take time for common perceptions and aspirations to find full official intergovernmental expression.

3. A great deal of international activity is now concerned with Human Rights on their broad definition, epitomised in the portmanteau term "Human Security". It has long been the case internationally that the *Promotion* of Human Rights is more harmonious and more rewarding than the *Protection* of Human Rights. That there may be a gap between the two is no reason to diminish the pursuit of the former.

4. In as far as the Commonwealth seeks to give a world lead in this area, perhaps we should concentrate on some particular aspect of the question of Human Rights. The record suggests that the role of women would be particularly appropriate. The Commonwealth theme for 2011 was "Women as the Agents of Change". The 2011 Commonwealth Lecture delivered by Sonia Gandhi was historic.

THE "INTERNAL" COMMONWEALTH

Much of the discussion of the Commonwealth concentrates on the relations *between* member countries, rather than on its significance *within* them individually. The growing "internal" significance for the United Kingdom was well illustrated in the celebrations of the Golden Jubilee Year in 2002. This will surely prove to be the case again in the Diamond Jubilee, on which it is most encouraging that the Committee is so fully focussed.

Commonwealth Deputy Secretary-General, 1983- 1988.
Chairman, Royal Commonwealth Society, 1988–1992.
Chairman, Joint Commonwealth Societies' Council, 1993–2003.

16 January 2012

Written evidence from Commonwealth Scholarship Commission in the United Kingdom

EXECUTIVE SUMMARY

- This submission concentrates primarily on key questions that relate to the work of the Commonwealth Scholarship Commission in the United Kingdom, rather than seeking to address all of the issues posed by the Committee in depth.
- The most effective Commonwealth activities demonstrate reciprocity, partnership, and relevance.
- It is important that the activities of the Commonwealth are genuinely Commonwealth wide. In the case of Commonwealth Scholarships, it is important that these are available to citizens of developed, as well as developing, Commonwealth countries.

- Commonwealth activities also need to be relevant to individuals, in particular the next generation. Commonwealth Scholarships, particularly focused on individuals who aspire to become leaders in their respective professions, closely meet these needs, as well as bringing clear benefits for both home and host country.
- The established track record and Commonwealth branding of these scholarships give them additional prestige, and recognition, which could not easily be re-created if lost.
- For many Commonwealth activities, there is a need to ensure that goodwill and recognition are converted into practical benefit—for the UK, other member states, and the Commonwealth itself. For these benefits to be realised, funding is important, as well as raising the profile of Commonwealth branding in all relevant activities, and ensuring that government agencies remain open to utilising the goodwill and expertise available in their wider activities.

INTRODUCTION

1. The Commonwealth Scholarship Commission in the United Kingdom (CSC) is a UK Non-Departmental Public Body, established by Act of Parliament. Our lead department, and major funding body, is the Department for International Development (DFID), but financial support has also been provided in the current year by the Department for Business, Innovation and Skills (BIS), the Scottish Government, and the Foreign and Commonwealth Office (FCO), in addition to substantial in-kind support from UK universities. Government support in 2011–12 will total approximately £19.8 million, making Commonwealth Scholarships one of the largest direct contributions that HMG makes to a Commonwealth-branded activity. Over 17,000 individuals, from every Commonwealth country, have been awarded Commonwealth Scholarships or Fellowships by the CSC.

2. The role of the CSC is to manage the UK contribution to the international Commonwealth Scholarship and Fellowship Plan (CSFP). The CSFP was established by Commonwealth Education Ministers in 1959 to provide a framework through which member countries could (at their discretion) offer Commonwealth Scholarships and Commonwealth Fellowships to citizens of other member states. The UK is the largest contributor to the Plan, but by no means the only one. Commonwealth Scholarships are also offered by and held in Botswana, Brunei Darussalam, Canada, India, Jamaica, Malaysia, New Zealand, South Africa, and Trinidad and Tobago, funded by governments or universities in the countries concerned. In 2011, Commonwealth Scholarships and Fellowships were also held in Kenya, Nigeria, Mauritius, Samoa, and Tanzania, with support for the first time from a new CSFP Endowment Fund, established to mark the 50th anniversary of the Plan.

SCOPE OF OUR SUBMISSION

3. Our submission is intended to add further detail about the CSC's work to the supportive mentions contained in the submission from HMG, which we acknowledge. We also acknowledge the significant support of both the current and previous Governments, both of whom have extended funding following a period of decline in the previous decade.

4. In view of the above, our submission concentrates primarily on key questions that relate to the work of the CSC, rather than seeking to address all of the issues posed by the Committee in depth.

What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

5. The CSC strongly endorses the comment of Lord Howell, cited in the main HMG response, that the Commonwealth represents “the soft power network of the future”. In our dealings with both other national governments and individuals, we are struck by the *distinctive* role that the Commonwealth is seen to play. Our impression is that this role is recognised much more strongly in many other member states than the UK, and, once lost, would be impossible to re-create amongst such a diverse group of countries.

6. This relationship cannot, however, be taken for granted. In this context, we would urge that future policy take account of the following principles, each of which relate closely to our own work.

- (a) *Reciprocity*—It is important to re-assert the role of the Commonwealth in promoting the flow of knowledge, mobility, and other benefits *between* member states, rather than as a *one-way* mechanism for transfer between north and south. It is, therefore, important that, under the CSFP, almost 1,000 UK citizens have had the opportunity to study abroad—many in developing country locations unlikely to be available through any other route.
- (b) *Partnership*—CSFP awards are distinctive in that both home and host countries are involved in the selection process. While a constant need exists to review precise methods to take advantage of new technology, we believe this concept adds greatly to mutual understanding.
- (c) *Relevance*—A constant need exists for Commonwealth activities (including scholarships and fellowships) to embrace new participant groups. In our case, this has been achieved by introducing new forms of short awards for mid-career professionals, and awards by distance learning for those unable to leave their jobs and countries. These supplement our traditional

academic awards, which continue to play an important role in our provision. We also seek to ensure, through the use of nominating agencies in partner countries, that the scholarships and fellowships we offer are indeed relevant to their needs.

7. If the Commonwealth is to retain its coherence and identity, it is also important that its activities are genuinely Commonwealth wide. It should be recognised, for example, that although the Commonwealth provides an excellent route for international development activity, its potential extends beyond this. In the case of Commonwealth Scholarships, it is important that these are available to citizens of developed, as well as developing, Commonwealth countries. We value the important role that BIS has played in funding scholarships for citizens of those countries outside DFID's legal remit, thus maintaining the role of Commonwealth Scholarships as a genuinely Commonwealth-wide programme.

8. Most significantly, Commonwealth provision needs constant refreshment to make sure that it is *relevant to individuals, in particular the next generation*. The provision of scholarships, particularly focused on individuals who aspire to become leaders in their respective professions, closely meets these needs, as well as bringing clear benefits for both home and host country, as described below

What direct benefits does the Commonwealth bring to citizens of the UK?

9. We welcome recognition of the trade benefits which the Commonwealth brings to the UK, and particularly recognition of evidence that the CSC contributes to the public diplomacy aims of the FCO and wider government. We do not aim to replicate this wider evidence in this section, but to supplement it with additional evidence from our own evaluation activity.

10. Strong evidence exists to confirm both that Commonwealth Scholars rise to positions of influence following their awards, and that they maintain contact with the UK while doing so. We are at present in contact with some 7,700 of our alumni. Despite the natural bias towards more recent alumni, over 200 have already been identified as reaching the rank of Cabinet Minister, Permanent Secretary, High Court Judge, Central Bank Governor or University Vice-Chancellor. In responses from over 2,200 alumni to a recent survey, over 40% claimed to have influenced policy in their home countries in some way (most citing examples) and 25% had held some form of public or elected office. 92% maintained links with the UK to at least some extent. This went beyond social contact and communication with their host university, to include significant numbers who maintained contact as part of their work (55%) and with UK professional associations (50%). Such benefits are widely recognised by other European countries. A recent study demonstrates that other European countries, most notably France and Germany, are significantly more generous than the UK in encouraging international study amongst citizens from countries with which they share close historical ties.¹⁶

11. This contact arises naturally from the development of close working relationships and experiences while in the UK. We are, however, aware of the need both to further evaluate the impact, and to use such connections systematically where possible. On the former issue, the CSC commenced a programme of evaluation in 2007. During the current funding phase (2011–2015) we seek to expand this, with the full engagement of DFID evaluation specialists to drill further down into the detailed impact of our awards over time. In so doing, we believe that the UK is amongst the leaders in this field; indeed, we are hosting an international seminar on the evaluation of scholarship impacts in March 2012.

12. Much is being done to ensure that the goodwill and expertise generated by our awards is available to government and other UK organisations. High Commissions and DFID country offices have lists of alumni in their respective countries, and a searchable alumni index (updated annually, and including career profiles as well as names) is available on the web at <http://bit.ly/cscuk-online-directory>. Award holders are strongly encouraged to participate in Commonwealth-related activities in the UK and on their return home. Expertise is also made available to other UK government departments. For example, the CSC has recently recommended four alumni to undertake independent analysis of the Development Partnerships in Higher Education (DePHE) programmes in their home countries for DFID.

13. Commonwealth links are important in supporting and sustaining higher education systems in Commonwealth countries. In the UK, the CSC in particular plays a role in the drive to ensure that the UK higher education sector retains its place as a world leader. This is currently recognised by both BIS—which has confirmed level cash support for Commonwealth Scholarships (although a reduction from previous FCO funding)—and individual host universities, which contribute significantly towards fees. Both recognise the high academic standard of award holders—a fact confirmed by our analysis of success and completion rates. Many examples are available of high-quality ongoing joint research that has continued well beyond the period of the award (see Appendix 1, case studies 1–3).

What direct benefits does the Commonwealth bring to citizens of Commonwealth countries?

14. Although the UK offers Commonwealth Scholarships to citizens of all other Commonwealth countries, the existence of DFID as our main sponsor ensures that development benefit is critical to our selection and evaluation. The likely development impact of an award ranks equally with academic merit in our selection

¹⁶ Kenneth King, "The Aid Politics of Overseas Scholarships and Awards", *Norrag News*, 45 (2011), 10–15

criteria. The involvement of national governments in the process also serves to ensure that national priorities are taken into account.

15. The alumni survey cited above provides encouraging evidence of such benefit. Contrary to some expectations of international scholarships, it confirms that the overwhelming majority (between 85–92%) return home. Of the remainder, a high proportion are working on projects directly relevant to their home countries, either in international organisations or at a “northern base” (see Appendix 1, case study 4).

16. As cited above, our awards are spread across a wide range of occupations and social groups, with significant numbers working in both the public and private sectors. Alumni surveys confirm, however, that academic positions remain by far the single most popular career destination. This fits with several of the questions set out by the Committee. Alumni career profiles show that many are engaged to undertake projects for their own governments. Academics are certainly likely to advance public diplomacy objectives; most will teach thousands of students over their careers, and they are also one of the most likely professions to develop independent (and often critical) thought, and pursue issues such as human rights. In recent years, there has also been a welcome shift in international recognition of the role that universities can play in development. In order to perform this role, given ever-increasing demand from students, developing countries report an urgent and continuing need for high-level qualifications. Commonwealth Scholarships play a particularly important role in meeting this need—and did so even when, as for much of the 1990s and the first half of the last decade, higher education was not regarded as a priority by the international development community.

17. Although the CSC is not able to fund significant post-award support, our alumni activity seeks to ensure continuing networking amongst those with similar professional interests. Alumni have the opportunity to join a range of *professional networks* (in Agriculture and Rural Development, Education, Economics and Finance, Environment, Gender, Law and Governance, Public Health, and Science and Technology), which are maintained mostly via electronic means. Increasingly, too, contact is being established with other Commonwealth associations as a means of utilising the expertise of alumni. Several Commonwealth professional associations—for example, the Commonwealth Broadcasting Association, the Commonwealth Foundation, and the Commonwealth Telecommunications Organisation—have used our Commonwealth Professional Fellowship programme to bring contacts to the UK. The Royal Commonwealth Society was represented at the launch of our new alumni chapter in Kenya, and has continued to develop links; one of our former Commonwealth Scholars is Chair of the Royal Commonwealth Society branch in Cameroon.

CONCLUSION

18. Commonwealth Scholarships benefit both home and host countries. Their established track record and Commonwealth branding give them additional prestige, and recognition, which could not easily be re-created if lost. Most importantly, they play a significant role in refreshing knowledge of the Commonwealth amongst new generations. It is not surprising that the Commonwealth Secretary-General has cited Commonwealth Scholarships and the Commonwealth Games as being the most “recognisable” forms of Commonwealth activity amongst individual citizens. It is no exaggeration, we feel, to say that without such activities, knowledge of and affiliation with the Commonwealth would decline rapidly.

19. As with many Commonwealth activities, there is a need to ensure that goodwill and recognition are converted into practical benefit—for the UK, home countries, and the Commonwealth itself. Our increasing alumni, evaluation, and networking activities cited above play an important role, as does our increasing contact with other Commonwealth professional groups. For these benefits to be realised, in addition to continuing its funding for the programme, the UK Government should also raise the profile of Commonwealth branding in all relevant activities, and ensure that its agencies remain open to utilising the goodwill and expertise available in their wider activities.

Commonwealth Scholarship Commission in the United Kingdom

APPENDIX 1

CASE STUDIES OF COMMONWEALTH SCHOLARS AND FELLOWS

1. Dr Buba Ibrahim Ahmed is a senior lecturer in crop production at the Abubakar Tafawa Balewa University (ATBU) in Nigeria. He held a Commonwealth Academic Fellowship at Swansea University in 2006, and with his Swansea counterpart was awarded a DelpHE grant in 2007 for collaborative research work.

The DelpHE project, of which he was lead partner and coordinator, involves developing an environmentally-friendly alternative to chemical pesticides for the control of major arthropod pests of crops in Nigeria, and is linked to the seventh Millennium Development Goal, to ensure environmental sustainability.

2. Dr Bernard Chove is a former Commonwealth Academic Scholar from Sokoine University of Agriculture in Tanzania. He undertook his PhD in Food Engineering at the University of Reading between 1997 and 2001.

“Upon completion of my award I became actively involved in both basic and applied research and I have maintained links with my supervisors and the University of Reading in general. Together we have published two scientific papers after my graduation. On the applied research front I have been involved in several projects aimed at poverty reduction in the lower income sectors of populations. The most successful ones include the

training of pastoralists in one district on the preservation of meat by solar drying and smoking. Another successful ongoing project involves women street food vendors in two municipalities. We have managed to train them on hygiene, basic bookkeeping and meal planning."

3. Dr Mohammad Nazrul Islam held a Commonwealth Academic Fellowship in Fluvial Morphology at the University of Hull in 2006. During his Fellowship, he looked at the interactions between climate change, deforestation, land erosion, and flooding. In the same year, he was promoted to Professor at Jahangirnagar University in Bangladesh, where he still works, and from where he maintains links with the Department of Geography at Hull. With areas of Bangladesh particularly prone to flooding, with often devastating and far-reaching consequences for communities, his knowledge and experience in this field is highly relevant in both his professional and charitable activities.

"Currently, I am working as an environmental expert in different projects at home and abroad. I am also involved in different professional and voluntary activities with some NGOs and sociocultural organisations. I am now leading a partnership between the Department of Geography and Environment at Jahangirnagar University, Bangladesh, the Department of Geography at the University of Hull, UK, and Unnayan Uddog, an NGO in Bangladesh, aiming to carry out an action research on the subject of food security through community food banks and employment generation. This work is focused on the natural disaster-prone areas in Bangladesh and is aiming to contribute to the Millennium Development Goal on food security and poverty alleviation. The project also aims to increase income and employment in the non-formal sectors by diversifying occupations through training and micro-credit with priority for women's empowerment."

4. Professor I M Dharmadasa was a Commonwealth Scholar at the University of Durham in 1977, studying for a PhD in Solid State Electronics. After completing his award, Dharme returned to his university in Sri Lanka but, after four years as a Lecturer, his research interests in solar energy brought him back to the UK. He is now Professor of Electronic Materials and Devices at Sheffield Hallam University, specialising in research into solar panels. This has had a big impact on his home country, where he has launched a solar energy project called "Solar Village".

The project, which evolved from Dharme's work with five local universities, was initially aimed at building knowledge and experience in solar energy research in Sri Lankan universities and promoting renewable energy applications in the country. The pilot, in Kaduruwewa village in the Kurunegala District, used solar energy to power pumps used for water supply. Switching from diesel pumps saves money for the villagers, which can be redirected into community improvements, such as better education. An important feature of the Solar Village project is that communities are encouraged to work together to improve the environment and agriculture of their area, also facilitating community development.

"Another key feature of this Solar Village is that one of the local universities adopts this cluster of villages to guide the development of that society. The concept can be applied anywhere in the country, but individual projects within the community will vary according to the local requirements and available natural resources. Nigeria has already recognised the "Solar Village" as a very suitable social development project for their country. This project satisfies three millennium goals, namely; clean water, clean environment and reduction of poverty."

19 January 2012

Written evidence from Professor Richard Crook

SUMMARY

1. This Submission by Professor Richard Crook:
 - Highlights Public Sector Development as an area of significant potential for the Commonwealth.
 - Identifies specific comparative advantages for the Commonwealth in undertaking Public Sector Development work.
 - Makes recommendations on areas where the Commonwealth should focus its efforts.

SUBMITTER

2. Professor Richard Crook was formerly Emeka Anyaoku Professor of Commonwealth Studies and the Director of the Institute of Commonwealth Studies (University of London). He is a political scientist with special interests in Commonwealth institutions and Commonwealth countries, notably regarding socio-legal studies, public service reform, decentralisation, the role of transnational non-governmental public actors in policy making, and access to justice and land rights particularly in West Africa and South Asia. He is currently a Professorial Fellow in the Governance Team at the Institute of Development Studies.

SUBMISSION

3. Many Commonwealth countries face challenges in their public sectors including limited resources, a lack of trained officials in key areas, corruption, weak policy environments and a lack of knowledge and technology

to provide effective public services. Institutional and resource constraints severely limit members' capacity to sustain development, reduce poverty and achieve the Millennium Development Goals.

4. For leading and influencing the governance agenda and specifically public sector issues in developing countries, the Commonwealth occupies an unparalleled position, which in the main has been underexploited.

5. The common heritage in public administration and public law enjoyed by all Commonwealth Members is perhaps more important than other attributes such as "democracy".

6. This provides a strong foundation for co-operation and South-South learning.

7. The Commonwealth also provides a unique international forum for North-South relations, in which leadership is provided not by one of the former colonial powers or the USA, but by the largest emerging powers such as India (which hosts key Commonwealth institutions) and where there is equality of respect. Individual "old Commonwealth" developed countries such as Canada, Australia and New Zealand also play key roles in engaging with development issues in their sub-regions (eg public procurement in the Pacific island states and the Caribbean).

8. Public Sector Development is crucial in the Commonwealth for delivering both democracy and development. The public services underpin democratic legitimacy, effective public authority and responsive public administration, factors that together promote sustainable development, political stability and economic growth.

9. Governance deficiencies are often primarily political and so public sector reform can rarely be resolved through technical assistance alone. Recognising that the Commonwealth Secretariat has limited financial resources but considerable political influence and access, it is best placed to make a significant difference to development outcomes by supporting "best fit" reforms through facilitating the "political will" to build an effective public sector.

10. I believe the comparative advantages of the Commonwealth Secretariat in working on international development to include:

- (i) Trusted partnership with its membership as the Commonwealth has no vested personal or organisational interests—it is important to note that our development work is paid for by a mutual fund that all recipients contribute to, so there is genuine country "ownership"; the UK no longer acts as a former "imperial master"
- (ii) Convening power as other agencies may not be so trusted;
- (iii) Ability to foster communities of practice and South-South learning, by making the most effective use of networks for brokering exchange of ideas and practice between member countries; indeed the most important aspect of the Commonwealth and the feature that gives it continued vitality, is its rich network of civil society and professional associations (all using the English language), which is arguably as significant as the formal or official government to government relationships (eg the Commonwealth Local Government Forum, the Commonwealth Lawyers Association, the Commonwealth Human Rights Initiative, the Commonwealth Parliamentary Association).
- (iv) Helping small and vulnerable member states that are neglected by others;
- (v) Rapid response in a manner that large aid agencies—both bilateral donors and the international financial institutions—often cannot provide; and
- (vi) Seed-funding good ideas, which can then be taken up by major funders.

11. On the basis of these comparative advantages, it is therefore recommended that the Commonwealth Secretariat focus its efforts on:

- (i) Tackling political sensitivities that donors and other development agencies cannot address, prioritising activities where the Commonwealth Secretariat has a comparative advantage, notably tackling politically sensitive "state-building" reforms like public sector reform;
- (ii) Responding promptly and professionally to its membership's concerns and to CHOGM mandates;
- (iii) Nurturing networks—especially advancing South-South learning of "good fit"—not "best practice"—approaches that are now recognised as being most effective in promoting reform; and
- (iv) Championing the unique problems of improving governance in the smaller poorer more vulnerable countries of the Commonwealth including Small Island and landlocked states.

12. Of all the areas of development activity therefore, given these comparative advantages and as a political membership organisation, the commonalities in public administration suggest it should be one of the foremost arenas for practical action in the Commonwealth.

Written evidence from the Association of Commonwealth Universities

EXECUTIVE SUMMARY

- Education is an area in which the Commonwealth can make a direct and lasting improvement to individual lives, through, for example, scholarships, exchanges, and networks.
- This submission reflects the ACU's perspective on tertiary education, but the values, principles, and practical changes which Commonwealth links enable could also apply to educational cooperation at other levels.
- The Commonwealth Scholarship and Fellowship Plan (CSFP) stands as one of the Commonwealth's most well-known and prestigious activities. Over 29,000 Commonwealth Scholars and Fellows across the Commonwealth have benefited from the CSFP since 1959.
- One way of enhancing the Commonwealth's value would be to connect the various ministerial-level meetings where there are overlapping policy agendas—for example, in issues of trade, employment, and immigration, all of which relate to education policy.
- Educational links and diplomatic objectives are complementary. Academic collaboration and mobility helps to create intellectual and cultural ties that in turn link closely to diplomatic ones, just as effective diplomatic connections facilitate contacts (and markets) in education.
- Respect for human rights—a core value of the Commonwealth—is linked to support for and achievement in education. Supporting the development and capacity of tertiary education through collaboration and mobility can therefore have a powerful impact on the values which societies adopt.
- The Commonwealth's future depends on the young and on the development of strong and enduring links based on cultural understanding, intellectual exchange, and promotion of the core principles embodied by the Commonwealth. The tertiary sector acts as an important avenue for achieving these objectives

THE ASSOCIATION OF COMMONWEALTH UNIVERSITIES (ACU)

1. The ACU is a membership association of 533 higher education institutions (HEIs) across the Commonwealth; currently two-thirds of its members are based in Africa and Asia. Established in 1913, the ACU is the oldest international inter-university network in the world, with nearly a century's experience of promoting academic links and international educational cooperation.

2. The role of education, at all levels, has always been an important focus for the Commonwealth. The first Commonwealth Education Conference was held in 1959 and since then international mobility and collaboration in education has increased rapidly, helping facilitate greater connectivity across the Commonwealth. At a time when international relations and networks are critical to the national interest, educational links are central to both the role and the future of the Commonwealth. Moreover, education is an area in which the Commonwealth, as a supportive network, can make a direct and lasting improvement to individual lives. The following reflects the ACU's perspective on tertiary education, but the values, principles, and practical changes which Commonwealth links enable could also apply to educational cooperation at other levels.

INTRODUCTION

3. For many years, the UK has valued and benefited from its academic links with countries in the Commonwealth. Many university systems were modelled on the UK's own, often with similar governance structures, entry requirements, pedagogic models, and exam systems. The official language of instruction in most Commonwealth tertiary systems, and indeed in which much research is disseminated, is English. These structural and linguistic ties have encouraged and sustained enduring links and mobility between the UK and other Commonwealth countries. The increasingly international character of tertiary education and the well-established arguments around its development impact make it an important vehicle for strengthening the ties within and reinforcing values espoused by the Commonwealth.

4. In recent years, the tertiary education ties between the UK and the European Union (EU) have been prioritised. Provisions for fees, visas, credit transfer, scholarships, fellowships, and collaborative research funding, reinforced by the Bologna Process, have all supported greater mobility and academic linkages within the EU. Yet many Commonwealth countries, and their schemes for reciprocal exchange which would benefit the UK, have not received comparable support. Recent decisions to control student migration could also affect talent flows from particular regions.

5. Currently there is already significant activity aimed at supporting tertiary education within the Commonwealth—some through established organisations and systems, others through informal but no less influential links. Examples include:

- (a) The Commonwealth Scholarship and Fellowship Plan (CSFP), on which there is a separate submission from the Commonwealth Scholarship Commission in the UK, emerged from the first Commonwealth Education Conference and has had a powerful impact at an individual and institutional level—from careers in government, business, and the third sector to joint research and shared academic projects. Educational scholarships cover not simply the exchange of staff/

students, but also the fostering of research interests, and mid-career and professional study opportunities. Over 29,000 Commonwealth Scholars and Fellows across the Commonwealth have benefited from the CSFP since 1959; the substantial indirect impact through the spread of values, sympathies, and cultural/intellectual exchange, as well as the direct benefits of individual career development, has been analysed in a series of regional and sector-based evaluation studies.

- (b) At undergraduate level, opportunities for student exchanges have been supported, since 1993, through the Commonwealth Universities Study Abroad Consortium (CUSAC).
- (c) In terms of higher education management, the increasing need for comparative assessments of universities has been realised through regular benchmarking workshops organised by the ACU.
- (d) Since 1985, the ACU's Gender Programme has sought to enhance and support the participation of women in the leadership and management of higher education.
- (e) Several professional networks have also been developed by the ACU in recent years; these link university staff involved in research management, human resources, communications, libraries, and graduate employment Commonwealth-wide.
- (f) Separately, the work of the Canada-based Commonwealth of Learning (COL) has promoted open and distance learning across the Commonwealth, facilitating greater flexibility and greater reach of education at all levels.

What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

6. As noted, there are many links and partnerships between the UK and Commonwealth countries in the field of tertiary education. There could, however, be more coherence between Commonwealth activity at ministerial level and programmes and initiatives that happen on the ground; these, after all, present a visible and tangible profile of what the Commonwealth is and does. The opportunities for the Commonwealth to enhance its relevance by building on and actively supporting tertiary sector relationships are many and varied.

7. At a practical level, continued commitments to scholarship and fellowship schemes, particularly those such as the CSFP—the only Commonwealth-wide award programme—represent an important and enduring role for the Commonwealth. The continuing value of such investment is substantial, and the lead which the UK gives can inspire further support from other Commonwealth governments.

8. The role which the Commonwealth Fund for Technical Co-operation (CFTC) can play, whether through regional or professional associations, development-related schemes, or directly through educational institutions, is likewise significant—education is an aspect of many CFTC initiatives.

9. The prominence which tertiary education as a means of economic and social development is now receiving at policy level (spearheaded by the World Bank's renewed commitment to tertiary education) represents an opportunity for the Commonwealth, given its role in development and the significance of student mobility between Commonwealth states.

10. The revival of cooperative programmes, such as that represented in the past by the Commonwealth Higher Education Support Scheme (CHESS) would be just one way of promoting and maintaining the value of higher education.

11. At an administrative level, one way of enhancing the Commonwealth's value would be to clarify, and so connect, the different roles of the various ministerial-level meetings (education, finance, health). Since education policy now extends to issues of trade, employment, immigration, health, and IT, among others, there is an argument for some of the ministerial meetings to be more flexible and complementary. Linking their agendas to other meetings, whether international (for example, the G8, G20, EU) or donor-led (World Bank) conferences, could help promote the perspective of the Commonwealth outside its own network.

12. Support for ongoing research and analysis as a way of informing reform, not simply through one-off or commissioned reports for specific meetings, may also support incremental and achievable change. This approach would also allow for input into the issues which the Commonwealth could recognise as priorities and needs. The involvement of focused working groups could be encouraged.

Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?

13. Events such as CHOGM and the Conference of Commonwealth Education Ministers (CCEM), and its equivalents for other sectors, are very good at putting forward and promoting the values of the Commonwealth and presenting it as an international, rather than London/UK-centric, organisation. They also provide particular opportunities for smaller nations to have a voice and work together (for example, small island states). However, it is in the programmes, initiatives, and organisations it supports that the Commonwealth will find purpose and tools for realising those values.

14. The report of the Eminent Persons Group to CHOGM recommended that greater attention should be given to youth in the Commonwealth, recommending the creation of a Commonwealth Youth Corps. It also emphasised the importance of the CSFP, while lamenting the lack of participation from countries outside of the UK, arguing for a centralised body to coordinate and support the Plan more widely. This role of supporting young people and helping to nurture future leaders in a range of fields would seem vital to the future role, relevance, and survival of the Commonwealth (especially as nearly half of those living within it—almost one billion—are under 18).

15. CHOGM and the other ministerial conferences have an important role to play in setting the agenda, and also in hearing and being informed by practitioners on the ground. Examples from the CCEM include the establishment of parallel streams which represent the views of different interest groups, such as teachers, vice-chancellors, students/youth, and civil society. Translating these agenda-setting meetings into positive actions is an important challenge for both the ministers and the Commonwealth Secretariat.

16. From a UK perspective, partnerships with other areas of government (for example, initiatives of the Department for International Development or the Department for Business, Innovation and Skills) could operate effectively through mechanisms of Commonwealth. Presenting and branding existing activities that link the UK with other Commonwealth countries under the Commonwealth banner will be an important part of building awareness and support for the Commonwealth in the long term.

How does membership of the Commonwealth help the UK achieve its diplomatic objectives?

17. Educational links and diplomatic objectives are complementary. Academic collaboration and mobility helps to create intellectual and cultural ties that in turn link closely to diplomatic ones, just as effective diplomatic connections facilitate contacts (and markets) in education. The Commonwealth complements powerful multilateral institutions (such as UNESCO and the World Bank), regional groups (such as the African, Caribbean and Pacific Group of States (ACP) and the EU), and NGOs with defined professional or subject interests. As a network it can overlap with these, with a particular role in reflecting the positions of some of the smaller and more marginalised countries in the global landscape (some 32 of the Commonwealth's members are small states).

18. There are opportunities to expand and promote UK education across the Commonwealth through greater student and staff mobility. The many direct benefits of such educational links are well established, not least greater cultural understanding and reinforced intellectual and cultural ties between the Commonwealth's many diverse countries. Moreover, education partnerships and collaborations not only enrich the UK tertiary sector, but also help strengthen tertiary sectors elsewhere. This is perhaps especially important in low-income and emerging economies, where tertiary education has a special role to play in contributing to social and economic development.

19. Through the tertiary sector, the Commonwealth is well placed to promote and encourage diplomacy through science, research collaboration, and academic engagement, particularly as a voluntary association of independent states. This is particularly important when many policy issues and research challenges are now global, for example, climate change, public health, food security, national security, and health. Moreover, the opportunity to retain or even develop contacts between countries when more formal ties have been cut is one which education can realise, perhaps uniquely. Research links can continue informally, using current media, whether based on established networks or projects held in common. The ACU has had an added strength in this respect, in that its members are university institutions not states, allowing some form of academic support, and a valuable perspective, to be maintained in countries where diplomatic ties have been weakened or withdrawn altogether (Zimbabwe represents one notable example).

What benefits does the UK's membership of the Commonwealth bring in terms of trade?

20. The tertiary education ties in the Commonwealth have both a direct benefit on trade—through the trade in education services—and an indirect benefit—through the cultural ties and goodwill generated among international students, some of whom will go on to be leaders in business and industry, as well as government.

21. In an OECD study, of those countries listed as each receiving more than 5% of all foreign students worldwide, three are Commonwealth member states—Australia, Canada, and the UK.¹⁷ Some 77% of Indian citizens enrolled abroad study in just three countries—Australia, the UK, and the US. Key motivating factors are the use of English, the quality of education, and cost. “Language and academic traditions [also] explain the propensity for English-speaking students to concentrate in other countries of the Commonwealth or in the United States, even those that are distant geographically.”¹⁸

22. The Global Innovation Index 2011 lists three Commonwealth countries in its overall top 10: Singapore, Canada, and the UK—and, if ranked by income group, Malaysia leads that for upper-middle-income countries, Ghana that for low-income countries.¹⁹

¹⁷ OECD, *Education at a Glance* (2011), p.319

¹⁸ OECD, p.328

¹⁹ INSEAD, *Global Innovation Index* (2011), pp.16–17

23. Several studies now estimate national export income from international education activity. In Australia, it contributed some AUD 16.3 billion to the national economy in 2010–2011; it is the country’s largest services export industry.²⁰ A figure of £14.1 billion was given for the UK (in 2008–2009), with estimates of £21.5 billion in 2020 and £26.6 billion in 2025.²¹ A Canadian report estimates that international students spent over CAD 6.5 billion on tuition, accommodation and discretionary spending, creating over 83,000 jobs in 2008.²²

What benefits does the UK’s membership of the Commonwealth bring in terms of the promotion of human rights?

24. Respect for human rights—a core value of the Commonwealth—is linked to support for and achievement in education. Supporting the development and capacity of tertiary education through collaboration and mobility can therefore have a powerful impact on the values which societies adopt. UNESCO’s 1998 World Declaration on Higher Education held that higher education provides for individual development and social mobility, and educates the citizenship for active participation in society, contributing to the consolidation of human rights, sustainable development, democracy, and peace in a context of social justice.²³

25. The report *Assessing impact in building and sustaining Commonwealth principles on democracy* was issued last year as part of the Commonwealth Scholarship Commission in the UK’s series of evaluation studies. Social inequalities and human rights is one of the areas surveyed, showing the contribution of Commonwealth Scholars and Fellows who have studied in the UK, whether through associated projects or in influencing government thinking and policy. 47% of respondents, who had held a variety of awards, indicated that they had an impact in at least one of the four key priority areas supporting democratic principles, with a strong upward trend over the last 50 years.

26. The ACU’s contact with member universities has also enabled it to address contentious issues of social change and engagement, notably with conferences in Northern Ireland (2003) and South Africa (2010). Speakers included Mary Robinson (“the single most important task of the university lies in teaching the skills which students need to be responsible citizens”) and Albie Sachs. The 2010 conference incorporated perspectives on post-conflict reconciliation from Rwanda, Sri Lanka, and Zimbabwe, while last year’s conference (in Hong Kong) also marked a closer link with CARA (the Council for Assisting Refugee Academics).

27. Several ACU and CSFP initiatives have been organised in recent years to coincide with the formal Commonwealth calendar. The first Commonwealth Summer School (held in Cameroon, July 2011), in which education and democracy was a recurrent theme, proposed a Pan-Commonwealth Students Union. The events were part-coordinated with the Commonwealth Youth Programme, anticipating related Commonwealth meetings (notably the Commonwealth People’s Forum at CHOGM). Previous ACU initiatives include a Commonwealth Scholars’ meeting to coincide with the Edinburgh CHOGM (1997). An HIV/AIDS programme (“Making a difference”) was developed, including a symposium immediately preceding the 1999 CHOGM (Durban), which was valuable in seeking to promote collaborative research and awareness between universities.

What benefits does the UK’s membership of the Commonwealth bring in terms of the promotion of “soft power” and a positive image of the UK?

28. In terms of soft power, the UK is at a particular advantage, given its widely acknowledged strength and success in two key, and often complementary, sectors—education and the cultural/creative industries. The Commonwealth Secretary-General has previously acknowledged that the CSFP is one of the most recognisable “brands” of the Commonwealth, together with the Commonwealth Games and Her Majesty The Queen. By various measures, the UK has one of the most successful and highly-regarded higher education systems in the world. Commonwealth initiatives to promote collaboration and mobility through the tertiary sector help to highlight this. As we have emphasised throughout this submission, the Commonwealth’s future depends on the young and on the development of strong and enduring links based on cultural understanding, intellectual exchange, and promotion of the core principles embodied by the Commonwealth. The tertiary sector acts as an important avenue for achieving these objectives.

19 January 2012

²⁰ Australian Education International (AEI), *Research Snapshot—Export Income to Australia from Education Services in 2010–11* (November 2011)

²¹ UK Department for Business, Innovation and Skills (BIS), *Estimating the value to the UK of education exports* (2011), pp. 9–10

²² Roslyn Kunin & Associates, Inc. for Foreign Affairs and International Trade Canada (DFAIT), *Economic impact of international education in Canada* (2009), p.iii

²³ UNESCO, *World Declaration on Higher Education for the Twenty-First Century: Vision and Action* (1998)
<http://www.unesco.org/education/educprog/wche/declaration_eng.htm>

Written evidence from Etoile Partners Ltd

1. EXECUTIVE SUMMARY

1.1 The Commonwealth is the only global international political organisation that has belief in democracy at its very heart.

1.2 We believe that the Commonwealth can be positioned as:

1.2.1 **A Global Democratic Foundation:** speaking for democracy in a way that no other international organisation can, encompassing as it does the “North” and the “South”, the “East” and the “West”. It has the potential to be a great force for good in the 21st century in a world where democracy cannot be taken for granted.

1.2.2 **A Growing economic development force in the world:** without economic progress and growth democracy can be a hollow concept. Democracy has always been the stronger when there is a free and open market in goods and services, in ideas, and in education. There are many diverse economic philosophies to be found across the Commonwealth but all want economic success to improve the well-being of their people and assist many to escape from poverty.

1.3 However the Commonwealth currently suffers from appearing to many to have lost its *raison d'être*, which may once have been and may still be the promotion of common values of democracy, human rights and peaceful coexistence, but it seems shy of publicly promoting and defending those values

1.4 Indeed, a poll we conducted in the UK of 100 senior UK influencers from media, parliament, the law and the civil service shows that even the “great and the good” of the UK don't see in the Commonwealth the values that it is meant to espouse.

1.5 We propose that the Commonwealth empower itself to seek private sector sponsorship to fund a functions and positioning study to produce recommendations for a revitalised Commonwealth.

2. ABOUT ETOILE PARTNERS

2.1 Etoile Partners is a geopolitical consultancy established in 2010. It is based in London and has associates in countries across the world, including the Americas, South Asia, Africa, the Middle East and Europe. Two of its members have strong South African credentials.

2.2 Etoile advises clients on strategic positioning and is normally briefed to help provide the communications expertise that will improve perceptions of an organisation and give it the ability to be more successful, more influential, have a larger and more persuasive “share of voice” and be more valued by its audiences, who recognise it for the quality of what it does and the benefits it brings to wider society.

2.3 Graham Barr MBE is a founding partner of Etoile and Roger Cartwright MBE has been involved with the business since its creation.

2.4 Both are former senior public affairs employees of BP, with many years' experience of living in and working with Commonwealth and other countries, most notably in sub-Saharan Africa and the Caribbean.

2.5 Graham Barr sits on the board of the Global Leadership Foundation, which he co-founded with former South African Presidents, Nelson Mandela and FW de Klerk

2.6 While at BP, Roger Cartwright worked extensively with UK government departments in furthering the interests of the UK and countries in the Caribbean and Latin American region.

2.7 This submission was also the work of Ron Hepburn, managing director and a founding partner of Etoile, who has strategic positioning experience for government organisations in Africa and the Middle East as well as the UK, and Martin Roche, who has advised public bodies in Malta for many years and is a previous adviser to the Government of Guernsey. Martin has over 30 years' experience advising economic development, trade development and regeneration agencies in the UK and overseas.

2.8 Our experience and our area of expertise come from operating on the interface between business and government.

2.9 Etoile became interested in the Commonwealth and its future when Graham Barr was invited to give a talk to the Commonwealth Eminent Persons Group on 25 October 2010.

2.10 This paper is based on the talk he gave, on views subsequently developed by an Etoile team that was created to consider the Commonwealth, and on a piece of opinion research carried out by the polling house, Populus, on behalf of Etoile.

2.11 No Commonwealth or UK public funds have been used by Etoile, with all of the work to date being on a pro bono basis.

2.12 Etoile concluded that the Commonwealth delivered many benefits to its member states and to many people. However, unfortunately, positive perceptions of the organisation are a mixture of the hazy, confused and uncertain.

3. *What can be done?*

3.1 While there are many excellent reasons for the Commonwealth, Etoile could not identify in the organisation's communications a single unifying purpose for the Commonwealth's existence currently, which makes it a very difficult body to explain and promote and to win the support of its peoples. When people cannot easily identify and articulate the core benefits of an organisation, brand or even a political party, winning their endorsement and support is at best extremely challenging and at worst almost impossible.

3.2 We concluded that the Commonwealth also suffers from appearing to many to have lost its *raison d'être*, which may once have been and may still be the promotion of common values of democracy, human rights and peaceful coexistence, though it seems shy of publicly promoting and defending those values.

3.3 The ties that originally bound the Commonwealth together were, arguably, the personal engagement of the first and second generations of post-colonial leaders who saw the organisation as a valuable foreign policy tool, and a global platform to fight apartheid and other abuses. The personal commitment and enthusiasm of Her Majesty the Queen has, in our view, undoubtedly helped to keep the Commonwealth together and given the organisation a unique convening power.

3.4 Bluntly, it seems to us to exist in something of a bubble; something its leaders value and enjoy, along with limited numbers of civil servants and government agencies in some countries, but it seems distant and little relevant to the great majority of people in its member states. Even though it engages in much of importance, including quiet diplomacy and ranging from trade development, to education, sport and much else, it has not promoted itself effectively to the vast majority of its wider populations, arguably key to effective political support over the longer term. Indeed, as the survey of 100 senior UK influencers done for Etoile by Populus shows, only 25% correctly identified the Commonwealth when asked:

3.5 *"If there was a single non-political, non-sovereign organisation, which represented almost of third of the world's population with the stated aim of promoting democracy, human rights, good governance, the rule of law, individual liberty, egalitarianism, free trade, multilateralism and world peace would you expect Britain to belong to it?"* and followed up with *"Are you aware of any body that does this?—can you name one?"*

3.6 While we recognise that this poll was focused on the UK only, it should remain a serious concern for the Commonwealth that people from media, parliament, the law and the civil service of the UK don't recognise the Commonwealth for the values that it is meant to espouse.

3.7 In ten to twenty years it is likely that the majority of people who were figures of influence in the post-colonial world will have departed the stage. So, without a primary, easily identifiable purpose, combined with an apparent loosening of collective will to express common values and new generations of political leaders perhaps less wedded to the idea of the Commonwealth, there has to be a serious question mark over the willingness of member states to give the Commonwealth the attention and the funds it will need for its political legitimacy and its financial wellbeing.

3.8 We believe that to lose the Commonwealth or to see it become steadily less relevant to its members and peoples would be a functional, emotional and indeed geopolitical lost opportunity if not a tragedy.

3.9 However, despite the above, we believe that the Commonwealth is the only **global international political organisation** that has belief in democracy at its very heart.

3.10 We believe that the Commonwealth can be positioned as:

3.10.1 **A global democratic foundation:** with the mandate to speak for democracy and the common man in a way that no other international organisation can. It is the "North" and the "South", the "East" and the "West", it straddles both hemispheres and contains 30% of the world's population. As such it is uniquely equipped to offer examples of a multiple versions of democracy, not just the "western" model with all its historical baggage, which may have limited appeal or relevance to other emerging economies/states. It thus has the potential to be a great force for good in the 21st century in a world where democracy cannot be taken for granted.

3.10.2 **A growing economic development force in the world:** There are many diverse economic philosophies to be found across the Commonwealth and it would be naïve to imagine that the Commonwealth might rally round a single economic dogma, but all want economic success to improve the well-being of their people and assist many to escape from poverty. Etoile would endorse moves to build structures and processes that generated far more trade and investment—and accompanying development—across and between Commonwealth countries, and indeed other countries not currently members of the Commonwealth, than is currently the case.

4. *How is this to be achieved?*

4.1 Creating a coherent package of **"The New Commonwealth"** is a very large task that will take time and resources.

4.2 We propose that it is in the UK's long term interests that the Commonwealth Secretariat be given the consent of the member nations to seek possibly government but probably private sector sponsorship for a study that would create the framework for a revitalised Commonwealth.

4.3 Building on the recommendations of the Commonwealth Eminent Person Group, the study would deliver:

- 4.3.1 A strategic positioning review which examines the purpose, relevance and role of the Commonwealth, and how these can be enhanced.
- 4.3.2 The systems and structures to facilitate this.
- 4.3.3 A strategy for the re-positioning of the Commonwealth and the focussed promotion of its core functions—the active promotion of democracy, and potentially the Commonwealth as a development institution and enhanced market.
- 4.3.4 A route map as to how all this could be achieved.

4.4 One or more commercial sponsors would be invited to fund the work, which would be under the control of the Commonwealth Secretariat and with a “Project Board” from a representative number of Commonwealth states. This might be achieved through trust established for this purpose and supervised by a group including the Commonwealth Secretariat.

23 January 2012

Written evidence from the States of Guernsey

1. EXECUTIVE SUMMARY

1.1 In 2006, the UK and the Crown Dependencies agreed that they “will work jointly to promote a wide understanding that each [Crown Dependency’s] desire to promote itself internationally reflects its intention to participate in world events as mature confident democracies committed both to playing their part in helping others and raising world standards.” The Commonwealth, with which Guernsey already has a constructive working engagement, is an important forum for that.

1.2 The Policy Council of the States of Guernsey is of the view that the UK Government should actively engage with the Secretary-General of the Commonwealth, in direct consultation with Guernsey and the other Crown Dependencies, to discuss the ways in which the Crown Dependencies could enhance their participation in Commonwealth organisations and meetings, including CHOGM.

2. THE CONTEXT AND THE CONSTITUTIONAL RELATIONSHIP

2.1 Guernsey is a territory for whose external relations the United Kingdom is responsible. Recently Guernsey has increasingly acted internationally on its own behalf,²⁴ particularly in relation to matters for which it has complete autonomy, and the UK Government has recognised the appropriateness of Guernsey further developing its international identity.²⁵ The Commonwealth provides a valuable forum and it would provide benefit to the Crown Dependencies to have a membership that better reflects the existing constitutional relationship with the UK, in light of the decision relating to membership made at the Commonwealth Heads of Government Meeting (CHOGM) held in 2007.

2.2 Guernsey, a Crown Dependency, is administered by the States of Guernsey. Its assembly, the States of Deliberation, derives its authority and powers from the Reform (Guernsey) Law, 1948, as amended. It comprises the Bailiff as ex-officio Presiding Officer, the two Law Officers (HM Procureur and HM Comptroller) who have a voice but no vote, and the voting members are the forty-five People’s Deputies and the two representatives of Alderney. The People’s Deputies are elected from each of the seven multi-seat constituencies by universal adult suffrage.

2.3 The Policy Council of the States of Guernsey is mandated to perform the function of conducting Guernsey’s external relations. The Council comprises the Chief Minister, its chairman, and the Minister of each of ten departments with mandated responsibilities on behalf of the States of Deliberation. The States of Deliberation acts as the overarching executive and legislative assembly.

2.4 The Cabinet Manual²⁶ and Ministry of Justice *Background Briefing on Crown Dependencies: Jersey, Guernsey and the Isle of Man*²⁷ provide an outline of the constitutional relationship of the Crown Dependencies with the UK.

2.5 The Ministry of Justice, in its response to the Justice Select Committee’s report on Crown Dependencies,²⁸ recognises that the Crown Dependencies have an international identity which is separate to that of the UK. It suggests solutions to the problem this creates, including encouraging engagement and consultation on international matters that are of interest to the Crown Dependencies. In respect of international agreements, the report encourages the greater use of entrustment for the Crown Dependencies to reflect their

²⁴ For example, cooperation agreements with the 27 EU Member States (in relation to Directive 2003/48/EC on taxation of savings income) and 33 agreements for the exchange of information relating to tax matters (as at 29 December 2011).

²⁵ See *Framework for developing the international identity of Guernsey*, 18 December 2008 [copied below].

²⁶ Cabinet Office (2011) Cabinet Manual <http://www.cabinetoffice.gov.uk/resource-library/cabinet-manual>

²⁷ Ministry of Justice (2011) *Background Briefing on Crown Dependencies: Jersey, Guernsey and the Isle of Man* http://www.justice.gov.uk/downloads/about/moj/our-responsibilities/Background_Briefing_on_the_Crown_Dependencies2.pdf

²⁸ Ministry of Justice (2010) Government Response to the Justice Select Committee’s report: Crown Dependencies Cm 7965 <http://www.justice.gov.uk/publications/policy/moj/2010/government-response-to-the-crown-dependencies-report/index.htm>

evolving international profile and to enable them to meet prevailing international standards. The Ministry of Justice is content for the Crown Dependencies to broaden this entrustment to represent themselves where the UK and other State or States are content with them to do so.²⁹ This policy position builds on and reflects the status of the “International Identity Framework Document”, detailed below.

3. THE INTERNATIONAL IDENTITY FRAMEWORK DOCUMENT

3.1 In 2006 the Chief Ministers of the Crown Dependencies and the Lord Chancellor and Secretary of State for Constitutional Affairs agreed a statement of intent relating to the development of the international personality of the Crown Dependencies in the following terms:

- (a) “Each of the Crown Dependencies has expressed a wish to better define and develop their “international personality”. Each CD government is politically committed to promoting its international profile. What that looks like and means in practice has not been fully defined but the successful development of an international personality in each of the CDs will require close working between each of the administrations and the UK.
- (b) The UK welcomes the promotion of the CDs as models of well functioning, small democracies and supports the principle of the CDs developing a positive international personality and has a role to play in assisting.
- (c) The CDs will clarify their ambitions/aspirations for an international personality and work together with the UK to produce an effective framework for the development and implementation of their respective international personalities. The framework will encompass a statement of principles and will be underpinned by a clear working protocol. Taken together they will:
 - (i) assist understanding in the international community of the constitutional relationships between the UK and the CDs and the responsibilities of the UK and CDs within their constitutional models;
 - (ii) assist the CDs in presenting coherent (to other parties), effective (credible) and legitimate (legally and constitutionally sound) international profiles; and
 - (iii) provide the basis for constructive resolution of issues where CD and UK policy interests do not coincide.
- (d) The protocol will build on the good practices established during the recent EU savings tax agreements and being developed for the continuing TIEA negotiations.
- (e) The constitutional relationship between the UK and the CDs works well and the relationships are positive and constructive. The unwritten nature of the relationships allows them to develop in line with progress and world changes.
- (f) The CDs and DCA will work jointly to promote a wide understanding that each CD’s desire to promote itself internationally reflects its intention to participate in world events as mature confident democracies committed both to playing their part in helping others and raising world standards.
- (g) It is intended that over the coming months officers from the DCA and CD’s will develop the framework. It will be presented to the Chief Ministers of Guernsey, Jersey and the Isle of Man and the UK Secretary of State for Constitutional affairs for agreement before the end of 2006.”

3.2 This final document, the International Identity Framework document (“the IIF”) was agreed between these parties and was signed by Deputy Lyndon Trott, the Chief Minister of Guernsey, and Lord Bach, Parliamentary Under Secretary of State at the Ministry of Justice, on 18 December 2008. The document states:

Framework for developing the international identity of Guernsey

Following the statement of intent agreed on 11 January 2006, the Chief Minister of Guernsey and the UK Secretary of State for [Constitutional Affairs] have agreed the following principles. They establish a framework for the development of the international identity of Guernsey. The framework is intended to clarify the constitutional relationship between the UK and Guernsey, which works well and within which methods are evolving to help achieve the mutual interests of both the UK and Guernsey.

1. *The UK has no democratic accountability in and for Guernsey which is governed by its own democratically elected assembly. In the context of the UK’s responsibility for Guernsey’s international relations it is understood that*

— *The UK will not act internationally on behalf of Guernsey without prior consultation.*

²⁹ *Ibid* at p13–14

- *The UK recognises that the interests of Guernsey may differ from those of the UK, and the UK will seek to represent any differing interests when acting in an international capacity. This is particularly evident in respect of the relationship with the European Union where the UK interests can be expected to be those of an EU member state and the interests of Guernsey can be expected to reflect the fact that the UK's membership of the EU only extends to Guernsey in certain circumstances as set out in Protocol 3 of the UK's Treaty of Accession.*
2. *Guernsey has an international identity which is different from that of the UK.*
 3. *The UK recognises that Guernsey is a long-standing, small democracy and supports the principle of Guernsey further developing its international identity.*
 4. *The UK has a role to play in assisting the development of Guernsey's international identity. The role is one of support not interference.*
 5. *Guernsey and the UK commit themselves to open, effective and meaningful dialogue with each other on any issue that may come to affect the constitutional relationship.*
 6. *International identity is developed effectively through meeting international standards and obligations which are important components of Guernsey's international identity.*
 7. *The UK will clearly identify its priorities for delivery of its international obligations and agreements so that these are understood, and can be taken into account by Guernsey developing its own position.*
 8. *The activities of the UK in the international arena need to have regard to Guernsey's international relations, policies and responsibilities.*
 9. *The UK and Guernsey will work together to resolve or clarify any differences which may arise between their respective interests.*
 10. *Guernsey and the UK will work jointly to promote the legitimate status of Guernsey as a responsible, stable and mature democracy with its own broad policy interests and which is willing to engage positively with the international community across a wide range of issues.*

4. GUERNSEY'S INTERNATIONAL IDENTITY

4.1 The States of Guernsey's objectives place a high level of importance on the development of its international profile. Those objectives are designed to help "*improve the quality of life of Islanders and to secure our economic future while protecting the Island's natural environment, unique cultural identity and rich heritage*". In the 2011–16 Strategic Plan, which re-affirms those objectives, the States of Guernsey agreed that fulfilling them requires the "*maintenance and enhancement of Guernsey's standing in the global community*" as well as to "*improve awareness of the culture and identity of Guernsey*".³⁰

4.2 Guernsey meets these priorities within the spirit of the constitutional relationship and the IIF. For example Guernsey, in partnership with Jersey, established the Channel Islands Brussels Office in 2011. The purpose of the office is to provide enhanced engagement with the European Union to both help ensure the economic prosperity of the island and enhance its international reputation.

4.3 Guernsey has also embraced a much broader international role through the agreement and conclusion of a number of tax agreements with the OECD, EU and G20 countries under entrustment issued by the UK Government. Guernsey has bilateral agreements with all 27 EU Member States implementing measures equivalent to those binding the Member States between themselves under the EU Taxation of Saving Income Directive. In 2002 Guernsey entered into a political commitment to the OECD's principles of effective exchange of information. To date, 33 Tax Information Exchange Agreements (along with some ancillary taxation agreements) have been concluded.³¹

4.4 The British-Irish Council (BIC) is an important forum for the island that enables it to play an equal role alongside the UK Government, Irish Government and the devolved administrations on issues of mutual interest. The island plays an active role in the council contributing to the work streams that flow from it. Guernsey will be contributing financially, through an agreed cost sharing model, to the newly-established Standing Secretariat, and indeed wishes to be able to second staff to the secretariat.

4.5 Guernsey's involvement in external relations work also facilitates the involvement of Alderney and Sark when appropriate, both of which have their own legal personality and form part of the wider Bailiwick of Guernsey.

5. GUERNSEY AND THE COMMONWEALTH

5.1 Guernsey embraces the values of the Commonwealth and of the Singapore Declaration of Commonwealth Principles of 1971. It is committed to democracy and democratic processes, including free and fair elections and representative legislatures; the rule of law and independence of the judiciary; good governance, including

³⁰ States of Deliberation Billet d'État XVI 2011

³¹ <http://www.gov.gg/ccm/navigation/income-tax/tax-information-exchange-agreements—mutual-agreement-procedures—double-taxation-arrangements/tax-information-exchange-agreements/>

a well-trained public service and transparent public accounts; and the protection of human rights, freedom of expression, and equality of opportunity.

5.2 Guernsey is already a member of the Commonwealth Parliamentary Association, and representatives attend Commonwealth Meetings of Finance Ministers, Meetings of Law Ministers/Attornies General, and the Conference of Commonwealth Speakers and Presiding Officers. Many of the topics discussed by the wider CHOGM relate to matters which engage the interest of the Crown Dependencies.

5.3 While Guernsey is not a sovereign state and therefore not formally responsible for international relations, outside of those matters entrusted to it, it would value being more directly engaged in the work of the Commonwealth. Enhanced engagement with the Commonwealth could lead to improvements in Guernsey's domestic standards, civil society, and economy, and to its international identity, alongside enhanced opportunities to share knowledge and experience for the benefit of other Commonwealth jurisdictions, including small sovereign states.

5.4 The Policy Council is aware of the review undertaken by the Committee of Commonwealth Membership and agreed by the Commonwealth at the Commonwealth Heads of Government Meeting held in Kampala, Uganda in 2007. The report of the Committee stated that:

- The Heads of Government endorse the current practice of [Crown Dependencies] hosting and/or attending Commonwealth functional meetings, as well as contributing to and benefiting from the activities of the Commonwealth Fund for Technical Co-operation where relevant.
- So far as is possible, there should be consistent practices developed in the representation of [Crown Dependencies] at Commonwealth meetings in consultations with their administering power.
- The Heads of Government may also wish to call upon the Secretary-General to devise ways to enhance the profile of [Crown Dependencies] in the Commonwealth family, especially in the civil society and business sectors.

6. CONCLUSION

6.1 In the spirit of the IIF, and in light of CHOGM's 2007 decision, the Policy Council urges the UK Government to engage actively with the Secretary-General of the Commonwealth, in direct consultation with the States of Guernsey and with the governments of the other Crown Dependencies, for the purpose of discussing the ways in which the Crown Dependencies could enhance their participation in Commonwealth organisations and meetings, including CHOGM. In particular, Guernsey would welcome further discussions on what practices might be put in place to enable more direct representation at Commonwealth meetings in a manner that is consistent with Guernsey's constitutional relationships.

20 January 2001

Written evidence from Dr Paul Flather

1. The Commonwealth has a real and valuable future. But to deliver this, the UK government must recognise, more explicitly, the many hidden, non-pecuniary, yet tangible benefits we receive from our historic, trading, cultural and migratory links to all our past domains. The Commonwealth is deeply unfashionable, and most politicians, even those who originate from other Commonwealth members, ignore, downplay, or seem even faintly embarrassed about its existence, and uninterested in its potential. The FCO title is, however, precisely retained. Yet, even allowing for David Miliband or Robin Cook, when did a Foreign Secretary, explicitly champion membership of the UK or seek to use the forum explicitly to help reach a goal.

2. As the world adopts "English" as its *lingua franca*, so the benefits of being actively and recognizably and proudly at the centre of the English-speaking world through the Commonwealth, surely are becoming clearly in terms of cultural, technological and diplomatic influence, development, and trade.

3. The arguments become far stronger, when one sees the full potential of the Commonwealth as a club that is—or should become more—unequivocal in its goals to promote democracy and democratic values and structures; to promote the rule of law and human rights. It remains one of the very few bodies that can—and does—even if this is done, perhaps a little too rarely, expel a member for failing these "tests". That it does not do more on these fronts, is clearly a sign of some weakness. Such tests could be more explicitly developed, more openly monitored, and more clearly targeted.

4. In that sense the recent recommendations from the recommendations from the Eminent Persons Group are a breath of fresh air. But what is still needed—and here Perth must be seen as two steps forward but one step back—is an Ombudsman for Democracy; a more powerful and better resourced secretariat; and a more dynamic role for the Secretary-General. In world where the UN often fails to take the lead on such issues, the Commonwealth can strive to set a "gold" standard. The UK, without undermining its world-class diplomatic credentials, could and should be playing a bigger role on this front. As it searches for a world role in the 21st century, allowing too for its somewhat ambiguous standing within the EU, this surely can play enormously to our positive image and keep us on every top table. With the US no longer everyone's favourite, the UK's role as bridge, should surely become more significant.

5. Finally, the Commonwealth, *de facto*, enables us as a first world, developed, *North*, country to link directly to almost 50 other countries that we might, in the normal way, usually pass by. Many are small, relatively powerless, almost obscure, members of the global family. In such circumstances, we help to give voice to the less powerful, we can learn more about global concerns, not to mention, crucially, about the backgrounds and interests of our own citizen groups, and we can, with due humility and responsibility, lead and help to represent such smaller nations, in areas such as climate and environmental change, globalization, fair trade, global equity and justice, and migratory movements and flows. All such bodies, however small, should therefore continue as full members of the Commonwealth, where their concerns can be properly expressed, heard, shared—and, one hopes and expect, mitigated.

6. There are a myriad of vital, lively, interesting, and productive, cross-Commonwealth bodies. Probably too many, if truth be told. It would be sensible to try to single out a lead body in each major field, and build that body up, and also to review where such bodies can add real value within the scope of the Commonwealth, and where—perhaps in an area like health—the space is better yielded to another more established successful body, such as the WHO.

7. The Commonwealth exists. It would be negligent to waste its potential. It would be criminal to allow it to atrophy. It would be vandalism to kill it off. But nothing improves by standing still. Sensible, constant, reform is needed. It has to be led, gently and considerately by the UK so, while the next ceremonial patron might remain a member of the royal family, the next Chair in office for perhaps in five-year stints, should be a figure of outstanding merit and pre-eminence. .

7. There are good ideas on the table. It is time to move forward publicly and with commitment.

20 December 2012

Written evidence from the Commonwealth Magistrates' and Judges' Association

1. This memorandum is a response on behalf of the Commonwealth Magistrates and Judges Association to the invitation of the above Committee to contribute to the Committee's deliberations.

EXECUTIVE SUMMARY

- The Commonwealth has been a leader in the promotion and implementation of good governance, human rights and the rule of law.
- The strength of the Commonwealth lies in its common goals and principles and shared legal systems which is ideal for the cross fertilisation of knowledge and experience and the development of standards.
- The Commonwealth's fundamental values are essential to improving the rule of law and good governance across the Commonwealth.
- The importance of the networks to enhancing practice is the different sectors.
- The contribution that Overseas and Dependent territories already make but could make to enhancing the resources of the Commonwealth.

SUBMITTER

Commonwealth Magistrates' and Judges' Association (CMJA)

2. The Association was founded in 1970, and its aims are:

- to promote the independence of judiciaries in the Commonwealth;
- to advance education in the law, the administration of justice, the treatment of offenders and the prevention of crime in the Commonwealth; and
- to disseminate information and literature on all matters of interest concerning the legal process within the various countries comprising the Commonwealth.

3. The CMJA is the only international judicial organisation bringing together judicial officers of all levels of the Commonwealth. It provides a forum for promoting the highest judicial standards at all levels. It has been serving judicial officers across the Commonwealth for over forty years. It has members in over 67 countries and jurisdictions in the Commonwealth at both the individual and judicial association level.

4. The CMJA is a charity registered in the UK and a company limited by guarantee. Its governing body is the Council (elected every three years) which represents judicial officers at all levels from the six regions of the Commonwealth. It derives its funds from the subscriptions of members (individuals and judicial bodies) and receives funding from time to time for projects from the Commonwealth Foundation and other sources.

5. An honest, integrity-led, independent judiciary is one of the pillars to democracy and good governance and essential to political, economic and social stability.

6. The CMJA is one of the organisations responsible for the formulation of the Latimer House Guidelines on Parliamentary Supremacy and Judicial Independence which led to the Commonwealth (Latimer House) Principles on the Accountability of and Relationship between the Three branches of Government, (“The Principles”) endorsed by Commonwealth Heads of Government in 2003 and integrated into the Commonwealth fundamental values in 2005. It is a member of the Commonwealth Latimer House Working Group which promotes the implementation of the Principles and the subsequent plans of Action (The Nairobi Plan of Action for Africa of 2005 and the Edinburgh Plan of Action for the Implementation and Development of the Latimer House Principles of 2008).

7. It has worked closely with the Commonwealth Secretariat’s Legal and Constitutional Division, Political Affairs Division and Gender Section to advance the rule of law, judicial independence and human rights and is a member of the Commonwealth Legal Forum, an informal network of organisations working in the field of legal and judicial developments in the Commonwealth.

MEMORANDUM

8. The following response is limited to the role of the Commonwealth in the area of the rule of law, and good governance which are the areas where the CMJA has some expertise in.

What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?

9. The Commonwealth has been a leader in the promotion and implementation of good governance, human rights and the rule of law. The Commonwealth undertakes projects to enhance the values and principles which it has as its core that no other international or national organisation currently undertakes. Many of these projects are undertaken by accredited or associated organisations linked to the Commonwealth but independent of the Commonwealth Secretariat, such as the Commonwealth Parliamentary Association, the CMJA and others working in the field of good governance.

10. Of particular importance to the work of the CMJA are the fundamental values related to the standards and operation of the judiciary. An honest, integrity-led, independent judiciary is one of the pillars to democracy and good governance and essential to political, economic and social stability.

11. However, the CMJA continues to be concerned about the lack of implementation of the Principles endorsed by Heads of Government which in part is due to the lack of resources allocated to the Commonwealth Secretariat but also the processes that are used to deal with breaches of the Commonwealth fundamental values.

12. At the request of the Commonwealth Secretariat, the CMJA provided input to the review of the role of the Commonwealth Ministerial Action Group in 2011 as part of the submission from the Latimer House Working Group as well as the consultations by the Eminent Persons Group (see attached). The CMJA welcomes the commitment of Heads of Government in Perth to the reforms agreed by the Commonwealth Ministerial Action Group to its remit. In addition, although the Perth CHOGM adopted some of the recommendations put forward in the Eminent Persons Group report, there are areas which still need to be strengthened in relation to the CMAG processes and the Good Offices of the Secretary General.

13. It is important that the Commonwealth is seen to be more proactive in the face of violations. There is a continued perception that the Commonwealth does not live up to or defend the fundamental values sufficiently when they are challenged by member states. There needs to be greater visibility in the actions taken by the Secretariat.

14. The CMJA, like many other associations, was disappointed that the idea of a Commissioner for Democracy, the Rule of Law and Human Rights was not adopted by Heads of Government in Perth. It recognises that there are difficulties in relation to resourcing and to the remit and independence of the person who would become the Commissioner. However, a Commissioner responsible for Democracy, the Rule of Law and Human Rights can only serve enhance the Commonwealth’s role in the promotion of its fundamental values and dispel the perception that the Commonwealth is not as proactive as it used to be in dealing with breaches of its values.

15. More resources need to be provided to the Commonwealth in order for it to fulfil its mandates.

What benefits does the UK’s membership of the Commonwealth bring in terms of:

- (a) Trade
- (b) The promotion of human rights
- (c) The promotion of “soft power” and a positive image of the UK?

16. We will limit our response in terms of the promotion of human rights and the “soft power” as these are areas in which the CMJA has some experience though it is well recognised that a state that has a good record

on human rights, including economic and social rights is essential to provide a safe environment for investment and trade..

17. The UK is still seen as a nation which upholds the rule of law and follows the principles set down in the Magna Carta and the Universal Declaration of Human Rights. Therefore Commonwealth countries often look to the UK as an example for best practice. For example, the CMJA's membership in other parts of the Commonwealth attaches great importance to its connections with other common law countries in general and with the United Kingdom in particular. The way the UK deals with the issues may well in time be adopted elsewhere in the Commonwealth but because of its links with professionals across the Commonwealth, the UK can draw on the experience of other to improve its own practice and procedures in the field of human rights. As most Commonwealth nations base their systems on the English common law, adaptation to practice and procedures can be done relatively more easily.

18. The Commonwealth is particularly suited to mutual co-operation in the judicial sphere, because, with the exception of a very small number of countries, virtually its whole membership consists of countries which share a basic common and judicial legal system with the United Kingdom.

19. The common set of fundamental values which all Commonwealth countries have agreed to abide by, is a core element to good governance around the globe. The Commonwealth provides a set of values that judicial officers can use to support their role as guarantors of the Constitution. In addition, UK businesses and investors working abroad are more likely to be reassured if procedures and practices they are familiar with in the UK are respected in other countries and that the rule of law is followed.

20. The mutual exchange of information on human rights issues and generally in relation to judicial practice can only enhance the practice of judges and magistrates in the constituent parts of the UK.

21. To quote Lord Woolf speaking at the Commonwealth Law Conference in 2003 in Melbourne:

22. *"Today no country is cocooned from its neighbours. While we remain citizens of our individual nations, what happens in any part of the globe can affect us allTerrorism and crime are no respecters of national borders..... It is where the rule of law has broken down that terrorism takes root. Crime thrives where law enforcement is weakest. ... the observance of the rule of law is critical to progress in both the under-developed and developed worlds.*

23. *...the judiciary make to their own jurisprudence by referring to the jurisprudence of other jurisdictions when they give judgment. This is particularly true in the field of human rights because those rights represent international norms."*

24. In 2002, it was estimated that the informal networks within the Commonwealth contributed over £140 million annually to development programmes. They continue to do so not only in financial terms but in terms of wealth of experience and expertise provided around the Commonwealth and are an invaluable resource for the Big Society of the Commonwealth. In addition the business links and personal contacts made by professionals through their Commonwealth networks, are an invaluable source of invisible earnings for the UK.

25. The UK has benefited from the soft power of the Commonwealth through the mutual exchanges of practice and procedures used by different professional bodies with Commonwealth membership. Judicial officers in the Commonwealth are in a good position to benefit from the experience of others and regularly cite judgments from other Commonwealth jurisdictions. References to jurisprudence and practice is particularly important as these references can only improve the delivery of justice to citizens across the Commonwealth, including the UK.

26. Membership of the Commonwealth has assisted the judiciary in the UK to set up codes of practice for judicial officers. These have been based on a number of Commonwealth codes and the Bangalore Code of Judicial Conduct, put together mainly by Commonwealth judicial officers.

27. The formulation of the Commonwealth (Latimer House) Principles was the direct result of "softpower" as the four associations who were first involved in the joint colloquium which led to the formulation of the Latimer House Guidelines were non-governmental organisations and they have continued to work within their sectors towards the implementation of the Principles across the Commonwealth. The changes to the constitutional position of the Lord Chancellor and Minister of Justice and the creation of the Supreme Court are a reflection of the importance of the Commonwealth (Latimer House) Principles and have gone a long way to enhance the UK's position within the Commonwealth as a country that truly represents the separation of powers.

28. *What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?*

29. As we have indicated, judicial officers in the UK often cite Commonwealth cases and the mutual exchange of information has led to improvements in procedures and laws within the UK in areas such as restorative justice, criminal and civil procedure and juvenile justice to name but a few. Membership of the Commonwealth has created links not only between professionals but between citizens and in particular young people through such programmes as the youth parliaments, youth CHOGMS and other projects linked to the

Commonwealth day celebrations. Exposure to other cultures, religions and practices can improve tolerance and understanding especially within the youth of the Commonwealth and this has an impact on the good administration of justice.

30. *What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?*

31. In 2006, the CMJA, together with the Commonwealth Lawyers Association and the Commonwealth Legal Education Association submitted a joint response to the request for submissions from the Commonwealth Secretary General at the time on the Membership of the Commonwealth. The response stated that:

32. *“There seems to be a sound case for creating a form of associate membership for certain territories which are part of the Commonwealth, but are not eligible for full membership since they remain the international responsibility of an existing member.*

33. *There are precedents which may be relevant if not exactly in point. The Prime Ministers of Southern Rhodesia and subsequently the Federation of Rhodesia and Nyasaland were invited to participate in Commonwealth Prime Ministers’ Meetings; Nauru and Tuvalu after independence enjoyed for a time ‘special membership’ which entitled them to all the privileges of membership except participation in CHOGMs.*

34. *Associate members would attend ministerial and senior official meetings and would have direct access to the Secretariat including the CFTC. There is merit in these Associate members participating in the CHOGMS in order to make their views known. The status would only be appropriate for territories which enjoyed a measure of self-government so as to enable them to ensure not only compliance with Commonwealth values and principles but also a commitment to implementation of these principles and to sustain an appropriate contribution to the funding of the Commonwealth organisation...”*

35. In the experience of the CMJA, some of the British Overseas Territories, Crown Dependencies and self governing jurisdictions, have been able to provide support, expertise and knowledge to small members states which has proved invaluable to capacity building and development.

36. Many of the Commonwealth non governmental organisations accredited to the Commonwealth already include Dependent or Overseas territories in their own membership as their contribution to the activities and work of the organisations has enhanced development and democracy within the Commonwealth.

Annex 1

COMMONWEALTH MAGISTRATES’ AND JUDGES’ ASSOCIATION SUBMISSION TO THE COMMONWEALTH EMINENT PERSONS GROUP

SHARPEN IMPACT

1. *Values based organisation*

The Commonwealth has been a leader in the promotion and implementation of good governance, human rights and the rule of law but its institutional capacity has yet to match its intentions.

- The role of CMAG should be strengthened. The CMJA made a submission to that effect under the aegis of the Latimer House Working Group (see Annex 1).
- The Commonwealth needs to have a rapid response mechanism in place when violations occur. The alternative CMAG mechanism proposed in the Latimer House Working Group’s submission on alternate members of CMAG or virtual meetings of CMAG needs to be set up.
- The Good Offices work undertaken by the Commonwealth Secretariat needs to be strengthened as well. Special Envoys should, as a matter of course, be given terms of reference which include the examination of all aspects related to good governance. More often than not the impact of violations of the Commonwealth principles on the health of the judiciary or the legal profession does not feature in any terms of reference.
- Special Envoys should meet certain criteria and have certain basic skills. They should be seen to be independent (so current staff members should not be eligible), and have the right qualifications (including mediation training and understanding of the separation of powers and the Commonwealth fundamental principles), and if possible have briefings from relevant Commonwealth Associations. It sometimes seems that the pool for Special Envoys is limited to those who have a political or diplomatic career. There a number of judicial officers and former judicial officers at all levels whose expertise could be drawn on to assist the Secretariat in areas where the fundamental values of the Commonwealth have been breached or are in danger of being breached.
- The Commonwealth should return to a more pro-active association in the face of violations. There is a perception that the Commonwealth does not live up to or defend the fundamental values sufficiently when they are challenged by member states. There needs to be greater visibility in the actions taken by the Secretariat.

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- Although there are a number of global organisations who have developed monitoring systems in particular sectors, to date, there has been no specific attempt made to assess the implementation of the commitment by respective Commonwealth governments to promote democracy and good governance, human rights and the rule of law apart from that undertaken by the Legislature of the Australian Capital Territory in 2008.³² There should be an annual review of compliance with the Commonwealth fundamental values. The Latimer House Working Group current gathers information on compliance and good and bad practice across the Commonwealth on an ad hoc basis. At present, however, there is no formal role for it to present its findings to CMAG (see Annex 1).
 - There is a need for better coordination with the Commonwealth Associations in relation to breaches of the Commonwealth fundamental values. The Commonwealth network of associations and civil society organisations should be recognised as an important early warning system in areas of potential breaches. Although accredited, Commonwealth Associations keep the Political and Legal Affairs Divisions of the Commonwealth Secretariat informed of “areas of concern”, but there are no formal mechanisms in place for these associations to report on issues to the Secretary General or the Directors of PAD or LCAD.
 - The Commonwealth fundamental values should be mainstreamed in all training undertaken by the Commonwealth Secretariat. All training undertaken by the Commonwealth Secretariat of stakeholders whether through PAD/LCAD/GIDD or STPD should incorporate a session on the Commonwealth fundamental principles and their implementation.

2. *Commonwealth strengths*

The strengths of the Commonwealth lie in its common goals and principles, in shared legal systems and in its diversity.

- The fact that the Commonwealth shares legal systems is a key strength when the CMJA holds training courses to improve standards of practice within the judiciary.
- The similarity in legal systems also provides ideal opportunities for cross-fertilisation of knowledge with the mobility of lawyers and judges/magistrates in the Commonwealth being an important element of the development of the rule of law and standards.
- The common set of fundamental values which all countries should comply with, has also been of value as judicial officers can use these principles to support the rule of law and fulfil their role as guarantors of the Constitution.

3. *Financial Resources*

Despite the fact that the Trinidad and Tobago CHOGM agreed to an increase in budgets, the budget of the Commonwealth Secretariat, as an inter-governmental organisation purporting to enhance capacity and development across the Commonwealth, remains inadequate to deal with the requests made of it by Commonwealth governments.

- Governments should be required to contribute more towards this important organisation. Compared with contributions made to UN agencies, the contribution by Commonwealth states is minute.
- The CFTC and Youth Programme should have permanent funding- at present this at the whim and discretion of the countries who contribute to these funds and are particularly vulnerable in the current economic crisis.
- It sometimes seems that there is a great deal of wastefulness by the Secretariat and Foundation and valuable funding is directed to expensive “external” consultants with little knowledge of the issues, when more valuable expertise is available at a fraction of the cost from existing Commonwealth Associations working in the same fields.
- Better coordination with other inter-governmental, international or regional organisations working in Commonwealth countries is required so as not to duplicate efforts in development.

STRENGTHENING NETWORKS

4. *Interaction with inter-governmental Commonwealth*

- The main interaction with the inter-governmental Commonwealth occurs at the biannual CSO consultation meetings. However, it is disappointing to note that once the Secretary General leaves the meeting, invariably those attending from the Commonwealth Secretariat also seem to leave. Consultation is the life-blood of the Commonwealth and it is vital that members of the senior management are present at these meetings to improve the outcome and quality of these meetings. If the CSOs can devote time from their scarce resources to attend these consultations, then the Secretariat should also find time to do the same.

³² See <http://www.parliament.act.gov.au/downloads/reports/LHP%20Report%20final.pdf>

- The interaction between accredited associations and the different divisions of the Secretariat and the Foundation is extremely variable and overly reliant on the person in post in the Secretariat and whether or not, in their opinion, accredited associations should be involved in projects. There is often a lack of transparency in the projects undertaken and project reports are often kept confidential when better exposure would enhance the work of all concerned.
- The lack of knowledge or awareness of the work of accredited associations or the expertise of these associations in specific areas, continues to be problematic with the “official” Commonwealth “inventing the wheel” when the jet engine already exists.
- Although the Secretariat has, for a number of years, included a CSO representative on its election observer missions, it has had a tendency to favour politicians, election commission officials and diplomats. There exists a pool of lawyers and judicial officers, especially those who deal with election petitions in their own countries, whose expertise might benefit the Commonwealth in the field. It seems that there is also a tendency to select those at the higher echelons of the profession rather than ordinary lawyers, chief magistrates or magistrates who may be more experienced in these issues.
- There needs to be more effective mechanisms for interaction with accredited associations in relation to activities. All too often CSOs are informed after the fact of projects involving their sector and in some cases Commonwealth Secretariat divisions hold training seminars in similar months, in the same countries on similar issues which is a waste of combined resources.
- The relationship can sometimes seem one-sided with the Secretariat or Foundation receiving the goodwill and knowledge of an organisation without involving them in the projects where this knowledge or goodwill has been used.
- The Commonwealth Foundation relies too heavily on national CSOs with limited expertise of the global or Commonwealth concerns. It does not always consult or involve accredited Commonwealth associations in its taskforces (for ex: the governance taskforce) though their knowledge may be substantial. Although they have CSO taskforces and an advisory committee, the latter never communicate with the CSOs they purport to represent.

5. Ministerial Meetings

- The Secretariat has developed partnerships with some CSOs. These arrangements express an interest on the part of Secretariat to collaborate and work with these organisations in areas of mutual interest. These organisations have built a “special relationship” with the Secretariat over time by demonstrating their knowledge and enhancing the work of the Commonwealth Divisions they work with. The basis for partnerships arrangements largely lies in the rationale that some CSOs deserve greater attention precisely because of their explicit professional and knowledge base in particular areas. However there is no consistent policy across the Secretariat as to how these partnerships work and the role the partners play. These partners need to be separated out from other CSOs when it comes to any discussion regarding meetings with CSOs.
- As ministers having already too many constraints on their time, it is difficult to see how a separate meeting with CSOs on a regional basis would be feasible. It would increase the burden on ministers as well as on CSOs many of who do not have the resources to send representatives to meetings on a regional level. Governments should already be having meetings with national CSOs. There is little to gain by having a meeting on a regional level and not on a Commonwealth level. In addition, associations working in the Commonwealth field, provide a global, Commonwealth view on issues being discussed. It is likely they would find it difficult to gain accreditation to regional ministerial meetings because of the prioritizing of attendance and it is unlikely these Commonwealth associations would have the resources to send representatives to each of the regional meetings. This means that their valuable input would be lost to the Ministers and the nature of the Commonwealth will change.

6. Interaction between Commonwealth organisations

It is recognised that most Commonwealth Associations are small, financially strapped organisations and the interaction between CSOs has varied over the years.

- The accredited CSOs meet biannually with representatives of the Commonwealth Foundation and Secretariat. However, since the new accreditation system was introduced after the Coolum High Level Review, interaction has been limited to those associations who are accredited as Commonwealth Organisations and therefore the quality of the meetings has suffered. It is important that the CPA, CLGF and CBF have a presence at the CSO meetings- to encourage better cohesion within the Commonwealth. The same goes for the media organisations who do not seem to attend these meetings either.
- In the past the Foundation had assisted CSOs in running joint training programmes so that the organisations could develop their own governance and find additional funding. It would be good if the Commonwealth Foundation could assist in such training in the future for CSOs.
- At one time the RCS was the catalyst for interaction between CSOs especially on matters of mutual concern, this should be re-instated.

- The development of sectoral interest groupings such as ComHabitat or the Commonwealth Legal Forum are to be encouraged but there is a need for a multi-sectoral cross-fertilisation in order to increase the quality of Commonwealth activities.

7. *Strategic partnerships*

In the current global economic downturn it is essential that the Commonwealth build its strategic partnerships in order to avoid duplication of activities and wastefulness as we have mentioned above.

- Partnerships should be built with other regional/inter-governmental organisations working in the same areas that the Commonwealth is working in and memoranda of understanding with such organisations should be encouraged.
- Better liaison with existing partners who are accredited Commonwealth Associations, as outlined above) is required as they can provide the expertise and experience. These partners may also provide continuity to the Commonwealth Secretariat's activities vis the current policy to rotate staff within the Commonwealth Secretariat.
- Partnerships are essential when targeting funds for projects as the pool of financial resources for Commonwealth projects and project proposals are enhanced by joint approaches.

RAISE PROFILE

8. *Profile*

- Although governments have deplored the lack of a public profile for the Commonwealth and recommendations have been made as to how to improve the profile, little has been done to implement these. Many of the recommendations of the Ingram Review of 1997 still remain unimplemented.
- The Commonwealth Secretariat does not react sufficiently quickly to developments internationally and the Public Affairs Division has a tendency to have a limited database of reporters worldwide who can spread the news. The CNIS was a good innovation but it is unclear how successful the Facebook and Twitter interaction is. The website has been re-vamped but it is less user-friendly and documents are difficult to access easily.
- There is not enough interaction between the Commonwealth media organisations and the CPAD.
- There continues to be lack of “good news” stories disseminated by CPAD. In the 1990s there was a “Features” series with articles on the positive developments around the Commonwealth taken from reports sent into the Commonwealth from news services which were then disseminated across the Commonwealth. This enhanced the ordinary citizen's knowledge of what was happening in other parts of the Commonwealth.

9. *Media Resources*

The CMJA's interaction with the media is limited as it does not provide press statements. However the Commonwealth press are involved when it holds its educational seminars/conferences and meetings and it would benefit from training in how to deal with the media especially in relation to interviews for radio or TV which is sometimes has to undertake. The CMJA, like other associations, is hindered in its work to promote good governance and the rule of law by the lack of understanding or respect that the Commonwealth itself suffers.

10. *Chairperson in Office*

The role of the chairperson in office by its very nature is problematic as the person has to balance his/her national duties with Commonwealth obligations. It can be problematic especially when there is a change in government or the Chairperson in office comes from a country where the government concerned does not comply or agree with Commonwealth fundamental values being applied to their own jurisdiction.

11. *Member governments*

In many countries the only time the Commonwealth is mentioned is on Commonwealth Day; if a ministerial/head of government meeting is being held; if the country has Commonwealth observers at elections; or if there is a violation of Commonwealth principles.

- It is important that Heads of Government and Ministers report on the outcomes of Commonwealth meetings they attend. Better use of the media all the year round.
- Make governments responsible for the wider dissemination of reports from the Secretariat.
- Commitment to implementation of the Commonwealth fundamental values and to the ratification and implementation of Human Rights Conventions and report back in the annual review and “shadow” reporting as in the UN.

LATIMER HOUSE WORKING GROUP SUBMISSION ON STRENGTHENING ROLE OF THE
COMMONWEALTH MINISTERIAL ACTION GROUP (CMAG)

The Latimer House Working Group consisting of the Commonwealth Lawyers Association (CLA), the Commonwealth Legal Education Association (CLEA), the Commonwealth Magistrates' and Judges' Association (CMJA) and the Commonwealth Parliamentary Association (CPA),³³ was set up following the drafting of the Latimer House Guidelines on Parliamentary Supremacy and Judicial Independence (1998) and the subsequent endorsement by Commonwealth Heads of Government in 2003 of the Commonwealth (Latimer House) Principles on the Accountability of and the Relationship Between the Three Branches of Government (the Principles). The Principles provide an effective framework for the implementation of the Commonwealth's fundamental values of democracy, good governance, human rights and the rule of law and became an integral part of these values following agreement by the Commonwealth Heads of Government at their meeting in Malta in November 2005.

The Latimer House Working Group (the Working Group) has been keen supporters of the Commonwealth Ministerial Action Group (CMAG). The Working Group has regularly engaged with CMAG in relation to the disregard of the fundamental values of the Commonwealth by member countries.

The Commonwealth has been a leader in the promotion and implementation of good governance, human rights and the rule of law—particularly following the establishment of CMAG—yet its institutional capacity has yet to match its intentions. CMAG is an essential mechanism for the protection of the fundamental values of the Commonwealth and its role must be enhanced and strengthened in order for the Commonwealth to ensure that these founding principles are not merely rhetoric but become a reality in the lives of Commonwealth citizens.

At their Meeting in Trinidad and Tobago, Commonwealth Heads of Government recognised the vital role of the Commonwealth Ministerial Action Group (CMAG) as the custodian of the Commonwealth's fundamental political values. They called "*on CMAG to explore ways in which it could more effectively deal with the full range of serious or persistent violations of such values by member states and to pronounce upon them as appropriate*" Trinidad and Tobago Affirmation on Commonwealth Values and Principles.

Accordingly, the four organisations mentioned above, composing the Working Group, would like to make a number of recommendations:

1. Mandate

The Working Group recommends that CMAG fulfill its entire mandate.

The Working Group notes CMAG's mandate to "deal with serious or persistent violations of the principles contained in that [the Harare] Declaration" and its role in ensuring the compliance with the fundamental values of the Commonwealth, including the Commonwealth (Latimer House) Principles. A number of organisations, including the CMJA and CLA, have expressed concern that this mandate has continued to be interpreted too narrowly and focuses too much on the un-constitutional overthrow of governments. Although CMAG has a wider brief, it continues to interpret its role in a conservative manner. CMAG should examine persistent violations in countries that purport to practice democracy but where, in fact, the rule of law is being manipulated to suit the current political incumbents (as happened in Zimbabwe prior to its leaving the Commonwealth in 2003 and, more recently, in member countries such as The Gambia and Sri Lanka). There also appears to be some reluctance on the part of members of CMAG to engage in discussions in relation to "persistent and serious violations" in fellow member countries when they are simultaneously represented on CMAG and a situation of concern arises in their respective jurisdiction.

2. Membership

The Working Group recommends that CMAG facilitate the recusal of members in situations where there is a conflict of interest and create a reserve list of Foreign Ministers to sit in their stead.

CMAG's membership consists of the Foreign Ministers of eight Commonwealth countries and the representative of the country of the chair-person in office. It is noted however, that there is no provision for any Foreign Minister to recuse themselves if the discussion focuses on the situation in their own country. In order to strengthen the voice of the Commonwealth, CMAG must be seen as impartial and therefore it is suggested that a "reserve list" of Foreign Ministers be set up. In many regional tribunals judges from the country being discussed at a hearing are automatically replaced by a judge from another country. The same idea could be considered by CMAG. A "reserve list" of one foreign minister in each region of the Commonwealth could be created. The foreign minister would be called upon to replace a member of CMAG in their own region whose country might be being discussed at a CMAG meeting. The "reserve list" may also assist CMAG if there was a problem in relation to gathering a quorum for a meeting. So far this had not occurred but it should be recalled that it took nearly four months and two postponements for a CMAG meeting to be set up after the events of 30 April 2009 in Fiji. This resulted in an undue delay in the Commonwealth commenting on, and intervening in, the deteriorating situation in the country at a time when the world was

³³ With the support of the Legal and Constitutional Division of the Commonwealth Secretariat

looking to the Commonwealth to take a lead. This was seen as being extremely detrimental to the image of the Commonwealth and should be avoided if possible in future

3. Compliance with the Fundamental Values of the Commonwealth

The Working Group recommends that CMAG undertake an annual review of compliance of all member countries with the fundamental values of the Commonwealth.

It is understood that there has been some discussion within CMAG in relation to examining compliance by all Commonwealth countries with their obligations in relation to the application of the fundamental values. Although the Commonwealth will not wish to place any additional administrative burden on member countries, it should be recalled that that the Latimer House Guidelines (1998) proposed in Chapter X1 that:

“These guidelines should be forwarded to the Commonwealth Secretariat for consideration by Law Ministers and Heads of Government.

*If these Guidelines are adopted, an effective **monitoring procedure**, which might include a Standing Committee, should be devised under which all Commonwealth jurisdictions accept an obligation to report on their compliance with these Guidelines.*

Consideration of these reports should form a regular part of the Meetings of Law Ministers and of Heads of Government.”

In addition, at a Colloquium that was held in Edinburgh in 2008, it was again suggested that a Standing Committee should be set up to undertake this monitoring and feed into the CMAG process:

“The partner organisations (CLA, CLEA, CMJA and CPA) should assist the Commonwealth Secretariat by the establishment of a Standing Committee for the purpose of gathering relevant information, reporting on implementation of the Principles, best practice and areas of concern to inform the deliberations of the Commonwealth Ministerial Action Group. Other civil society organisations should be encouraged to assist the Standing Committee in gathering relevant information.” Article 1.1 of the Edinburgh Plan of Action.

The Working Group is currently acting as the Standing Committee and gathering information on compliance across the Commonwealth on an ad hoc basis. At present, however, there is no formal role for it to present its findings to CMAG.

It should be noted that there are a number of global organisations who have developed monitoring systems in particular sectors (Transparency International for corruption, World Bank, UNDP on democracy and other mechanisms linked to compliance with obligations under UN human rights treaties). However, there has, to date, been no specific attempt made to assess the implementation of the commitment by respective Commonwealth governments to promote democracy and good governance, human rights and the rule of law.

Initial work has, however, been undertaken by the CMJA and CLA in the development of a set of governance indicators for the Commonwealth. The **“democracy score”** is a simple tool to measure government compliance with the Commonwealth fundamental values and includes the development of an **Index** with which to compare “like with like” ie one government’s performance against another and a **database of “good and “bad” practice**. This would enable both citizens and governments alike to highlight progress and pinpoint areas that need to be improved. This information will be invaluable in enabling citizens to demand accountability from their government for their (in) action.

In addition the CPA has developed a standard against which to measure the effectiveness of Parliaments in fulfilling the Commonwealth’s democratic commitment: “Benchmarks for Democratic Legislatures” and two regional variations adding provisions particular to Parliaments in southern Asia and the Pacific’s small islands respectively. The CPA Benchmarks are recognized by Commonwealth Parliaments and Legislatures, as well as by the United Nations Development Program and the World Bank Institute, as precise good practice guidelines against which the operation of Parliaments can be assessed.

The Working Group would welcome the opportunity to share their preliminary work, findings and benchmarks in order to assist in developing any new process being considered by the Commonwealth Secretariat and CMAG to assess the state of democracy across the Commonwealth.

It should be recalled that the Report by the CPSU and Electoral Reform International Services on **Democracy in the Commonwealth** published in November 2009 also recommends that the Commonwealth Heads of Government authorise the Secretariat to put in place and implement a mechanism and process to provide a regular health check on the state of democracy in each member state.

4. NGO participation in CMAG meetings

The Working Group recommends that opportunities for the Working Group, and, where appropriate other NGOs to make formal, including oral submission, to CMAG.

Although the Commonwealth is an inter-governmental organisation, the role that non-governmental organisations play in the furtherance of the Commonwealth fundamental values has been recognised by the Heads of Government. At the invitation of CMAG members in 2001, a number of NGOs at both the

Commonwealth and national level (including the CMJA), presented oral evidence to the CMAG meeting in relation to the situation in Pakistan. This input was considered invaluable by the Foreign Ministers concerned as well as the participants from the non-governmental sector as there was an opportunity to provide information and participate in the discussion on the issues of concern. Although written submissions by CSOs have been made since then, there is no reporting back to CSOs as to whether or not the information was tabled and the substantive discussion or follow up. Furthermore, no opportunity to make an oral presentation directly to CMAG members has since been provided and this is arguably a missed opportunity.

The Working Group already presents a biennial report to the Secretary General on the situation in relation to the implementation of the Principles across the Commonwealth, immediately prior to the Commonwealth Heads of Government Meetings. We would welcome the opportunity to present a similar report on a yearly basis to a CMAG meeting if that were considered appropriate. Such a report, if made in timely fashion, could also embody suggestions to CMAG as to areas of concern in relation to specific Commonwealth countries which it would be hoped that CMAG would consider for the agenda of its next meeting.

In conclusion, the Working Group wishes to thank the Commonwealth Secretariat for the opportunity to make submission and stress its ongoing commitment to CMAG. The Working Group will continue to engage, where possible and appropriate, in order to encourage a full review of current composition and operation of CMAG in order to safeguard the future of the fundamental values and relevance of Commonwealth in an increasingly crowded international environment.

Commonwealth Lawyers Association (CLA)
Commonwealth Legal Education Association (CLEA)
Commonwealth Magistrates' and Judges' Association (CMJA)
Commonwealth Parliamentary Association (CPA)

20 January 2012

Written evidence from Alina Rocha Menocal, Overseas Development Institute

- The important Commonwealth mandate of public sector development and its work on the political-administrative interface is often overlooked.
- Commonwealth countries tend to outperform and be more stable than other countries, in part because of shared traditions of democracy, common law and public administration. As a result there is much to offer in the field of international development.
- The Commonwealth Secretariat has several characteristics that distinguish it from other donors such as highest level access, trust and confidence in its relations with partner countries, as well as the perception of being devoid of a political agenda.

Alina Rocha Menocal is a Research Fellow at the Overseas Development Institute (ODI) in the Politics and Governance Programme. She has particular expertise on the challenges of democratisation, linkages between state and society, and state-building. At ODI, Alina has been involved in a series of projects and assignments that seek to bridge the gap between research and policy in thinking about governance issues from a political economy perspective.

1. The recent Multilateral Aid Review (MAR) published by the UK Department for International Development concluded that the Commonwealth Secretariat was one of the poorest performers. According to the MAR, while the Secretariat shows potential in a number of areas, much work is needed if its development efforts are to be effective and make a meaningful contribution.

2. The Foreign Affairs Select Committee investigation is therefore a timely and welcome initiative. Following on from the recent Commonwealth Eminent Persons Group, it provides another opportunity to reflect on the direction for Commonwealth development assistance.

3. The important Commonwealth mandate in the field of public sector development and the interface between the political and administrative arms at the centre of government is often overlooked.

4. Commonwealth countries, on average, tend to outperform and be more stable than other countries, in part because of shared traditions of democracy, common law and public administration.

5. However, in many Commonwealth countries—especially amongst less developed, fragile and/or small/island states—institutions are weak and ineffective and the quality and capacity of the public sector remains limited. In these countries, the state cannot adequately perform key functions, provide basic services, and/or respond to the needs of its citizens. As a result, there is a real danger that the state loses legitimacy in the eyes of the population, which can in turn undermine democratic institutions and feed instability.

6. The Commonwealth seems uniquely placed to make strategic contributions to the effective governance agenda to foster institution-building. These contributions can be significant, even if they remain financially small.

7. The Commonwealth Secretariat has several characteristics that distinguish it from other donors and enable it to engage in areas of work that others find difficult or shy away from because they are deemed too politically

sensitive. Among other things, the Secretariat enjoys a combination of highest level access, trust and confidence in its relations with partner countries, as well as the perception of being devoid of a political agenda.

8. The work that ComSec is undertaking on the political-administrative interface in the Caribbean and Sierra Leone, as well as initiatives to foster more effective Cabinet processes (also in the Caribbean), are good examples of this.

9. To undertake this work more effectively, the Secretariat should focus on governance and institutions as the lynchpin that links democracy and development. This kind of work also requires developing a more pragmatic and less normative approach to development, focused on “best fit” based on the realities on the ground, rather than “best practice” in idealised scenarios.

10. The Commonwealth Secretariat itself needs to undergo reform to be an organisation “fit for purpose”, as the Eminent Persons Group report suggested. The Secretariat needs to invest in building the capacity of its staff to think, act and work in a more politically aware manner. It is essential to understand the political economy context within which governance reforms take place and the challenges and opportunities this entails, and to select interventions accordingly. Choosing areas to work in where the Secretariat has a strong foothold—as in governance—is important, but it is only part of the story. ComSec needs to become more streamlined, coherent, and better linked up internally in order to deliver on its ambitions.

23 January 2011

Written evidence from States of Jersey

SUMMARY

1. This submission focuses on the role and status that Jersey, as a British Crown Dependency, should have in relation to the Commonwealth.

2. The role and status of British Overseas Territories and Crown Dependencies were considered ahead of the 2007 Commonwealth Heads of Government meeting in Kampala. At that time, the Heads of Government decided against the introduction of alternative forms of membership.

3. Whilst Jersey respects the decision made in Kampala, much has changed since 2007 in relation to the conduct of the Island’s international affairs. Jersey has developed substantial bilateral and multilateral international relationships, is able to sign binding international treaties and represents itself in other multilateral forums such as the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes. In light of the Island’s increasing role in international affairs, one which is mirrored by the other Crown Dependencies, the question of greater representation at Commonwealth meetings should justifiably be revisited.

4. Jersey has strong qualifications for membership of the Commonwealth, including:

- a longstanding constitutional link with the UK;
- a strong track record of commitment to the Commonwealth’s core values and principles;
- longstanding autonomy in domestic affairs and an increasing international identity;
- having much to offer the many small Commonwealth states; and
- playing an active role in various Commonwealth forums.

5. As a result, Jersey and the other Crown Dependencies should be granted the status of associate member and given the right to full participation in debates and procedures, with a right to speak where relevant but without a vote.

ABOUT THE AUTHOR

6. This evidence is submitted by the Chief Minister of Jersey, Senator Ian Gorst, elected as Chief Minister on 14 November 2011.

EVIDENCE

7. The Commonwealth is a valuable project and has the ability to deliver lasting benefits to the countries that form its membership and to the wider world. It brings together the developed and the developing world and provides opportunities to share experiences in areas as diverse as sport, trade and governance as well as providing a platform to tackle issues that transcend national borders such as climate change.

8. The proper role and status of non-sovereign jurisdictions in relation to the Commonwealth was considered ahead of the 2007 Commonwealth Heads of Government Meeting (CHOGM) in Kampala. A committee was appointed under the Most Hon. Percival James Patterson, ON, PC, QC to consider *inter alia* whether to introduce “associate membership” for Overseas Territories and other non-sovereign jurisdictions. The Committee’s report, published in October 2007, recommended “retaining only one category of Commonwealth membership, that of a sovereign state as a full member” and this recommendation was endorsed by the Heads of Government.

9. The Commonwealth, like any organisation, must continually adapt in order to stay relevant and ensure that it reflects the needs of ever changing political realities. Part of this process must be timely recognition of the need for changes to existing norms and procedures and in this sense the Foreign Affairs Committee's inquiry presents an opportunity to consider again the adoption of associate membership within the Commonwealth for Jersey and the other Crown Dependencies.

The need to revisit associate membership: developments in Jersey's international affairs

10. Since the Kampala meeting, there has been significant development in the role that Jersey and the other Crown Dependencies play in international relations. The Ministry of Justice has withdrawn from the position it had played as a routine intermediary between the Island and foreign governments and accordingly Jersey has been required to build its own capacity to represent itself on the international stage. In accordance with the *Framework for developing the international identity of Jersey*—which had only just been signed when the Patterson Committee published its report—Jersey has sought to develop its international identity and now plays an increasingly active role in international affairs. A copy of the *Framework for developing the international identity of Jersey* is included at Annex A.

11. Jersey has established substantial bilateral and multilateral international relationships with G20, EU, OECD and Commonwealth member states. Through the use of entrustment, the Island has gained the capacity to enter into treaties with international partners in its own right and has used this power to conclude 27 Tax Information Exchange Agreements and two Double Taxation Agreements as well as separate agreements on the taxation of savings income with each of the 27 EU member states. Importantly, in recent years Jersey has also begun to represent itself in other multilateral institutions. In 2009, Jersey was invited to become a Vice Chair of the Peer Review Group set up by the OECD at its Global Forum on Transparency and Exchange of Information for Tax Purposes. The Island also represents itself on international regulatory bodies such as the International Organisation of Securities Commissions.

12. The developments in Jersey's international affairs are a result of conscious policy decisions taken by both the UK and Jersey and reflect important changes in the UK Government's approach to international issues that affect the Crown Dependencies. In its 2010 report on the Crown Dependencies, the Justice Select Committee recognised the practical difficulties that sometimes arise for the UK in representing the interests of the Crown Dependencies internationally. In its response to the Committee's report, the UK Government recognised that at times there would be need for the Crown Dependencies to pursue interests which are separate to those of the UK and suggested that expanded use of entrustment might help mitigate the potential difficulties that had been highlighted.

13. The current format of Commonwealth representation via the UK does not reflect the increasing role that Jersey plays in international affairs and means that the Island depends on the UK representative to make its contribution, which presents inherent difficulties. Given that the UK has far more extensive national interests than Jersey, its representative may not place the same weight on issues affecting the Island as a Jersey representative would and might choose to focus his/her energies on matters more important to the UK.

14. It seems incongruous with the UK Government's call for the expanded use of entrustment and its conscious policy of encouraging the Island to develop its own international relationships that Jersey does not attend Commonwealth meetings in its own right. Indeed, Jersey is left in the anomalous position of being able to sign binding international agreements and form substantial bilateral relations with Commonwealth countries but when they meet as a group is unable to attend and must be represented by the UK.

QUALIFICATIONS FOR MEMBERSHIP

15. With the exception of full sovereignty, Jersey meets the necessary preconditions of Commonwealth membership. Its qualifications derive from: its long standing relationship with the British Crown, with the Sovereign as Head of State; its commitment to the values and principles of the Commonwealth; and its domestic autonomy.

Constitutional association with a member of the Commonwealth

16. Jersey's longstanding relationship on the British Crown is a matter of established record. Since 1066, the Channel Islands have been subject to the English Crown as successor to the Dukes of Normandy. The Islands remained in allegiance to the King of England when continental Normandy was lost in 1204; and when, later, the ducal title was surrendered, the King of England continued to rule the Islands as though he were Duke of Normandy, observing their customs and civil liberties.

Values and Principles

17. Jersey has a strong record of compliance with the Commonwealth values, principles and priorities as set out in the Singapore and Harare declarations, including the promotion of democracy and the rule of law, and the Island fully accepts Commonwealth norms and conventions.

18. Jersey is governed by its own popularly elected legislature, the States Assembly, according to the principles of Parliamentary democracy which are common to Commonwealth members. The Island's

Government respects religious, cultural and ethnic diversity and actively upholds the principles of individual liberty and human rights. Jersey subscribes to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, has incorporated the European Convention on Human Rights into its domestic law and has extended ratification of the International Convention on the Elimination of All Forms of Racial Discrimination.

19. Although it is a small island, Jersey recognises that it has international responsibilities and participates both practically, via annual programmes of overseas projects, and financially, through the Jersey Overseas Aid Commission, in initiatives to alleviate poverty and disease in the developing world. It also participates in technical assistance programmes and is in the process of accepting a placement from a Commonwealth member state with the Jersey Financial Services Commission.

Domestic autonomy

20. Although Jersey is not a sovereign state, the Island has autonomy in its domestic affairs. Indeed the preamble to the States of Jersey Law 2005, given royal assent by the Crown provides:

“WHEREAS it is recognised that Jersey has autonomous capacity in domestic affairs;”

21. The Island’s historic privileges and freedoms are confirmed by the charters of successive Sovereigns, which guaranteed that the Island would be governed by its own laws and its citizens would be outside the jurisdiction of the English Courts. These royal charters have secured other important privileges, including fiscal autonomy, which have always been respected.

22. The evolution of Jersey’s relationship with the UK did not at any time involve amalgamation with, or subjection to, the government of the UK and even today the Island’s link with the UK and affinity with the Commonwealth is through the Sovereign as latter-day successor of the Duke of Normandy. The Channel Islands have never been conquered by, or ceded territories to, the UK, nor have they ever been colonies or dominions. Jersey’s constitution is something that has developed overtime and, unlike some other dependent territories, is not in the gift of the Sovereign.

23. Jersey has its own democratically elected parliament, an independent judiciary, a separate legal system with an appeal procedure to the Privy Council and an extensive civil service administration.

24. The legislature passes primary legislation, which, like legislation passed by the UK Government, is subject to royal assent. It can also enact subordinate legislation in many areas without any requirement for Royal Sanction and under powers conferred by primary legislation. The Island legislates for the territorial waters adjacent to it and for the airspace over its territory and waters.

25. The UK Government has historically assumed responsibility for Jersey’s defence and international relations, owing to the status of these areas as Royal Prerogatives and the convention that Crown Ministers now exercise the bulk of prerogative powers, either in their own right or through the advice that they provide to the Sovereign, which he or she is constitutionally bound to follow. However, the UK Government have themselves restrained the extent to which they act on behalf of the Island. In 1950, the Bevin Declaration provided that, in order to better reflect Jersey’s constitutional position, treaties entered into by the UK would not apply to Jersey unless it was the Island’s wish for them to do so. Similarly in 2007 the *Framework for developing the international identity of Jersey* outlined that the UK would not act internationally on behalf of the Island without prior consultation and expressed support for Jersey developing its own international identity. This has been further developed by entrustments, which grant the Island authority to enter into binding international agreements in its own right.

WHAT JERSEY CAN OFFER THE COMMONWEALTH

Small States

26. Of the 54 Commonwealth member states, 32 jurisdictions are classified as small states by the Commonwealth Secretariat. A comparison with existing small island members of the Commonwealth (Appendix B) demonstrates that Jersey has a population and a land area larger than some of those small member states.

27. In economic terms, Jersey is somewhat more substantial. The wealth of Jersey measured in GNI per capita (£40,000 in 2009) is higher than most Commonwealth members, and its total economy measured as GVA (Gross Value Added: over £3.7 billion) is significantly greater than many much larger member states.

28. Jersey has developed a successful economy within the context of a small island jurisdiction and has a great deal to offer small Commonwealth states, who all share similar challenges. Indeed, the Island has already provided technical assistance to some Commonwealth jurisdictions in the areas of financial services and financial management. In 2010, Jersey invited 26 developing countries, of which 14 were jurisdictions from the Commonwealth, to share our expertise in anti-money laundering and efforts to combat the funding of crime and terrorism. Last year the Island hosted an assessor training seminar for the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes, which was attended by assessors from Canada, South Africa and Singapore amongst other Commonwealth Countries. Similarly, during 2011, Jersey hosted

representatives from St Kitts and Nevis and the Cayman Islands to share technical expertise in economic and financial management.

29. Whilst Jersey is interested to share its expertise, the lack of associate membership within the Commonwealth places limitations on the amount it can assist member states. The lack of representation at CHOGM and Ministerial meetings denies the Island opportunity to share its knowledge and influence debate in these forums. Moreover, without associate membership, the Island is unable to make a meaningful contribution to meetings such as the Commonwealth Small States Biennial Conference.

Participation in Commonwealth Forums

30. To the extent that it is able to participate, Jersey already plays an active role. The Island regularly participates in other Commonwealth forums, such as the Commonwealth Parliamentary Association, Royal Commonwealth Society, Commonwealth Lawyers' Association, Commonwealth Games Federation and Commonwealth Magistrates' and Judges' Association. Indeed until recently Jersey provided the Executive Vice-President of the Commonwealth Magistrates' and Judges' Association. The Bailiff of Jersey has been and remains an active participator in Commonwealth Speakers' and Presiding Officers' Conferences and the Attorney General attends meetings of the Law Ministers of Small Commonwealth jurisdictions. Jersey wishes to build upon this already strong engagement and as an associate member would seek to involve itself as much as practicable in Commonwealth affairs.

ASSOCIATE MEMBERSHIP

31. Whilst Jersey wishes to secure more meaningful participation in the Commonwealth, it nevertheless accepts that its membership might reasonably be less than the full membership afforded to a sovereign state. Therefore it is envisaged that the core components of associate membership would include:

- Self-representation in all Commonwealth meetings;
- Full participation in debates and procedures, with a right to speak where relevant and the opportunity to enter into discussions with those who are full members; and
- No right to vote in the Ministerial or Heads of Government meetings, which is reserved for full members.

32. The Patterson Committee expressed concern that Associate Membership goes against the principle that all Commonwealth states are equals and in its deliberations noted that the Crown Dependencies "always have the option of achieving full sovereignty and applying for Commonwealth membership".

33. Historically, there have always been anomalies within the Commonwealth. India attended Commonwealth meetings long before it became an independent nation and indeed before it became self-governing, whilst the Premiers of South Rhodesia and Burma were invited to attend meetings as observers before their countries became independent. Equally, there has previously been opposition to inclusion of some new members on account that it would potentially change the dynamic of the community; notably to Cyprus and other small states, but these countries have thrived as members and the Commonwealth family has been enriched for their inclusion.

34. It is true that Associate Members would not have the full privileges afforded to sovereign states. However, what is important is that they will be granted a voice and the ability to contribute to the debate amongst full members. Currently the Crown Dependencies are only able to attempt to contribute via the UK representative, which, as discussed, carries with it inherent difficulties.

RECOMMENDATIONS

35. The Foreign Secretary should request that the Commonwealth Heads of Government consider granting associate membership to Jersey and the other Crown Dependencies as well as any other territories at a similarly advanced stage of autonomy. As a result of conscious policy decisions taken by the UK and the Crown Dependencies, the Islands' international profile has undergone significant change since the question of associate membership was considered by the Commonwealth Heads of Government in 2007. The changes mean that the Crown Dependencies are able to negotiate binding treaties and form substantial bilateral relations with Commonwealth countries but are unable to represent themselves when these countries meet as a group. In light of this anomalous position, the Commonwealth countries should look again at whether jurisdictions with the peculiar attributes of the Crown Dependencies should be granted associate membership.

36. The Foreign Secretary should put forth the view that associate membership is part of the natural process of development that international organisations should embrace. Like any organisation, the Commonwealth will develop over time to ensure that it continues to reflect the demands of day to day political realities. In the past this has meant the inclusion of small States from Cyprus to the Caribbean and Pacific Islands. Today, globalisation presents challenges to the conventional concept of the sovereign state as international issues increasingly impact upon the domestic. In this context, the Commonwealth should provide a voice to a self-governing jurisdiction like Jersey, which has long standing domestic autonomy and already plays an active role in international affairs under entrustment. Change can be difficult, and whilst associate membership will mean

not all members are equal in voting rights, they will all be afforded the opportunity to contribute to the debate and share their expertise.

Annex A

FRAMEWORK FOR DEVELOPING THE INTERNATIONAL IDENTITY OF JERSEY

Following the statement of intent agreed on 11 January 2006, the Chief Minister of Jersey and the UK Secretary of State for Constitutional Affairs have agreed the following principles. They establish a framework for the development of the international identity of Jersey. The framework is intended to clarify the constitutional relationship between the UK and Jersey, which works well and within which methods are evolving to help achieve the mutual interests of both the UK and Jersey.

1. The UK has no democratic accountability in and for Jersey which is governed by its own democratically elected assembly. In the context of the UK's responsibility for Jersey's international relations it is understood that:

- The UK will not act internationally on behalf of Jersey without prior consultation.
- The UK recognises that the interests of Jersey may differ from those of the UK, and the UK will seek to represent any differing interests when acting in an international capacity. This is particularly evident in respect of the relationship with the European

Union where the UK interests can be expected to be those of an EU member state and the interests of Jersey can be expected to reflect the fact that the UK's membership of the EU only extends to Jersey in certain circumstances as set out in Protocol 3 of the UK's Treaty of Accession.

2. Jersey has an international identity which is different from that of the UK.

3. The UK recognises that Jersey is a long-standing, small democracy and supports the principle of Jersey further developing its international identity.

4. The UK has a role to play in assisting the development of Jersey's international identity. The role is one of support not interference.

5. Jersey and the UK commit themselves to open, effective and meaningful dialogue with each other on any issue that may come to affect the constitutional relationship.

6. International identity is developed effectively through meeting international standards and obligations which are important components of Jersey's international identity.

7. The UK will clearly identify its priorities for delivery of its international obligations and agreements so that these are understood, and can be taken into account, by Jersey in developing its own position.

8. The activities of the UK in the international arena need to have regard to Jersey's international relations, policies and responsibilities.

9. The UK and Jersey will work together to resolve or clarify any differences which may arise between their respective interests.

10. Jersey and the UK will work jointly to promote the legitimate status of Jersey as a responsible, stable and mature democracy with its own broad policy interests and which is willing to engage positively with the international community across a wide range of issues.

Signed 1 May 2007

Secretary of State for Constitutional Affairs
Chief Minister, Jersey

Annex B

SMALL ISLAND MEMBERS OF THE COMMONWEALTH

<i>Territory</i>	<i>Population</i>	<i>Size sq km</i>	<i>GNP¹ (million US\$)</i>	<i>GNP/cap (US\$)</i>	<i>Economy</i>
Antigua and Barbuda	69,000	442	642	9,390	Tourism
The Bahamas	314,000	13,940	4,500	14,860	Tourism and offshore banking
Barbados	269,000	430	2,614	15,560	Sugar, tourism
Fiji Islands	823,000	18,270	1,755	2,160	Minerals, sugar and tourism
Grenada	102,000	344	363	3,500	Tourism
Kiribati	95,000	811	77	810	Tourism, foreign aid
Maldives	287,000	298	562	2,090	Fishing, tourism

<i>Territory</i>	<i>Population</i>	<i>Size sq km</i>	<i>GNP¹ (million US\$)</i>	<i>GNP/cap (US\$)</i>	<i>Economy</i>
Malta	400,000	316	3,637	16,790	Freight transshipment, electronics and textiles and tourism.
Nauru	11,000	21	60	1,780	Exports of phosphates, reserves now almost exhausted
St Kitts and Nevis	39,000	261	3,390	8,800	Tourism, agriculture—sugar
St Lucia	159,000	620	619	3,840	Bananas, offshore banking and tourism
St Vincent and the Grenadines	112,000	389	317	2,820	Agriculture, dominated by banana production
Samoa	176,000	2,994	260	1,420	Development aid, family remittances from overseas, and agricultural exports
Seychelles	84,000	455	538	6,530	Tourism and tuna fishing
Solomon Islands	443,000	28,450	253	570	Agriculture, fishing, and forestry
Tonga	101,000	748	154	1,410	Dependence on the half of the population that lives abroad—Australia, NZ, US
Tuvalu	12,000	26	12	1,818	Main form of income consists of foreign aid
Vanuatu	206,000	12,200	21	1,438	Subsistence agriculture, Fishing, offshore financial services, and tourism
Jersey	87,000	118	5,000	57,000	Offshore finance, tourism, agriculture

Sources: www.thecommonwealth.org/ and www.fco.gov.uk

23 January 2012

Written evidence from the Ramphal Institute

SUMMARY

The Foreign and Commonwealth Office (FCO) needs to do more to stress the value of the Commonwealth, recognising that between a quarter and a third of the UN membership belongs to this association, and they include countries of growing political and economic importance; it should publish its aims for UK participation in Commonwealth affairs, to be reviewed at intervals by the Foreign Affairs Committee.

- The development of their nations and peoples is a key concern for the majority of Commonwealth governments, including fast-growing economies such as India. This requires a joined-up and longer-term approach to development issues by the Foreign and Commonwealth Office (FCO), the Department for International Development (DFID), and the Department for Business, Innovation and Skills (DBIS).
- Given the small resources available to the Commonwealth Secretariat, the Commonwealth Secretary-General should be encouraged to focus on a few key international issues—such as the current world economic slow-down, climate change, international migration, governance and democracy—and outsource other important issues where the Commonwealth can add value to authoritative Commonwealth partners (eg the Commonwealth Parliamentary Association, the Commonwealth Magistrates and Judges Association.)
- The FCO should value and strengthen the role of the Commonwealth in providing intellectual leadership on international issues, utilising its diversity which is a preventative against groupthink; in this respect the work of the 2009–2011 Ramphal Commission on Migration and Development, which comprised two former heads of government, a runner-up in the 1999 election for the Commonwealth Secretary-General, two prominent academics and two leading civil society persons, is a useful example.

- The FCO should build on the valuable partnership established in 2011 when Lord Howell assured the Ramphal Commission on Migration and Development of UK Government support in the run-up to the Perth CHOGM. The Ramphal Institute's high-level access, and range of international contacts, offers a significant asset to Britain's international outreach.
- The FCO and other government departments should put more effort into coordinating positions with a wider range of Commonwealth partners in Commonwealth and international negotiations, recognising that even where a common approach is unlikely the clarification of difference can be helpful.

RAMPHAL INSTITUTE: WHAT IT IS

The Ramphal Institute was founded as the Ramphal Centre for Commonwealth Policy Studies in 2007 and formally launched in Marlborough House in 2008, at an 80th birthday celebration for Sir Shridath Ramphal (Secretary-General, 1975–1990). Trustees decided in December 2011 to rename the organisation as the Ramphal Institute. In its short life it has promoted the Ramphal Commission on Migration and Development (2009–2011) chaired by Mr P J Patterson, lately Prime Minister of Jamaica, which supervised the publication of three reports (see www.ramphalcentre.org). It has also carried out a major research project with the Food and Agriculture Organisation on the role of overseas diaspora communities in supporting agricultural modernisation in nine countries; this was in conjunction with the Commonwealth Foundation and International Migration Institute, Oxford. It is currently exploring a Commission-style exercise on climate change adaptation, and negotiating a further project with the FAO.

The Institute has ten trustees with Mrs Patsy Robertson, a former Director of Information in the Commonwealth Secretariat as Chair and Richard Bourne, first Director of the Commonwealth Human Rights Initiative, as Secretary. Our 22 Patrons include the former Heads of Government of Botswana, Cyprus, Jamaica, Mozambique and Singapore and other prominent Commonwealth personalities, among them Lord Patten and Glenys Kinnock in the UK.

Mrs Robertson and Mr Bourne would be pleased to give oral evidence to the Foreign Affairs Committee.

What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?

1. The Ramphal Institute, London (formerly the Ramphal Centre) sees a key value of the multilateral Commonwealth, for most of its governments and peoples, as being to promote their socioeconomic development. The Commonwealth is no longer playing a significant role here. Key donor agencies—the Department for International Development (UK), the Canadian International Development Agency and AusAid, the Australian government aid agency—have lost confidence in the Commonwealth Secretariat and its associated Commonwealth Fund for Technical Cooperation. Other governments do not look first to the Commonwealth in seeking to build alliances, and in obtaining assistance for their development. If the Commonwealth is to have a stronger sense of ownership in future, it must be seen to struggle for and achieve progress for its poorer citizens around the world.

2. In earlier periods the intergovernmental Commonwealth has balanced the modest, practical “grey matter” interventions of its CFTC technical assistance programme with major beneficial operations on the international scene. This has utilised the convening power of an association which brings together countries from North and South, at differing stages of development, of varied sizes and in different continents. The important symbolism of its crusade against racism in southern Africa was backed up by the establishment of seventeen expert groups between 1975 and 1990 which examined issues such as promoting successful negotiations for the Law of the Sea (originally put forward by Malta).

3. Other Commonwealth initiatives have included: advocating debt relief for the poorest countries which resulted in the Highly Indebted Poor Countries agreement in the 1990s (a Commonwealth crusade initiated by an Expert Group chaired by Lord Lever in 1984, followed up by Commonwealth Finance Ministers in Trinidad in 1990 when John Major was UK Chancellor of the Exchequer); focusing on the vulnerability of small states, and the risk of unfair discrimination against their financial services by the OECD which led to a joint World Bank-Commonwealth Secretariat report in 2000; pioneering work on the salience of climate change, in 1989, and youth unemployment. These achievements should inspire a much more proactive approach in the 21st century.

4. More recently the impact of the intergovernmental Commonwealth has been fitful. For instance, the Heads' meeting at Port of Spain in 2009, just prior to the Copenhagen climate change conference, produced an important proposal for a climate mitigation fund which was adopted. But no senior Secretariat figure went to Copenhagen to assist Commonwealth delegations in the subsequent talks. The recent Heads' meeting in Perth had little to say about the world's economic crisis, although five of its governments were due to attend the G20 meeting in Cannes only a few days later. There was little expectation of follow-up for the statement on Food Security at Perth, and the Commonwealth Secretariat had had no capacity to follow through with a leaders' commitment in 2009 demanding urgent action to stop the depletion of marine fish stocks.

5. Unfortunately the Commonwealth Secretariat has only modest capacity: a rotation policy among its staff risks losing good people after only three years; small states' issues, regarded as a Commonwealth speciality, only has one dedicated professional. Governments often prefer to work unilaterally instead of building cooperative Commonwealth initiatives. When Gordon Brown, then UK Chancellor of the Exchequer, launched the Commonwealth Education Fund, a UK-based Commonwealth campaign to abolish school fees for basic education in 2002 - reversing a 1990s donor strategy which emphasised "cost recovery" in social services—he failed to consult the Commonwealth Secretariat or any other organisation such as the Commonwealth Education Committee.

6. *Will the Eminent Persons Group report of 2011 to Commonwealth Heads, if adopted in full, make a difference?*

A total of 38 out of the 106 recommendations are devoted to "Development and Functional Cooperation" and related "Advocacy and Consensus Building." The crucial one, from a development viewpoint, is Recommendation 21:

"The Secretary-General should develop a clear strategy, marked by identified priorities, to maximise the Commonwealth's contribution to the achievement of the development goals of its member states. Such enhanced development work, informed by Commonwealth values and aspirations, by Commonwealth positions, and with guidance from member governments, should include: (i) advocacy and consensus building on pertinent issues as required; (ii) networking between all member governments for co-operation; and (iii) provision of assistance for institutional development." Recommendation 22 proposes that there should be changes in the Secretariat's structure and systems to deliver this vision, and the Commonwealth should be conceived of as "a central knowledge and coordination hub (a Network of Networks)."

7. The Ramphal Institute would go further, recognising that the Commonwealth Secretariat's capacity is likely to be limited, and would urge that the Secretary-General must play a strategic role in inviting qualified Commonwealth bodies—for example the Commonwealth Parliamentary Association, the Association of Commonwealth Universities, the Commonwealth Business Council and the Commonwealth Local Government Forum—to carry out specified tasks within this broad mandate, and assist them in mobilising the necessary resources. We would include the Ramphal Institute, itself among such bodies. This is in the light of EPG Recommendation 24, the EPG's recognition of the significance of international migration for Commonwealth development in the 21st century, and the work of the Ramphal Commission on Migration and Development. This first Commission, chaired by the Hon P J Patterson, lately Prime Minister of Jamaica, oversaw the preparation of three reports in 2010–11 by expert academics from the UK, Jamaica and Australia. EPG Recommendation 24 proposed that the Secretariat continue its collaboration with the Ramphal Institute.

8. From a UK perspective it is worth recording that the Ramphal experience, focused on the Commonwealth, suggests that not all UK government departments have shared the recent Foreign and Commonwealth Office enthusiasm for the Commonwealth, or awareness of its potential. In 2009, when terms of reference for the Ramphal Commission were debated at Warwick University a senior DFID official was a participant and had a hand in devising the second of ten terms of reference: "The Commission will consider brain drain, brain waste and brain circulation and, having regard to the need for pro-poor development, will consider the situation of unskilled migrants, gender issues, and the scope for improving training in destination countries." Prior to the 2010 election, one of our Patrons, Vince Cable, called on Douglas Alexander, then International Development Secretary, to seek support for the work of the Ramphal Centre. But DFID, also approached by a Ramphal Commissioner from Bangladesh, was unwilling to provide support for the Commission. This may in part have been due to a prior commitment to a much more expensive Foresight Project under the Government Office for Science, which led to the 2011 report, "Migration and Environmental Change."

9. However the outcome of the Perth CHOGM vindicated the efforts of the Ramphal Commission, with a strong passage in the communiqué on Migration and Development, and recommendations to all member governments to participate in the upcoming Global Forum on Migration and Development in Mauritius, and to take forward the stalled international talks on what can be a divisive issue. The UK government was one of several that had insisted this matter be put on the Perth agenda, and the Ramphal Institute would argue that the practical and political impact of its three reports—"People on the Move: Managing migration in today's Commonwealth"—is, thanks to the Commonwealth, significantly greater than that of the Foresight exercise.

10. In 1995 the UK Prime Minister, John Major, said of the Commonwealth, "We must use it or lose it." The Ramphal Institute now believes that the Commonwealth could do much more to promote practical, solution-based approaches to the needs of its developing states, that the UK could cooperate more effectively with its Commonwealth partners in pursuing its international objectives, and that the Foreign Affairs Committee can provide forward-looking advice to UK policy-makers which have lacked clarity in how best to use the several Commonwealth instruments available.

Written evidence from the Isle of Man Government

This submission is made by the Isle of Man Government, and is in response to the Foreign Affairs Committee's call for evidence in respect of its inquiry into "the Role and Future of the Commonwealth".

The submission is made in the context of the Isle of Man's constitutional status as a Crown Dependency, and as such, no comment is made on the wider issues concerning UK foreign policy, or the overall future and structure of the Commonwealth as a whole.

EXECUTIVE SUMMARY

1. As a Dependency of the British Crown, the Isle of Man is not—and at present cannot be—a member of the Commonwealth in its own right. However, the UK's membership of the Commonwealth is taken to include the Isle of Man, and this enables the Island to participate in Commonwealth activities in two ways; firstly, as part of the UK delegation to certain meetings, such as the Commonwealth Finance Ministers; and secondly, through membership of individual Commonwealth bodies, in its own right, such as the Commonwealth Parliamentary Association and the Commonwealth Games Federation.

2. The Isle of Man is not a sovereign state, and so does not execute formal foreign policy or conduct formal diplomatic relations. For these reasons, the Isle of Man Government does not comment on the future of the Commonwealth as a whole, but deriving benefits from its cooperation with the Commonwealth it would wish to maintain and develop this in the future within the context of the outcome of this inquiry.

3. The question of allowing full membership of the Commonwealth for Overseas Territories, Crown Dependencies and self-governing territories is one which the Commonwealth considered in 2007. During the course of the consultation on membership, the Isle of Man Government stated that it could not commit to membership at that stage as there were no concrete proposals in terms of its costs and possible benefits.

4. The Isle of Man has, however, a proven ability in developing its international profile, in line with the "Framework agreement for developing the international identity of the Isle of Man" signed between the Isle of Man and the UK in 2007 (Appendix 1). This includes participation in a number of international bodies and the negotiation and signature of a significant number of tax information sharing agreements under entrustment from the UK Government.

5. In light of the above, therefore, were there to be a change of policy by the Commonwealth and a clearer definition of membership costs and other commitments, the Isle of Man would welcome the opportunity to revisit the question of membership and would approach it in a positive manner.

OVERVIEW OF THE ISLE OF MAN'S INTERNATIONAL AND CONSTITUTIONAL POSITION

6. The Isle of Man is an internally self-governing Dependency of the British Crown. It is not, nor has it ever been, part of the UK. Her Majesty The Queen, as with many Commonwealth Members, is the Isle of Man's Head of State, and is represented in the Island by the Lieutenant Governor. The Isle of Man is not a sovereign state, and as such does not have a public international law personality in its own right. The United Kingdom has responsibility for the Island's defence and international relations.

7. Membership of most international bodies—including the Commonwealth—is only open to sovereign states. However, it is accepted that the United Kingdom's membership of the Commonwealth extends to cover the Isle of Man, and membership of the various bodies within the extended Commonwealth organisation (including the Commonwealth Games Federation, the Commonwealth Parliamentary Association and the Commonwealth Association of Tax Administrators) is open to the Island, where the constitution of those bodies allows.

8. The Isle of Man is a modern parliamentary democracy, and supports the aims and objectives of the Commonwealth. The Manx parliament, Tynwald, was founded over 1,000 years ago and is the oldest continuous parliament in the world. The Island has no party political system and a large majority of members are independent. The Island's legislature comprises three Chambers. There is the House of Keys, made up of 24 popularly elected members, and the Legislative Council, made up of 8 members elected by the House of Keys and 3 ex-officio members. These Chambers sit separately and each considers primary legislation. The Keys and the Council sit together in the Third Chamber, Tynwald, to debate policy, to consider secondary legislation and to vote on financial matters.

9. In line with its constitutional status, the Isle of Man Government does not conduct what might be recognised as a formal foreign policy, but it does build relations with countries other than the UK, and welcomes the opportunity to promote economic, political, sporting and cultural ties with other nations.

10. In line with Government Policy, and supported by resolution of Tynwald, the Island's parliament, the Isle of Man is not seeking to gain independence from the UK. It is, however, seeking to develop more autonomy in the conduct of its international relations, including self-representation where possible. In support of this approach, the Isle of Man has a proven ability in developing its international profile, in line with the "Framework agreement for developing the international identity of the Isle of Man" signed between the Isle of Man and the UK in 2007 (Appendix 1). This includes participation in a number of international bodies including

the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes, and the establishment of direct working relationships with the IMF and the EU.

11. The Isle of Man has negotiated and signed a significant number of tax information sharing agreements on its own behalf, under entrustment from the UK Government. More recently, flowing from the recommendations of the House of Commons Justice Committee, and the Ministry of Justice's response, the Isle of Man has welcomed the opportunity to develop further its own ability for self-representation internationally. Furthermore, due to financial and staffing constraints facing the Ministry of Justice, and in recognition of the Isle of Man's wish for increased self-representation, the involvement of the Ministry of Justice has significantly reduced and the Island engages directly with UK Government Departments.

RESPONSE TO THE QUESTIONS POSED BY THE COMMITTEE

Question 1: *What is the future of the Commonwealth and what reforms are needed if the Commonwealth is to be successful?*

Question 2: *Does the Commonwealth retain a purpose and value? How has the Perth Commonwealth Heads of Government Meeting impacted upon this purpose and value?*

Question 3: *How does membership of the Commonwealth help the UK achieve its diplomatic objectives?*

12. Whilst the Isle of Man does seek to develop relationships with other countries and with international bodies, as mentioned above, it does not conduct a formal foreign policy distinct from that of the UK.

13. Questions relating to the future of the Commonwealth and its purpose and value in a global sense, therefore, lie outside of the Isle of Man Government's remit.

14. However, notwithstanding the above, the Isle of Man Government endorses and adheres to the same fundamental principles adopted by the Commonwealth as set out in Singapore in 1971, and reaffirmed in the Harare Declaration of 1991.

Question 4: *What benefits does the UK's membership of the Commonwealth bring in terms of:*

- Trade.
- The promotion of human rights.
- The promotion of "soft power" and a positive image of the UK?

15. The UK's membership of the Commonwealth extends to cover the Isle of Man, and as such, some of the benefits of that membership are shared by the Isle of Man.

TRADE

16. The Isle of Man's closest and most significant trading partner is the UK, but the importance for the Island of free and open international trade cannot be overstated. As the Isle of Man has a very small domestic market it has, for the last forty years, built its economy on a diversified portfolio ranging from the provision of global financial services, shipping, film production and high value-added and high-tech industries especially in aerospace and advanced engineering. In common with all developed, and many developing countries, it relies on open, international markets, for its economic wellbeing. Historical and cultural/linguistic ties with many Commonwealth countries are still relevant and important to the Isle of Man as it seeks to build stronger and more extensive international business links.

17. The Isle of Man Government sees the promotion of trade and the growth of emerging markets within the Commonwealth as a key factor to the future success of the Commonwealth, and this is an area where the Island's participation could be enhanced.

18. In conjunction with the recent 2011 Commonwealth Youth Games staged in the Isle of Man (see response to question 5 below) the Isle of Man Government held an event in London entitled "Doing Business in the Commonwealth" attended by representatives of various Commonwealth Countries. The event was an opportunity for Isle of Man Government to raise awareness of the Isle of Man as a business hub for high-tech, capital intensive businesses, promoting it as an environment that understands the needs of business to an international audience.

19. Contacts and opportunities were forged through this event and the Isle of Man Government is seeking to develop these in order to establish closer co-operation and economic benefit with the Commonwealth Business Council.

20. More recently, in December 2011, and following initial discussions with its secretariat, the Isle of Man applied to become a member of the Commonwealth Association of Tax Administrators. The Constitution of the Association explicitly provides that associated states and dependencies of Commonwealth countries can become members. The Isle of Man Government considers that through its commitment, energy and unique experience, it can add value to the work of CATA and assist in delivering the Association's mission.

HUMAN RIGHTS AND “SOFT POWER”

21. In terms of the promotion of human rights, “soft power” and a positive image of the (UK and) Isle of Man, the Island has been able to provide support to the Commonwealth and its members in a number of ways, in order to promote human rights, the rule of law and democracy, and adherence to prevailing international standards.

22. For example, Tynwald’s long association with the Commonwealth Parliamentary Association (CPA) has allowed it to promote the Island as a good “international citizen” in terms of the maintenance of a strong tradition of parliamentary democracy in a small nation. The Isle of Man has the oldest parliament in continuous existence, and over the years Manx parliamentarians have provided advice and support to new democracies which have achieved independence from the UK, and have set up their own systems of government. This includes participating as observers in elections, and also hosting and participating in CPA conferences. In 1983–84 the Speaker of the House of Keys, Sir Charles Kerruish MHK, was the President of the CPA, and it was in 1983 that the Isle of Man instigated the establishment of the Law Officers of Small Commonwealth Jurisdictions. (This group still meets every two to three years, and is now supported by the Commonwealth Secretariat).

23. It is notable that there is now a predominance of small states within the Commonwealth and the Isle of Man has been able to support the promotion of democratic values and robust parliamentary practice through its membership of the CPA.

24. More recently, the Isle of Man Government, in conjunction with the Commonwealth Secretariat, the World Bank, the Small States Network for Economic Development and Oxford University, has sponsored the Small States Financial Management Programme. Participants in the programme are drawn from officials within finance ministries, central banks, and regulatory bodies in small developing countries. They benefit from access to some of the best practitioners and academics in the world, during an innovative two-week learning experience where they have the opportunity to share their own countries’ ambitions and challenges and to consider possible solutions.

25. The programme takes place annually at both the Isle of Man International Business School and Oxford, and covers key issues such as risk assessment, management and regulation, debt and cash management, and regulatory collaboration.

Question 5: What direct benefits does the Commonwealth bring to citizens of the UK and of Commonwealth countries?

26. One of the benefits which the Commonwealth brings to the Isle of Man is the ability to participate in the Commonwealth Games. The Isle of Man is a member of the Commonwealth Games Federation in its own right, and as well as regularly participating in the Commonwealth Games and Commonwealth Youth Games, it hosted the Commonwealth Youth Games in 2011. This gives an opportunity for Isle of Man competitors to participate at an international level and has recently provided a stepping stone to membership of the Great Britain Olympic team.

Question 6: What role and status should the British Overseas Territories, Crown Dependencies and self-governing jurisdictions have in relation to the Commonwealth?

THE ISLE OF MAN’S EXISTING RELATIONSHIP WITH THE COMMONWEALTH

27. By memorandum of 1950 the then UK Home Secretary Ernest Bevin decreed that any international agreement entered into by the United Kingdom would not automatically extend to include the Crown Dependencies, without the Crown Dependencies’ agreement. It has subsequently become common practice for the United Kingdom to consult the Crown Dependencies on each international agreement it enters into, as a contracting party, in order to ascertain whether each Island would be able to comply with the terms of the agreement and whether it would wish to be included in the ratification. As a Crown Dependency, the Isle of Man does not have the requisite international legal personality to enter into such agreements on its own behalf.

28. The UK would, during the normal course of events, make an explicit declaration or would deposit an instrument of ratification or similar, which would make clear that its signature or ratification of a particular convention or treaty should be taken to include the Isle of Man.

29. The UK’s membership of the Commonwealth, however, pre-dates the 1950 memorandum and as with other organisations established before this date, as well as some major international treaties, the UK’s membership is taken to include the Isle of Man.

30. Under the auspices of the UK’s membership, the Isle of Man currently participates in two main ways in the activities of the Commonwealth; firstly, as part of the UK delegation to certain meetings, such as the Commonwealth Finance Ministers; and secondly, through membership of individual Commonwealth bodies, in its own right, such as the Commonwealth Parliamentary Association and the Commonwealth Games Federation. The Isle of Man Government’s participation—in Ministerial meetings, and potentially through increased interaction with Commonwealth Business Council—is distinct from that of Tynwald, in the CPA, and of the Commonwealth Games Association of the Isle of Man, in the Commonwealth Games Federation.

THE COMMONWEALTH'S MEMBERSHIP RULES

31. The Commonwealth last discussed the issue of membership, and in particular, the question of possible membership for Overseas Territories and Crown Dependencies in 2007. Following the submission of its report to the Kampala Commonwealth Heads of Government Meeting (CHOG), the Committee on Commonwealth Membership recommended, amongst other things, that membership should be confined to sovereign states.

32. The Committee stated that "provided an aspirant member was a sovereign state, had a historic constitutional link with an existing member or a group of its members and adhered to the Commonwealth's fundamental principles, values and norms, a modest expansion in membership would be in the interest of the Commonwealth's strategic engagement with the wider world".

33. The Committee also considered and rejected the proposal to establish a second tier or associated status.

THE ISLE OF MAN AND COMMONWEALTH MEMBERSHIP

34. With the exception of sovereignty, it is clear from the above that the Isle of Man comfortably meets all of the Commonwealth's requirements for membership.

35. In the absence of a strong political wish for the Isle of Man to achieve independence or any desire from the Commonwealth to allow for membership for non sovereign countries like the Isle of Man, it would seem there is currently no realistic prospect of the Isle of Man becoming a member of the Commonwealth.

36. During the course of the consultation on the question of Membership leading up to the CHOG meeting in Kampala in 2007, the Isle of Man Government advised the UK Department of Constitutional Affairs that in the absence of detail on membership costs and other commitments such as provision of staffing or other resource, the Isle of Man could not determine whether it might be beneficial for it to become a member, even if it were to be possible.

37. However, were there to be a change of policy by the Commonwealth and a clearer definition of membership costs and other commitments, the Isle of Man would welcome the opportunity to revisit the question of membership and would approach it in a positive manner.

What role and status should the Isle of Man have in relation to the Commonwealth?

38. Whilst the Isle of Man's role and status in relation to the Commonwealth is in line with its current constitutional position, the Isle of Man Government and other bodies, such as Tynwald, and individuals, including sportsmen and women, are able to play a full and active role in the work of the Commonwealth. This is of great benefit to the Island because of the opportunity it presents for interacting with the wide variety of countries included within the Commonwealth network, and also, the ability to access technical assistance through various bodies such as the Tax Administrators Association.

39. The Isle of Man Government very much welcomes the positive and supportive approach of the Commonwealth, its Secretariat and its various associations, takes towards the Island and believes the Isle of Man has a proven track record of effective and positive engagement with the Commonwealth. This is demonstrated through its very active participation in the Commonwealth Parliamentary Association, sponsorship of the Small States Financial Management Programme, and participation in the Commonwealth Games.

40. Seeking recognition and also making a positive contribution on the international stage are in line with the Isle of Man Government's stated aim of enhancing its international reputation and profile.

41. To this end the Isle of Man Government believes that whilst the Island makes a positive contribution towards the work of the Commonwealth, and plays an active part in upholding its values and principles, this could be enhanced. As stated above the Isle of Man Government is pursuing more active engagement with the Commonwealth, for example with the Commonwealth Business Council. In addition to this, should the Committee recommend that the role and status of non sovereign countries in relation to the Commonwealth be enhanced further, then the Isle of Man Government would very much welcome the opportunity to be part of a discussion as to how its role and status might develop, in order to play a fuller part in the work of the Commonwealth.

42. Should the Committee deem it to be helpful, the Isle of Man Government would be very willing to provide further oral evidence to the Committee as required.

APPENDIX 1

FRAMEWORK FOR DEVELOPING THE INTERNATIONAL IDENTITY OF THE ISLE OF MAN

Following the statement of intent agreed on 11 January 2006, the Chief Minister of the Isle of Man and the UK Secretary of State for Constitutional Affairs have agreed the following principles. They establish a framework for the development of the international identity of the Isle of Man. The framework is intended to clarify the constitutional relationship between the UK and the Isle of Man, which works well and within which methods are evolving to help achieve the mutual interests of both the UK and the Isle of Man.

1. The UK has no democratic accountability in and for the Isle of Man which is governed by its own democratically elected assembly. In the context of the UK's responsibility for the Isle of Man's international relations it is understood that:

- The UK will not act internationally on behalf of the Isle of Man without prior consultation.
- The UK recognises that the interests of the Isle of Man may differ from those of the UK, and the UK will seek to represent any differing interests when acting in an international capacity. This is particularly evident in respect of the relationship with the European Union where the UK interests can be expected to be those of an EU member state and the interests of the Isle of Man can be expected to reflect the fact that the UK's membership of the EU only extends to the Isle of Man in certain circumstances as set out in Protocol 3 of the UK's Treaty of Accession.

2. The Isle of Man has an international identity which is different from that of the UK.

3. The UK recognises that the Isle of Man is a long-standing, small democracy and supports the principle of the Isle of Man further developing its international identity.

4. The UK has a role to play in assisting the development of the Isle of Man's international identity. The role is one of support not interference.

5. The Isle of Man and the UK commit themselves to open, effective and meaningful dialogue with each other on any issue that may come to affect the constitutional relationship.

6. International identity is developed effectively through meeting international standards and obligations which are important components of the Isle of Man's international identity.

7. The UK will clearly identify its priorities for delivery of its international obligations and agreements so that these are understood, and can be taken into account, by the Isle of Man in developing its own position.

8. The activities of the UK in the international arena need to have regard to the Isle of Man's international relations, policies and responsibilities.

9. The UK and the Isle of Man will work together to resolve or clarify any differences which may arise between their respective interests.

10. The Isle of Man and the UK will work jointly to promote the legitimate status of the Isle of Man as a responsible, stable and mature democracy with its own broad policy interests and which is willing to engage positively with the international community across a wide range of issues.

Signed on 1 May 2007 by:

The Rt Hon Lord Falconer of Thoroton QC
Secretary of State

Hon J A Brown MHK
Chief Minister

25 January 2012

Written evidence from Mark Robinson

1. INTRODUCTION

1.1 This paper is a personal submission by Mark Robinson, former MP (Con) for Newport West (1983–87) and Somerton and Frome (1992–97) and a Member of the Foreign Affairs Committee (1983–85). A brief summary of his career and work within the Commonwealth is attached to this paper.

1.2 Having contributed to three formal submissions (The Round Table, the Commonwealth Consortium for Education, and the Ramphal Institute), the purpose of this paper is to offer some personal observations on where the Commonwealth stands today and the opportunities that lie before it, as someone having been involved in Commonwealth Affairs for many years and attending the last three CHOGMs, including the one held in Perth.

2. THE FUTURE OF THE COMMONWEALTH, ITS PURPOSE AND VALUE

2.1 Although the Commonwealth has 54 Members, there are a number of other countries keen to be associated with it. The reasons for this are clear. The Commonwealth is united by the English language, comparative systems of government, both national and local, similar legal systems, mutual interests in health, education and a variety of other disciplines, including media, culture and sport. There are strong regional connections some of which have brought in new members (Cameroon, Mozambique and Rwanda). Regarding democratic institutions, the Commonwealth is well served by the Commonwealth Parliamentary Association (CPA) and regarding election observation, the Commonwealth Secretariat as well.

2.2 Democratic Governance is important to the Commonwealth. It is the only international organisation that has suspended members from its official counsels after military coups and in the case of Zimbabwe following

a farcical election. In such cases the work of CMAG has become increasingly important and the decisions taken in Perth to strengthen that body, although overdue, are very welcome. Countries suspended have always found their way back to the tables. In recent years elections, followed by changes of government, have materialised and been accepted. Ghana is a case well worth looking at for its emergence from military rule to a well-functioning democratic state with changing governments, while Zambia is a recent example of a successful transfer of power after an election and not for the first time. Another country that has received strong support from the Commonwealth and its related organisations is Mauritius, which resulted in a young man, who had spent much time as a political prisoner, being elected President and assuming power. It would be amazing if there was not an example of chronic disappointment. Zimbabwe fits that bill and after suspension, President Mugabe decided to leave the Commonwealth, which has made it very much more difficult for the organisation to influence on going situations.

2.3 Despite that there are many in Zimbabwe who look forward to that country's return. In that regard, a group of Commonwealth Organisations have come together in London to work with civil society organisations in Zimbabwe working in clusters covering areas such as education, health, local government, media, law and culture. At the 2009 CHOGM, Zimbabwe received a positive mention in the communiqué, as it did at Perth. The Commonwealth Secretariat allows the Group to meet at Marlborough House and interested organisations, not always of Commonwealth origin, also attend, as does the FCO. A report entitled "Zimbabwe: Routes to Progress" a Report on Activities 2010–11 was circulated to all CHOGM delegations through the services of the Commonwealth Secretariat (available to the FAC on request).

2.4 As long as the Commonwealth has organisations that do useful work, very often without fanfare, the organisation will have a future. What is more, they do so with limited resources, most of which seem to go a very long way. Two organisations formed relatively recently, namely the Commonwealth of Learning (CoL), based in Vancouver, and the Commonwealth Business Council (CBC) are growing in stature and strength. Indeed at Perth, Australia decided it had made a mistake and rejoined CoL, which was most welcome. There would be no difficulty furnishing other examples, but the purpose of this presentation is to illustrate points rather than cover everything.

2.5 Many members of the Commonwealth are small states, with problems in common and interests to battle for in the larger multilateral institutions. The Commonwealth, as always on meagre resources, has established facilities for them to work together both in New York and more recently Geneva. At Perth, the statement by Heads of Government on Food Security Principles is an immensely valuable document, welcomed by FAO, with some very pertinent words on the need to manage the world's oceans and fisheries properly.

2.6 All the above examples illustrate that it is not just whether the Commonwealth has a future, but that it has uses in areas where other multilateral organisations are unable to venture. To do this without a constitution based on treaty is remarkable, but in that its strength may lie. Perth, however, was also about the Report of the Commonwealth Eminent Persons Group, commissioned by Heads of Government at their previous meeting to examine possible reform. It had 106 recommendations, but there was very little time for CHOGM to come to terms with the recommendations. The ground lost needs to be recovered.

3. What reforms are needed for the Commonwealth to be successful?

3.1 Commonwealth Leaders clearly value the Commonwealth and CHOGM is taken seriously. The demands of the modern world in a plethora of international and regional meetings mean that leaders are unable to devote the time that they once were. This could threaten the future of the Commonwealth, so it is important for meetings to be focused. The work of the Commonwealth Eminent Persons Group is extremely important. It has some vital proposals and these reforms need to be implemented if the Commonwealth is to increase its effectiveness.

3.2 The important point is that the report has not been well handled thus far, which is a failure and ways must be found to recover the ground that has been lost. The Commonwealth Secretary-General has set out a plan that will deal with the proposals and enable Commonwealth Foreign Ministers to settle them by the autumn of 2012. The problem with this is time and the question that needs to be answered is whether there is sufficient momentum to be successful in this task.

3.3 In Perth, there was a meeting between representatives of Civil Society and Foreign Ministers, which was well attended on both sides and, in my view, the best of its kind since such gatherings were introduced. That said, there is a long way to go to make this kind of dialogue useful. At that meeting the British Foreign Secretary left no one in any doubt of his feelings that the EPG Report was not being handled well. He regretted it had not been released so that Foreign Ministers could have had the benefit of the observations of Civil Society on it. His remarks struck a chord. The problem now is that there is little time to recover that lost ground.

3.4 The key to ensuring that the important recommendations of the EPG are given proper consideration is if a like minded group of Foreign Ministers insist that this happens. If putting the "C" back in FCO means anything, then Britain should try and work with other like minded Foreign Ministers to put the exercise on proper track. There has to be work for the FCO in this. A simple point worth making here is that several Governments appointed exceptional and high quality individuals to serve on this group in their personal capacities. They have done an extraordinarily good job. Surely those Governments can come together to ensure that the recommendations are dealt with to best advantage for the betterment of the Commonwealth.

3.5 It has to be mentioned that the Commonwealth is run on resources that UN institutions would regard as derisory and perhaps not sufficient to fund their travel budgets. Staff resources are low and salary structures not certain to attract the best. Yet it still has capacity to punch above its weight and accomplish things, especially in the context of democratic development that would not be countenanced in UN bodies. Three countries, namely Britain, Canada and Australia are responsible for providing more than two thirds of the organisation's resources. The EPG report goes into some difficult and sensitive areas, without demanding vast increases in resources because it has been practical, which makes its work valuable. All the more reason for its recommendations to be taken seriously.

3.6 There are fears that some countries welcome seeing the EPG Report in the long grass, because they regard the proposal for a Commissioner for Democracy, the Rule of Law and Human Rights as a threat to their internal affairs. Yet the ideas on Page 40 of the report can be repackaged in other ways if that wins greater acceptance. After all, the Commonwealth has got to where it is today by sowing seeds that take time to grow. There is no better example of this than CMAG. At Perth, Heads of Government agreed to strengthen CMAG in ways that some had worked and campaigned for over long periods of time. There is more work to be done now, but to get this far is for some the biggest achievement of the Perth CHOGM.

4. *How does Commonwealth membership benefit the UK?*

4.1 There is a Commonwealth bond of history and friendship that has enormous value. HM The Queen as Head of the Commonwealth has been central to the effectiveness in good times and difficult ones. Her opening speech at CHOGM always sets the meeting off on the right path. Membership of the Commonwealth is important to the success of many bilateral visits. Ideas can be sown at wider international meetings, because Britain is able to use its Commonwealth connections to influence results. It is not something that needs to be used all the time, but used strategically it can be very effective. Certainly successive French Presidents have wished that the Francophonie had the same strengths.

4.2 I can only repeat what other submissions will have said in the context of Trade. The Commonwealth relationship often means doors are open when they might otherwise be closed. There is no finer example than the success of the Commonwealth Business Forum at the Perth CHOGM, which also attracted participation from non-Commonwealth countries, including China. The Commonwealth is extremely strong in its wide cross section of Civil Society organisations, which is a factor of immense value.

4.3 In the work that goes on all the time to promote human rights and democracy there is a natural channel for diplomacy from which both Britain and other Commonwealth countries benefit. This works in both international and regional networks.

5. *Can the UK do more to benefit from the Commonwealth brand?*

5.1 The decision of the Foreign Secretary and his colleagues to take a more participatory role in Commonwealth activities has been very welcome. Lord Howell, as Commonwealth Minister, has attended countless meetings all of which have been welcomed and at the Perth CHOGM he was everywhere. For the Foreign Secretary to make the closing speech at the Commonwealth People's Forum was unprecedented and very well received. This is mentioned because in the past British Governments have been reluctant to do this, or launch initiatives for fear of being seen to be reverting to colonial instincts. Edward Heath is alleged to have discouraged the FCO from having too high a Commonwealth profile for fear of sending the wrong message to Europe, a mistake the French have never made in their relations with the Francophonie. In terms of European funding for Commonwealth initiatives there is a history of lost opportunities, which might be corrected in future with FCO collaboration.

5.2 Over the years, the number of officials in the FCO dealing with Commonwealth matters has been drastically reduced. Perhaps it is time this issue was revisited in the FCO. In effect, the Commonwealth brand is strong across the Commonwealth and this should be recognised. Sadly this is not reflected in the UK press. That is why the EPG report is wise to have raised the issue of the Commonwealth profile and how it can be improved. This is also crucial to the future of the Commonwealth, which will need to maintain at the very least profile to survive.

5.3 Britain's Overseas Territories and Crown Dependencies can reap benefit from their proximity to and relations with Commonwealth countries. Recently, the Commonwealth Foundation did a project on this with FCO support. There is plenty of scope for more constructive work in this area and it should be encouraged.

6. CONCLUSIONS

6.1 The Commonwealth has a priceless future if this is steered properly. To achieve that it has to be fit for purpose, which was the reason for setting up the Eminent Persons Group and why its recommendations need to be handled effectively.

6.2 The Commonwealth has plenty of future potential if it works properly. To achieve that there is clear benefit in examining the way the FCO at official level relates to the organisation and how this can be improved.

6.3 The UK Government should not be closed to sponsoring initiatives, or encouraging others to do so backed by their support.

6.4 Civil Society, supported by the Commonwealth Foundation can be effective in their work. Closer links with DfID are also to be encouraged in development areas, remembering that that is a two way street.

26 January 2012

Written evidence from the Commonwealth Youth Exchange Council (CYEC)

1. SUMMARY

- Introduction to the Commonwealth Youth Exchange Council (CYEC) (para 2).
- The importance of recognising the role of young people as stakeholders if the Commonwealth is to develop as a vibrant and healthy 21st century and modern Commonwealth (para 3).
- Future of the Commonwealth—highlighting the role and importance of the People’s Commonwealth, need for reform and impact of Perth (paras 4 and 5).
- UK diplomatic objectives—Commonwealth’s role as a soft power and a force for good in promoting peace and prosperity (para 6).
- Benefits of UK membership—value of people to people links in promoting values, personal and institutional links and trade (para 7).
- Benefits to Citizens (para 8)—employment, community cohesion, skills transfer.
- British Overseas Territories Commonwealth role—encouraging greater traction and participation in Commonwealth activities (para 9).
- Recommendations (para 10).

This submission does not respond to all questions but addresses discrete aspects more directly relevant to CYEC’s work and expertise.

This submission has been prepared by Vic Craggs, CYEC Chief Executive.

2. THE COMMONWEALTH YOUTH EXCHANGE COUNCIL (CYEC)

The Commonwealth Youth Exchange Council (CYEC) is a UK based youth development and education charity working alongside young people to support them as active global citizens through sharing lives, exchanging ideas and working together. We support a bilateral UK—Commonwealth group youth exchange programme and Commonwealth wide youth led development and leadership projects.

Further information about CYEC’s work can be found at: www.cyec.org.uk

3. YOUNG PEOPLE AND THE COMMONWEALTH

Young people are vital to the future of the Commonwealth. Youth aged under 30 years represent over 60% of the population of the Commonwealth and CYEC believes they are a crucial, yet largely untapped, asset for our societies and can act as a catalyst for nation building and for developing a stronger 21st century Commonwealth.

This is at a time when there is a demographic “youth bulge” affecting all aspects of poverty and development efforts in Commonwealth Member States and the transition of youth to adulthood is being prolonged or blocked for many. A disproportionate percentage of the current youth generation live in poverty and unemployment and are affected by widespread disease, poor sanitation and inaccessible health care and secondary education.

CYEC promotes youth exchanges and programmes for young adults that enable them to share and compare views, learn about the reality of each other’s lives and build Commonwealth links and awareness. Interchange gives young people an opportunity to educate each other because they understand best the problems that they and their contemporaries face and how best to solve them.

“We have learnt a lot from each other and realise that although we live in very diverse circumstances we have a lot in common and have shared aspirations and concerns”

Alongside a programme of UK—Commonwealth bilateral youth exchanges CYEC supports a number of youth led development activities and networks and is particularly proud of its role in helping to found the Commonwealth Youth Forum (CYF), held at the time of CHOGM’s. Each CYF provides a platform for the voice of Commonwealth young people and aims to support them as change makers developing understanding of core Commonwealth values and contributing to the development of their communities and the wider Commonwealth.

At Commonwealth Youth Fora young people have consistently asked to be seen “not as a problem but as part of the solution”. They ask to be treated as partners in democracy and development with contributions to make as agents of peace-building, of climate change awareness and as drivers as social and economic enterprise.

The importance of recognising the role of young people as stakeholders if the Commonwealth is to develop as a vibrant and healthy 21st century organisation the importance of recognising the role of young people as stakeholders is paramount. This will not happen without programmes that raise awareness of the contemporary Commonwealth.

4. FUTURE OF THE COMMONWEALTH AND REFORMS NEEDED FOR SUCCESS

The Commonwealth is a unique network crossing all kinds of divides with access to a broad range of stakeholders and contributors including governments, civil society, business, and the diverse network of Commonwealth professional and other associations.

In the 21st century the Commonwealth is never going to be the kind of power bloc that other political alliances and bodies represent but it has the potential to be a major soft power influence. It needs to reaffirm its guiding principles and values and play to its strengths.

The Commonwealth has reached a point in its history where it must ask itself big questions. What is it for? Who does it serve? Where is it relevant? What and where can it make a difference? And how effectively is it upholding its own values day to day? The reform agenda flagged up by the Eminent Persons Group is undoubtedly timely.

CYEC feels that the dimension provided by the People's Commonwealth/civil society organisations (which complement the official Inter Governmental Commonwealth institutions) is a very important feature; their potential to make the Commonwealth more effective is considerably under utilised.

5. THE COMMONWEALTH'S PURPOSE AND VALUE AND THE IMPACT OF THE PERTH CHOGM.

The EPG report offered a roadmap to modernise Commonwealth values and purpose for the 21st century. The call for a charter of values, a Commissioner on Human Rights and a range of progressive ideas was of great interest to young people and they were disappointed that the publication of this report was delayed and concerned that many of its recommendations might be blocked. We were also disappointed that the People's Commonwealth aspect of the EPG recommendations appeared to be resisted by some CHOGM players at Perth.

6. COMMONWEALTH MEMBERSHIP AND UK DIPLOMATIC OBJECTIVES

The Commonwealth is a global organisation with some unique and important networking and informal qualities that complement other global multinational organisations. It has the potential to be a force and influence for good and offers a soft power dimension not offered elsewhere; this should not be underestimated. This is important to the UK as is the fact that sometimes Commonwealth members can support one another in global bodies. Smaller member countries often look to the UK and other larger members to help amplify their perspectives. The soft power (and trade) dimensions provided by an English speaking Commonwealth network with a mutual interest in global peace and prosperity are important.

7. BENEFITS TO UK IN TRADE, PROMOTION OF HUMAN RIGHTS, "SOFT POWER" AND A POSITIVE IMAGE OF THE UK

People to people links and youth and education interchange are a powerful and sometimes under rated form of very effective people's diplomacy that over time build enduring personal, institutional and trade links. We believe such links are also influential in attachment to Commonwealth values including good governance and human rights. Regarding trade and soft power comments at para 6 are also germane.

8. DIRECT BENEFITS—CITIZENS OF THE UK

For the UK there is a two-way skilled employment flow. The fact that major Commonwealth institutions are headquartered in the UK and that the Commonwealth brings important diplomatic and education networks to the UK, including overseas students and scholars is relevant. There is also a very significant "Commonwealth within our shores" diaspora that makes a rich cultural contribution to our multi-racial society.

DIRECT BENEFITS—CITIZENS OF COMMONWEALTH COUNTRIES

There is no doubt that small, and often vulnerable, states see real value in the Commonwealth umbrella. The modest CFTC programme is effective, the Commonwealth of Learning has an excellent reputation and Commonwealth Scholarships are greatly valued. For the more developed and powerful member states it is probably the soft power influence and trading dimension provided by an English speaking Commonwealth that resonates.

9. DEPENDENT TERRITORIES

In general wherever possible the British Overseas Territories should have access, and contribute to, Commonwealth programmes, particularly those for young people. Where appropriate this might mean consultation and/or participation in UK delegations to Commonwealth events.

10. SUMMARY AND RECOMMENDATIONS

The Commonwealth is a unique network crossing all kinds of divides with unique access to a broad range of stakeholders and contributors including governments, civil society, business, and the diverse network of Commonwealth professional and other associations. In particular the fact that the Commonwealth is—uniquely—a people’s association as well as an inter-governmental association marks the Commonwealth out from other multilateral players. In a networked world, new ways for UK citizens and Commonwealth peoples to interact and participate need to be found and encouraged.

We recommend that:

- Serious consideration be given to more promotion, education and awareness about the Commonwealth and its core values and principles, particularly amongst young people in the UK
- The Commonwealth should increasingly emphasise and prioritise its partnerships with civil society, including with youth civil society organisations since demography and succession are key to the Association’s future.
- Linked to the above, thought should be given to maximising the legacy dimension of current Commonwealth events and programmes from Commonwealth Week to the Commonwealth Scholarship Programme and youth exchanges through to high profile events like the Commonwealth Games and CHOGM.
- There is now a need for a new youth focused Commonwealth “branded” initiative such as a Commonwealth youth internship exchange scheme which could focus on skills and experience exchange. (It is recognised that it is not practical for everyone to travel but it is our experience that some contact programmes are vital to encourage new and younger Commonwealth citizens networks to grow and flourish).
- The potential for more UK—Commonwealth education and teacher interchange and shared professional development programmes should be explored.

26 January 2011

Written evidence from The Rt Hon the Lord Luce KG, GCVO

INTRODUCTION

This is the right time to take stock of the Commonwealth and its value to the UK. Britain is no longer the dominant but now an equal partner. The Empire and arguments over sanctions over South Africa are long since over. The Eminent Persons Group has produced a remarkable range of recommendations designed to strengthen the Commonwealth and this is the year of The Queen’s Diamond Jubilee, alongside which a Diamond Jubilee Trust has been established. Moreover, we have a Government which is strongly committed to the Commonwealth.

It is true that the Perth CHOGM demonstrated that there is a varied level of commitment to the Commonwealth though, at the same time, no country wants to leave and many want to join.

MY EXPERIENCE

My experience of the Commonwealth spans a period of 50 years having served as the last British Administrator in Kenya (1961–62), the Minister for Africa at the FCO (1979–82) and Minister of State at the FCO (1983–85) with Ministerial responsibilities for the Commonwealth for part of that time, the only British Chairman of the Commonwealth Foundation (1997–97), Governor of Gibraltar (1997–2000) and now President of the newly formed Commonwealth Youth Orchestra and of the Royal Over-Seas League. The Commonwealth also featured in my role as Lord Chamberlain (2000–06).

GENERAL

I do not need to rehearse the uniqueness of the Commonwealth in its composition, level of trade, range of cultural, religious and economic diversity as the Committee will have all this evidence at your disposal. We are the envy of the French who wonder why we are not more imaginative in our participation. We have a common bond through history, culture, language, development and trade.

Britain is no longer an Empire nor indeed a major power. But since it is in our interests to play an active role in the world for the sake of our security, stability and prosperity, the Commonwealth connection happens to exist (as “a happy accident”) and gives Britain a special opportunity to exercise soft power and to add value to our international role. It is complementary to our membership of organisations like the UN, the EU and NATO. It is informal, pragmatic and voluntary. It is entirely up to us what we make of it.

There are two aspects to the Commonwealth which can benefit the UK. Firstly, the network between people, professional and voluntary bodies. Second, the relationship between member governments. The two complement each other and interact.

The EPG Report sets the scene very well and makes a large number of recommendations covering both the intergovernmental aspect and networking at non-government level. I will confine myself to highlighting a few points:

1. *Good Governance and Values*

If the Commonwealth is to serve any purpose and to have any value then it must practise what it preaches. The commitment to the rule of law, free press, the plural society, human rights and democracy, must be demonstrated. Over the years a number of countries have been suspended for not living up to these standards and values. The EPG Report rightly recommends strengthening this area. A test case will be how the Commonwealth handles the alleged abuse of Tamil human rights leading up to the next CHOGM.

2. *Conflict Resolution*

It is also in Britain's interests to work within the Commonwealth for conflict resolution. The CHOGM plan for strengthening the role of the Commonwealth Ministerial Action Group should be encouraged.

3. *Young People*

60% of the Commonwealth population is under 30. The EPG recommendations should be supported. In particular I emphasise the value of

- (i) school twinning
- (ii) teaching the history of Empire and Commonwealth in schools
- (iii) maintaining and strengthening Commonwealth scholarships, especially in the post-graduate area
- (iv) examining whether there could be a Commonwealth gap year exchange scheme
- (v) encouraging British entrepreneurship for the young
- (vi) the *Commonwealth Youth Orchestra*—music strengthens international understanding. The European Youth Orchestra has been a success. This new Orchestra is supported by CHOGM and I would welcome the encouragement of the Committee (I attach a background brief on the Orchestra)
- (vii) the *Diamond Jubilee Trust*—the emphasis of this Trust should be in creating a legacy for young Commonwealth people

4. *Networking of People and Organisations*

The EPG recommendations on this should be fully supported. The Commonwealth Foundation does play an important role as an enabler and a catalyst for contact. The work of the over 80 professional bodies should be encouraged together with the contact between NGOs and civic society bodies to strengthen the backbone of democratic societies.

5. *DFID and Development*

Since the Commonwealth is a UK priority there is a strong argument for examining the proportion of development assistance which goes to the Commonwealth and increasing it if possible. At the same time, DFID should ensure that such assistance buttresses self-reliance rather than aid dependency.

6. *The Diaspora and Professional Skills*

Since the Second World War over twenty million people have migrated from the African continent, mainly to the western world. Millions have acquired professional skills. It is welcome news that the Royal African Society is working with DFID and Comic Relief to generate more knowledge about the Diaspora in Britain. I recommend that the Committee support the idea of developing a Commonwealth Diaspora scheme to encourage, if possible with the help of DFID, those who would like to contribute to their country of origin, if invited to do so. The constructive channelling of remittances should be encouraged to help in the reconstruction of their countries of origin. Remittances to Africa are larger than DFID aid to Africa.

7. *Profile of the Commonwealth*

I support the EPG recommendation for strengthening the profile and knowledge of the Commonwealth and its opportunities through, for example, universities, schools and voluntary organisations.

8. *The Secretariat*

I support the EPG recommendations for a strengthened Commonwealth Secretariat and for the Secretary General to be given the remit to speak up more forcefully on behalf of the Commonwealth and its values.

9. *UK Overseas Territories*

There is a natural affinity between the Commonwealth and UK Overseas Territories. I recommend that the Chief Ministers of each of these Territories should have an opportunity to meet the Foreign Ministers of the Commonwealth every other year, when their planned meetings take place. For example, the Caribbean Commonwealth nations would have much in common with the Caribbean UK Overseas Territories.

10. *Diplomacy*

For the UK the Commonwealth is what we make of it. Imaginative diplomacy by Ministers and officials in HMG can achieve a great deal for our country. It requires clear political leadership.

27 January 2012

Written evidence from the Council for Education in the Commonwealth (CEC)

PREAMBLE

1. The CEC welcomes the invitation to contribute to the FAC Inquiry 2012. This paper is a short response to those questions raised in the announcement of the Inquiry on which it feels legitimately able to comment. This means that the response is in some degree filtered by the CEC's educational remit.

Background from a CEC perspective

2. The modern Commonwealth comprises a quarter of the world's states and a third of its population. It promotes international cooperation, respect, peace and understanding between members to advance economies, social development, and human rights. Regardless of size, wealth and other diversity, Commonwealth members espouse shared values in their commitment to mutual support and well-being.

3. Over time, the Commonwealth has come to prioritise educational development in most of these areas, initially to encourage personal development and the self-sufficiency in administrative and other functions essential to nation-building in member states, especially those most recently independent.

4. As the one time metropolis and then an important investor in such development initiatives, returns to the UK have been notable. Peoples of the dominions and former colonies continue to collaborate, for mutual benefit, in the search for relevant policy, trade and the provision of goods and services, among which those for educational and training purposes remain important.

About the CEC

5. Based in the UK, CEC is a volunteer-led, non-government organisation accredited to the Commonwealth, with representation at Commonwealth Inter-Governmental and Civil Society meetings. Our honorary members include cross-party Chairs and Patrons (all of them British parliamentarians) and the Commonwealth High Commissions in London. Ordinary CEC members have varied, often distinguished, professional backgrounds, mainly in international human development, especially in education. UK government departments for education and international development have for years supported CEC advocacy and joined in CEC events.

6. Working together, the CEC promotes Commonwealth-wide education and training in all forms, at all levels,

- alerting the British public to Commonwealth educational issues
- facilitating policy-oriented discussion at meetings of Commonwealth Heads (CHOGMs) and Ministers of Education (CEMs), Women's Affairs (WAMM) and Youth (CYMM)
- disseminating information and advocating strategy among the UK and other Governments, to further educational agendas across the Commonwealth community
- collaborating with Commonwealth institutions (the Secretariat, the Foundation, the Commonwealth of Learning and the Consortium for Education) and those in other networks, also committed to international education and development.

7. All this work is inspired by the priority accorded education in Commonwealth member states, which is frequently the rationale for the, sometimes extensive, international movement between them.

8. Like nearly 100 other organisations, affiliated in different ways, CEC exists because it believes in the value of the Commonwealth as a force for dialogue between its varied member states, as a means of increasing well-being and reducing poverty. It perceives education as a key mechanism to enhance inclusion and social cohesion in very small island territories and in states like India and Pakistan, among the largest populations in the world.

The UK and CHOGM 2011

9. The 2011 CHOGM in Perth, reflected well on the UK. Whatever the unpublished benefits accruing from interaction between HoGs and others, the presence of the Queen as Head of State and Head of the Commonwealth of itself strengthened the meeting, while acclaim across the country for her visit should be taken as testimony to the Australian people's continuing affection.

10. That the Prime Minister and Foreign Secretary both attended CHOGM, leaving a summit struggling to resolve Europe's financial crisis, confirms the Commonwealth's priority.

11. The Foreign Minister's direct interventions at the Commonwealth People's Forum were well-received and assured greater delegate participation and meaningful debate.

UK benefits of Commonwealth membership

12. The UK's knowledge of member states and their need for expertise over half a century has maintained demand for British educational services (advisors, academics, teachers, examinations and qualifications, materials, books and new electronic resources, etc), positioning the UK as an important supplier across sectors, with attendant social and economic returns.

13. Since the 1950s, the UK has been transformed by its *diaspora* communities, mainly of Commonwealth origin, with large numbers still arriving for short and medium-term educational purposes.

14. Several generations later, increasing numbers of British *diaspora* citizens are entering professional careers at all levels of the occupational range, contributing to the richness of contemporary UK culture and society.

15. At the same time, members of the *diaspora* communities typically maintain long-term links with their families' countries of origin, with multi-way flows of human, cultural and material resources between them.

16. Of those trained in Britain, many have returned to senior positions in countries of origin and elsewhere, often with the UK a first port of call thereafter, for information, support and resources, frequently mediated by former teachers and advisors.

17. Similarly, thousands of Commonwealth Scholars and Fellows, many destined for illustrious careers, have studied at UK institutions. Their associates here have benefitted from their presence and later, as members of lifelong networks affording cross-national enterprise and support.

18. The UK benefits, politically, socially and economically, from the prestige of hosting the Commonwealth Secretariat and Foundation and from the presence of Commonwealth High Commissions in London.

19. Like other Commonwealth accredited bodies, the CEC, a small NGO, has on countless occasions contributed to UK and Commonwealth-wide policy events, through its parliamentary lectures, the publication of research, the organisation of public meetings (here and abroad) and, most recently, as a catalyst of the pan-Commonwealth Scholarship and Fellowship Plan Endowment Fund.

20. In 2011, it held four UK meetings promoting the Commonwealth theme, *Women as agents of Change*, from educational perspectives. It is preparing for several more in 2012, examining the implications of *Connecting Cultures* for the Commonwealth's educational work.

21. The success of all these events attests a high level of UK interest in the work of the Commonwealth today, not least among the sizeable constituency dedicated to international education and development. This interest is often accompanied by expressions of surprise at the loss to the UK of failure to feature the Commonwealth in British curricula, given its historical and contemporary importance, while it is regularly celebrated elsewhere.

22. At the invitation of the Commonwealth Foundation, CEC convened in London the European Consultation on Commonwealth Europe, in preparation for the Commonwealth Peoples' Forum Statement and CHOGM 2011.

23. In 2012, it is working with civil society colleagues to support the Secretariat and the Foundation in planning the 18th Conference of Commonwealth Education Ministers and its associated Stakeholder Forum, meeting regularly with Mauritian officials in London and Port Louis.

What is the future?

24. Institutions have enduring functions, regardless of their organisational and material base. As an institution facilitating international relations distinctive from those of the organisations of global governance, the Commonwealth is endorsed by a growing number of the world's territories, rich and poor, large and small, with new members and applicants neither Anglophone nor one time British colonies.

25. The concept will remain relevant, whatever the UK position, but continuing UK support will ensure the same from others and kudos for all as they openly subscribe to its ideals.

26. Withdrawing or significantly reducing its presence, the UK itself will be diminished, remaining on the sidelines of yet another international organisation, one with which it has shared a momentous history. Such a move will seriously weaken the options of members with the least capacity, if their links with the UK are curtailed.

27. With the changing geography of economic power, a hasty decision to reduce its engagement may mean that, in years to come, the UK will forfeit preferential employment opportunities, as they become available in Commonwealth states with newly thriving and expanding labour markets (India, Pakistan, even Malaysia and Singapore), as openings here dwindle, leaving young adults with few prospects and the attendant risk of social disorder.

28. Continuing UK support will mean continuing investment in the human development of Commonwealth Peoples, through education, health and other spheres of social, economic and political activity, with skill development and professionalization the principal input, within and between sectors, at whatever level. Protecting such commitment will crucially maintain the British expertise required to deliver such services, wherever needed, into the foreseeable future.

29. It should also contribute to raising a newly strategic Commonwealth profile in British educational institutions as they internationalise curricula, furthering extensive work already undertaken to equip younger generations with a general understanding of the case for ethnic, racial and religious tolerance, encouraging by example other member states to do likewise.

30. In such scenarios, there has to be adequate continuing support from members to guarantee effective, inspirational and practical leadership of Commonwealth institutions (particularly the Secretariat and the Foundation), sufficient to stem any resource-depleted decline and revitalise staff commitment, creativity and endeavour to ensure their sustainable future.

27 January 2012

Written evidence from Commonwealth Human Ecology Council

EXECUTIVE SUMMARY

The Commonwealth should consider where it can add most value, to the benefit of all member states, especially smaller developing states including SIDS. The Commonwealth association also needs adequate funding from member governments to support implementation of mandates it receives at CHOGM. This submission addresses both the substantive area of sustainable development, focusing on the example of marine governance and sustainable livelihoods for fisher communities, and in so doing raises the procedural issues of enhanced regional governance and of cooperation in education for sustainable development.

One key substantive area of activity where the Commonwealth could make a difference but is severely under-resourced is sustainable development. The Commonwealth has the potential to play an important role in developing global consensus on future development of the Millennium Development Goals and “Rio + 20” including climate change, biodiversity (including sustainability of marine resources and ecosystems), human settlements and education for sustainable development.

The Commonwealth has the potential to support strengthening of regional governance mechanisms, particularly in Africa, including non-Commonwealth governments that share common pool resources. The Commonwealth also has a wide range of educational bodies that could be better integrated to support education for sustainable development (ESD), in particular the Commonwealth of Learning (especially the Virtual University for Small States of the Commonwealth—VUSSC), the Association of Commonwealth Universities, as well as civil society bodies.³⁴

A Commonwealth Sustainable Fisheries Policy would support Commonwealth nations in addressing the pressing challenges they face from illegal, unreported and unregulated fishing (IUU), from over-fishing, from marine ecosystem deterioration, and from the impact of climate change (sea level rise, ocean acidification, moving fish stocks). Commonwealth nations often bear the brunt of IUU fishing and industrial overfishing, which threatens their own small-scale fishers’ livelihoods and their communities’ food security, yet they are seldom if ever implicated in IUU fishing themselves. Commonwealth states also have outstanding expertise in addressing this issue, and related problems such as piracy³⁵ and national security.

A Commonwealth Sustainable Fisheries Policy would enable the Commonwealth to coordinate action on fisheries and marine issues at such international fora as Rio+20 conference (June 2012) and the FAO Committee on Fisheries (July 2012). It is important that recognition by Heads of the urgency of this issue³⁶ is translated

³⁴ See list of Commonwealth education bodies at http://www.cedol.org/cgi-bin/items.cgi?_item=static&_article=200611101132194125

³⁵ See HC 1318 *Piracy off the coast of Somalia*, p.3: “As a state whose strengths and vulnerabilities are distinctly maritime, the UK should play a leading role in the international response to piracy.”

³⁶ See CHOGM Communiqué 2009, paragraph 80 (at <http://www.thecommonwealth.org/files/216904/FileName/TrinidadandTobagoCHOGMCommuniqué.pdf>), as well as the Perth Declaration on Food Security Principles (at <http://www.thecommonwealth.org/news/241600/291011foodsecurity.htm>).

into action by the association, in particular the Secretariat, and that the CHOGM mandates on fisheries be funded by governments.

In support of a Commonwealth Sustainable Fisheries Policy, the association should also work towards improving the capacity of regional governance mechanisms and partnerships, including with non-Commonwealth neighbours sharing common pool resources. A fisheries policy would give the Commonwealth a uniquely strong position to engage with this issue both internally and in regional and global partnerships, including with the francophonie in Africa and the Hispanic Caribbean, and through AOSIS. Further, cooperation on integration of higher education and vocational training institutions with public policy would strengthen development and implementation of fisheries policy.

Note: The main text that follows is an updated version of the CHEC submission to the Commonwealth Heads of Government Meeting in Perth.

A Commonwealth Fisheries Policy

A CALL TO ACTION TO SECURE SUSTAINABILITY FOR LIVELIHOODS, FOOD AND BIODIVERSITY

1. INTRODUCTION

What we want and why it will work

1.1 We ask the Commonwealth to *establish and implement a Commonwealth policy on fisheries, with targets and timetable*, to substantially enhance the sustainability of Commonwealth fisheries and fisherfolk communities by 2015 (MDG review).

We also call for the Commonwealth to support and develop both *enhanced regional integration of fisheries governance*, and *regional cooperation between Commonwealth universities and research institutes and regional and national fisheries governance organizations*.

1.2 We particularly draw attention to *small-scale, artisanal and subsistence marine capture fisheries* (hereafter “*SSFs*”). The first phase of the Commonwealth Fisheries Programme (hereinafter “*CFP 1*”), a partnership between the Commonwealth Foundation, the Commonwealth Human Ecology Council (CHEC) and the Commonwealth Policy Studies Unit, showed that communities practicing *small-scale fisheries are particularly vulnerable and urgently need improved Commonwealth fisheries and marine governance*. Timely action would prevent further deterioration and protect a long-term sustainable resource base. Such action would include guidance on governance of fisheries and the coastal and marine environment, using evidence of such matters as subsidies, national income from fishing, economic and social benefits of small scale fisheries (SSFs). The Perth CHOGM made progress in this direction in producing the Perth Declaration on Food Security Principles.

1.3 The *Commonwealth Civil Society Statement* at Perth emphasized the need to address *climate and biodiversity issues, including fisheries* (para 6, p. 6) and to affirm the MDG targets for democratic governance. The *CHOGM theme of resilience is also central to the sustainability of coastal communities relying on fisheries* and facing the impacts of climate change. There is also growing recognition of the need to integrate universities and the research community more closely into fisheries policy, ie *better integrate the knowledge base for policy*. Institutions from Commonwealth countries are regional and global leaders in this endeavour.

1.4 As the first of *three consecutive CHOGMs around the Indian Ocean*, Perth can be viewed as the start a process of enhanced cooperation between governmental and civil society organizations towards sustainable marine governance in the immediate region and beyond, with progress reports at both the Sri Lanka CHOGM and the proposed Mauritius CHOGM in 2015.

2. COMPONENTS OF A COMMONWEALTH FISHERIES POLICY

The Industrial Fishery

2.1 We highlight the opportunities for enhanced support for SSFs, but also recognize the *vital role played by the industrial fishery*, particularly in the economies of small islands states, exemplified in the Pacific and Indian Ocean tuna fisheries. Also, we *commend efforts of the seafood industry, retailers and restaurateurs in many developed importing countries in partnership with NGOs to raise consumer awareness of sustainable sourcing and traceability of fish, and to change consumer behaviour* to a sustainable model.

2.2 *Strengthening sustainability* in both small-scale and industrial fisheries means *applying the precautionary principle, and involves transparency, inclusion, institutionally strengthened fisherfolk organizations and regulating IUU fishing*.

Preventing IUU Fishing

2.3 While the massive losses from illegal fishing are widely recognized, the *losses from unregulated and unreported fishing* have received less attention. Good evidence about catch, or catch per unit of effort, is lacking for the artisanal and subsistence fisheries. The *impacts of IUU on SSFs need enumerating, and regulating, but*

with *fisher communities as partners* in promoting a sustainable fishery. SSFs suffer damage to their fishing grounds by industrial trawlers, both by unlicensed vessels and by licensed vessels fishing illegally in the inshore zone. There is an *urgent need for assistance, on a regional basis, in monitoring, control and surveillance, to enforce restrictions on illegal fishing, as well as removal of the perverse subsidies* that drive overfishing.

Marine Protected Areas (MPAs)

2.4 Long-term sustainability requires designation of systems of *marine protected areas, which in turn need buy-in of the affected fisherfolk*, and agreement about reasonable access for local people to the fishery. To be effective, MPAs will need to be based on *principles of ecosystem-based management (EBM) and rights-based co-management*, actively involving affected fisherfolk, with help in developing *alternative livelihoods* where appropriate.

2.5 Commonwealth countries are also well-positioned to cooperate in the joining up of marine protected areas, or “*ocean zoning*”, to protect the habitats of highly migratory species in ways analogous to terrestrial biodiversity corridors.

2.6 Nevertheless *customary rights of access and ownership* of indigenous peoples, subsistence and artisanal fishers *will have to be recognized and compensated* when such designations are made.

2.7 It is vital that, as research proceeds to identify the baseline data for marine protected areas, the *precautionary principle* prevails, ie fishing should be restricted to sustainable levels or, if these are not known, suspended.

Alternative Livelihoods

2.8 Where fishing is restricted or suspended to improve long-term sustainability, *alternative, or supplementary, livelihoods* (or, “*livelihood diversification*”) will be required. These include skilled artisanal occupations (carpentry, construction), monitoring the fishery, eco-tourist development, planting sea-grasses and mangroves (to encourage fish breeding and absorb greenhouse gases), farming, “*green economy*” skills eg renewable energy and sustainable transport as well as paid employment in factories. *Commonwealth organizations and their partners could develop a series of pilot projects promoting such alternative livelihoods*, which CFP 1 has shown are far from easy to implement successfully.

Strengthening regional governance

2.9 Many existing regional governance mechanisms for fisheries are poorly resourced. The Commonwealth, with the francophonie in Africa, could greatly *strengthen regional governance mechanisms*, particularly by supporting integrated coastal zone management and developing regional networks of fisherfolk organisations.

Strengthening the evidence base

2.10 There is an *urgent need to improve the data base* for fisheries policy, *particularly in relation to unreported and self-regulated take in SSFs*. Better information is especially needed about the size of the catch, by-catch, the ecological benefits and risks to fisheries of SSFs, and the conditions that sustain the resilience of fish populations. Such data is a *key to making fishers active and cooperative partners in ecologically sound, rights-based community fisheries management*, and would strengthen capacity for national and regional governance.

Commonwealth countries have much excellent marine policy research (not least in Perth), in universities, research centres, consultants and NGOs. These sources of knowledge could be coordinated through regional and global networks to integrate and improve policy.

2.11 *The Commonwealth*, through partnerships between such bodies as the Partnership for African Fisheries “*Afro-Fish Net*”, the Association of Commonwealth Universities, the Commonwealth of Learning’s Virtual University for the Small States of the Commonwealth (VUSSC) *can strengthen and better integrate the knowledge base for SSFs*. This knowledge base must include experts in policy and governance as well as in fisheries science. It is also important that fisheries policy makers *follow the science*, so that catch quotas are within sustainable limits.

Horizontal policy networks

2.12 CFP 1 demonstrated the *benefits of fisherfolk leaders exchanging practical experience on-site visits* to successful examples of rights-based co-management. The Commonwealth could promote *South-South transfers of experience* between fisherfolk themselves (as in the Caribbean Network of Fisherfolk Organisations—CNFO) and among fisheries experts, and expand the numbers of Commonwealth scholars (already a valuable source of support) working in this field.

Enhancing transparency

2.13 To be of use, *the evidence base needs to be accessible to all parties*. There is a need to *improve the transparency and accessibility of fisheries data*, perhaps in the style of the *Extractive Industries Transparency Initiative*, both to facilitate planning for governance of the fishery, and to combat widespread corruption at all levels.

Enhancing inclusion: recognising the vital role of the fisherfolk themselves

2.14 Fisherfolk know (better than most) where the fish are, and also who has what customary rights over the fishery. They are, when organized in a way that allows them to engage in policy negotiations, *valuable partners in policy*. In the SSF sector, as with other common-pool resource problems, individuals may be hard to control “top-down”, and *policy needs to be inclusive of the fishermen*, so that they become active partners in policing fishing activities in their communities (type of gear used, adherence to restrictions, etc.).

High-level policy briefings

2.15 CFP 1 recognized the need for better *communication of relevant evidence to high-level policy makers* involved in policy negotiations, the selling of industrial fishing licenses and enforcement of fisheries legislation (such as quotas or MPAs). Key decision-makers need access to advice on more inclusive approaches to policy-making, and on the possible unintended consequences of top-down policies (eg confiscation of nets without replacements, leaving fisherfolk hungry, angry and exposed to increased risk in fishing; or, banning abalone fisheries without capacity to enforce the ban, with abalone poaching in exchange for drugs, as documented in CFP1). Such briefings would include *strengthened capacity to participate effectively in integrated multi-level and trans-sectoral governance approaches* to securing the resilience of fisheries and the marine environment, so that sustainable fisheries policies are integrated both *vertically* (from local to global levels) and *horizontally* (across relevant sectors including agriculture, economy, health, transport/infrastructure etc).

Policy fairness principles

2.16 CFP 1 showed that *fisherfolk “buy-in” to policy depends on their perceptions of its fairness* (as someone always loses when property rights are redefined, or latent rights enforced), and *on its transparency*. In fact, to be effective and efficient, *policy will have to be transparent, fair and inclusive*. It is extremely costly and inefficient to try and regulate individual, remote fishers who oppose a policy. (Recognition of this principle will be important for Rio+20.)

Climate change

2.17 Many fisherfolk communities in tropical Commonwealth countries are feeling, and will feel more acutely, the impacts of climate change and related changes in costs. *Sea-level rise will threaten homes and storage*, or environmental migration; *acidification and overfishing may destroy coral reef fisheries*; *movement of fish to cooler water* (towards the poles and further out to sea), combined with rising costs of diesel, *can raise costs of fishing to unsustainable levels*.

2.18 Where feasible, *restoration of mangroves* should be undertaken, both to improve breeding conditions, and to protect the coast in the face of extreme weather events, and *fishing in coral reef fisheries must be kept at a sustainable level* to maintain resilience of the reef to climate change.

Women and fisheries

2.19 Women, who comprise almost half of those involved in the SSF economy, usually in post-harvest processing and trading, need to be *recognized as partners* in, and included in policy for the fishery. Also, their *human rights and health needs require recognition* especially in regard to their heightened risk of contracting HIV/Aids.

3. MISSED COMMONWEALTH OPPORTUNITIES

3.1 Even though the fundamental importance of improved governance of fisheries and the marine environment for food security, poverty alleviation and biodiversity protection is now universally acknowledged and Commonwealth action was specifically endorsed by CHOGM in 2009, *neither the actions of the Commonwealth nor of its member states* (with notable exceptions) *appear to recognize how vital fisheries and fish trade are* to the national incomes of most Commonwealth countries, particularly vulnerable small states.

3.2 Commonwealth governments are *not realizing the potential benefits of well-managed fisheries*. *Threats to the fishery from overfishing, illegal fishing and climate change persist*. And as fish scarcity increases, “common pool resource” dynamics lead to a vicious spiral of rising prices, risking a further “rush to fish”, likely to be exacerbated in an economic downturn. The failure of governments adequately to protect the sustainability of their fishery *assets* is causing rising costs to present and future generations. It has to be addressed as a matter of urgency.

In the last two or three years, the threat to fish stocks has again been brought home in a range of scientific and popular publications, affirming the recognition of the need for *urgent action* to protect fisheries, in particular in the more vulnerable member states.

3.3 Unfortunately, it would appear that the thrust of the 2009 *CHOGM communiqué* paragraph on fisheries (see above) was *neglected in the policy advice given to CHOGM prior to its meeting in Perth*. These missed opportunities in fisheries policy deserve far greater prominence. The Commonwealth can bring its recognizably limited resources to tackle the problems of small island and coastal states to greater effect by working to create strategic partnerships with international agencies and philanthropic organizations, and in getting individual states to collaborate and share successes.

Benefits from and risks to Commonwealth fisheries

3.4 The *benefits* of marine capture fisheries to Commonwealth countries in terms of *employment, food security, health and poverty alleviation* underline the importance of SSFs, which comprise some 85% of the world's fishing fleet. Artisanal and subsistence fisher communities have a sense of belonging and cohesion, are largely self-sufficient in building their own boats, and in making and repairing nets and gear. The contribution of SSFs includes barter of fish in coastal communities and nutritional benefits in the inland marketing of fish by the fisherwomen, *benefits* to poverty alleviation, food security and health that are *insufficiently recognized by governments*.

3.5 *Security issues* should not be ignored. If a fishery collapses, fishers' form of *adjustment may include illegal ways of surviving economically*. Some become pirates, as in Somalia, or poachers, for example of abalone, which is exchanged for drugs in South Africa, despite a well-intentioned government ban on abalone harvesting in order to prevent collapse of the fishery (see www.commonwealthfisheries.org).

3.6 Also, the *quality of fish caught by SSFs is higher*, if it can be processed and stored safely, because the fish are not crushed together in large nets. There is a potential for enhanced self-sufficiency in subsistence fisher communities as well as for improved access for artisanal fishers to get their higher quality fish to international markets and *fetch a better price, so allowing them to catch less* (although this will not necessarily reduce fishing effort without accompanying measures). The latter *depends on improved infrastructure*, from provision of appropriate nets and cooling plant to landing sites and roads.

3.7 Demand for fish continues to rise, especially in emerging economies such as India and China, with global consumption rising from 22lb per person per year in the 1960s to nearly 38lb today (FAO State of the World Fisheries and Aquaculture Report 2010), at the same time that marine capture has flattened out, so that a sustainable marine capture fishery is also *dependent on development of a sustainable aquaculture and/or changes in dietary behaviour to make up the difference*.

Threats to sustainability

3.8 Despite the size of their contribution to global fish consumption, developing countries have been played off against one another in bilateral trade negotiations around Fisheries Partnership Agreements. There is some hope though that regional cooperation and the review of the EU Common Fisheries Policy may mitigate this.

3.9 Estimates vary, but "*business as usual*" in the world's fisheries is expected to *lead to the collapse of marine capture fisheries around the middle of this century*. The large predators are up to 95% fished out, with repercussions down the food chain. The impact of overfishing is reflected in the grossly inflated price an individual bluefin tuna can fetch at auction. (The current record is over £250K for a single fish at the Tokyo 2011 New Year auction.) Further examples are the overfishing of Chilean hake and the failure of the North Atlantic cod fishery to recover after 17 years of moratorium.

3.10 Huge sums are also lost through illegal fishing (FAO/World Bank estimates of over US\$20 billions annually), and through by-catch in illegal and industrial fishing. According to the FAO, globally, the percentage of overexploited, depleted and recovering stocks is increasing and the size of underexploited and moderately exploited stocks is falling. Where progress has been demonstrated, much of this is off the coasts of developed Commonwealth countries.

Climate change is likely to bring ocean warming, so that migratory fish will move to colder water further out to sea, and towards the poles. Tropical Commonwealth countries' fishers will find fishing more costly and more dangerous as they have to move further out into the ocean, and stay out longer, to fish. *Coral reef fisheries suffer from land-based sources of pollution, warming and acidification of the ocean*. Healthy reefs will be more resilient to climate change impacts, so their protection from pollution and overfishing will be vital. Sea-level rise threatens coastal communities with inundation, and fisherfolk usually live closest to the shore and will lose their homes, as well as facing increased extreme weather events when fishing.

3.11 A further, high-profile threat to security, both food security and national security, including to national tourist interests, is piracy. Poaching, although it has a lower profile, is also an important threat to the viability of marine protected areas.

Transferable Lessons from Practice

3.12 Amongst a wealth of best practice examples encountered in CFP1, we should mention the efforts in Mozambique to support small-scale fishers, the success of Belize in moving from Flag of Convenience to generating substantial income from a reformed vessel registry, the Pacific programme of Locally Managed Marine Areas in Fiji with support of the University of the South Pacific, the Caribbean Network of Fisher Organisations project of the University of the West Indies and CANARI, the new Fisheries Landing Sites in Sierra Leone supported by the African Development Bank, or the quality of management of the industrial fishery in Namibia or South Africa.

3.13 Australia, Canada, New Zealand and the United Kingdom *inter alia* are presently embarking on comprehensive marine protected areas policies.

3.14 There are also useful lessons from unintended consequences of policy, documented at www.commonwealthfisheries.org and in the CFP1 book *From Hook to Plate: The State of Marine Fisheries. A Commonwealth Perspective*, such as issues of top-down approaches to designation of marine reserves or allocation of rights to fish without sufficient inclusion of, or acceptance by, fishers, who are then less likely to respect boundaries or restrictions.

4. CONCLUSION

4.1 Efforts are made, in this summary report, to demonstrate the importance of sustainable fisheries to Commonwealth countries' economies, food security, poverty alleviation and social cohesion, as well as some of the risks of failing to act on fisheries. It is also important to note the strengths of the Commonwealth in fisheries science and policy, and the potential of transfer of lessons from both best practice and from apparently well-designed policies that went wrong.

4.2 We have identified key principles, consistent with prior Commonwealth commitments to environmental and biodiversity sustainability: the precautionary principle, inclusiveness, transparency and accessibility of data and policy development.

4.3 There is a major opportunity, at this the first of three Indian Ocean CHOGMs in succession, for the Commonwealth to unify in support of a sustainable fisheries policy, particularly in the areas of support for small-scale fisheries and their communities, and in enhanced capacity for regional governance of fisheries. This includes improving policy evidence and guidance by better integrating Commonwealth universities and other sources of marine policy research into policy making at national and regional level.

4.4 The Commonwealth, north and south, has the necessary expertise in marine science and policy. Commonwealth nations are also more "sinned against than sinning" in terms of IUU fishing. They are victims, not perpetrators, of international illegal fishing, although much remains to be done to manage domestic unreported and unregulated fishing. The Commonwealth's maritime legacy means that the Commonwealth as a whole is well-placed to take a lead on sustainable fisheries, marine governance and fisherfolk livelihoods. A common voice of 54 countries could make the difference between business as usual and the prospect of long-term sustainability of, and prosperity from, well-managed and governed fisheries.

4.5 We therefore commend the following key issues for action by the Commonwealth:

KEY ISSUES FOR COMMONWEALTH ACTION

4.5.1 Develop a *Commonwealth Sustainable Fisheries Policy* (CSFP) based on principles of a equity and sustainability, to underpin a unified Commonwealth voice in international negotiations (eg Durban COP 17, Rio+20, FAO Committee on Fisheries 2012) as well as a strategy for implementation of the CSFP.

4.5.2 Design and, in partnership with others, secure funding for a strategy for improved *regional integration* of fisheries policy, including better integration of universities and other sources of evidence and expertise (including research institutes, independent specialists and NGOs) in provision of data and guidance for policy, especially for small-scale fisheries (SSFs).

4.5.3 Support *capacity development of fisherfolk organizations* to engage effectively as partners in securing an equitable and sustainable fisheries policy, including South-South exchanges for fisherfolk to learn from Commonwealth best practice.

4.5.4 Support *high-level capacity development* (ie of senior decision-makers) in fisheries governance and negotiations.

4.5.5 Secure agreement on *adaptation measures for SSFs and their communities* threatened with climate change impacts including inundations from sea-level rise, ocean acidification and extreme weather events.

4.5.6 Support the initiative of the Norwegian national advisory group against organized IUU-fishing to *have illegal fishing declared a transnational organized crime* (UNTOC), so facilitating confiscation of the assets of owners engaging in large-scale illegal fishing operations.

4.5.7 Include *reviews of progress* on sustainable fisheries policy at the two following Indian Ocean CHOGMs in 2013 (Sri Lanka) and 2015 (Mauritius).

30 January 2011

Written evidence from David Dilks

The Committee asks “Does the Commonwealth retain a purpose and value?” So far as the United Kingdom is concerned, the answer should be an emphatic “yes”. Many millions of British citizens have direct family links with the Commonwealth (especially in the Indian subcontinent, the Caribbean, the old Dominions). Our trade with it is substantial, and we need to make sustained efforts to increase that. The Commonwealth provides us with an enviable range of contacts all over the world; and as the very word “Commonwealth” implies, its essential purpose is the promotion of practical cooperation, the sharing of something valuable, the strengthening of inter-racial friendships. It embodies an enormous investment of British talent and effort from past generations. Nonetheless, the Commonwealth has faded from our political discourse. It receives precious little attention in Parliamentary debates, and none in elections. We need to recognise that until its purposes, activities and potential are more persuasively explained, it cannot be what it ought to be. Above all, it needs the goodwill and support of younger people.

The Committee will no doubt receive lengthy submissions concerning the Commonwealth Secretariat. Even when I worked there, heads of government and ministers were apt to delegate large tasks to Marlborough House without providing the resources; and the tendency has not diminished over the years. The Secretariat’s activities need to be well-focused. There should be a special emphasis on help of a practical kind to small states, of which the Commonwealth has an abundance; on human rights; human resource development; women’s rights.

So far as the F.C.O. is concerned, the presence of a senior minister with a special responsibility for the Commonwealth is welcome and should become normal. The recent announcement by DfID that a substantially increased proportion of its very large budget will go to Commonwealth countries is as commendable as it is overdue.

It is natural for those in public life to conceive of the Commonwealth as being essentially a matter of governments and official structures. It is in reality far more than that. In this country, we need to bring into a much more fruitful collaboration the resources of governments; the expertise of non-governmental organisations; and the enthusiasm of individuals. That is easier said than done, but by no means impossible if we in Britain now show renewed determination and consistency.

It needs not saying that the Commonwealth should be committed to the rule of law, human rights, fair elections, proper treatment of minorities. All the same, to issue high-sounding declarations on subjects, when it is obvious that such conditions do not prevail in a good number of Commonwealth countries, invites scepticism or even scorn. In other words, the official Commonwealth should also point constantly, and in a style which will capture enthusiasm, to the useful work which it is doing and plans to extend. The active goodwill of the Duke and Duchess of Cambridge, and of Prince Harry, would be invaluable in this context.

As examples of the collaboration between the official and unofficial worlds mentioned above, I suggest

Exchanges and short-term secondments of teachers; they are poorly provided for at present, but their informed good will would have a large multiplier effect.

Youth exchanges or one-way visits; by this means some of the most alert and intelligent of the Commonwealth’s younger citizens can be introduced to their contemporaries in another Commonwealth country, and the effect is often profound (as the work of the Commonwealth Youth Exchange Council has demonstrated over many years).

Medical collaboration; short-term secondment of doctors in training, partnerships between NHS Trusts in this country and medical schools and hospitals in the oversea Commonwealth.

A place for the Commonwealth in our school curricula and a far more vigorous attention to Commonwealth Day.

Bilateral connections, of the kind created by such programmes, are of the highest importance; those who take part in such programmes should also have the opportunity to learn something about the Commonwealth in the round.

The difficulties of creating informed friendship and practical collaboration between communities scattered all over the globe are so obvious as to need no emphasis. Nowadays we have, however, two weapons in our armoury not possessed even a generation ago: the astonishing efficiency of modern electronic communications; and cheap airfares.

The Committee draws attention to this year’s Jubilee. In the broadcast which she delivered from South Africa on her 21st birthday, Princess Elizabeth promised that she would devote her life’s effort to the Commonwealth; and it is generally acknowledged that the Queen has honoured that pledge more than amply.

So far as Great Britain is concerned, we might well mark that lifetime of service, and our own renewed commitment to the Commonwealth, by creating new opportunities for some of its younger citizens to widen their horizons. We should announce

A substantial number of "Queen's Jubilee Scholarships". It is a mistake to suppose that all such scholarships need to be fully-funded by the taxpayer; in plenty of instances, no more than partial funding is required. There should be an opportunity for businesses (many of which have a substantial stake in the Commonwealth), and for individuals, to contribute. The official funding could properly come from DfID's budget.

I should welcome an opportunity to give oral evidence to the Committee.

Biography of the Author:

Consultant to the Secretary-General of the Commonwealth, 1967–1975; Chairman, Commonwealth Youth Exchange Council, 1968–73; member of the Central Council of the Royal Commonwealth Society, 1982–85, and of its Library Committee, 1982–1991; Chairman, Canadian Studies Centre, University of Leeds, 1979–1990; past Trustee of several charities involved in the Commonwealth, and of MASK (Mobile Art Schools in Kenya) at present; long involvement in scholarships for Commonwealth students and youth exchanges; Professor of International History, University of Leeds, 1970–1991; Vice-Chancellor, University of Hull, 1991–1999.

31 January 2012

Written evidence from the Rt Hon Frank Field MP DL

1. For the Commonwealth to survive it must have a purpose, for nations to believe in that purpose, and for people in these nations to drive forward that vision. Over the past 60 years that vision and drive has been led by the head of the Commonwealth, Her Majesty The Queen. It would be a fitting tribute to Her Majesty's extraordinary public service for the Select Committee to produce an action based blueprint that the House, the country and the Commonwealth would wish to implement.

2. The Commonwealth's purpose has always been centred on a belief that a body, whose membership takes in countries stretching across every continent, and encompasses all races, could be a force for increasing both human understanding and happiness. But the Commonwealth, with just over 30% of global population, has also offered a hard political edge to its activities. The 54 Commonwealth countries, for example, comprise just under 30% of the United Nations' membership. It is obviously better to have this group on one side rather than in opposition. A block united by ties of history and friendship has already proved an important force for good in world affairs. How best might this force be strengthened?

3. The question the Committee has to consider is not only whether there is a future for the Commonwealth. Here I agree with the emphatic yes that Professor David Dilks gave in his submission. The Committee also has to ponder how the Commonwealth maybe transported safely into the future.

4. I also agree with Professor Dilks' proposal that a good route to achieve this end would be to establish a new Queen's Commonwealth Scholarship Scheme. For this scheme to have maximum impact, when planning the Commonwealth's next stage of its life, it would be important to engage the interest and enthusiasm of the younger members of the immediate Royal Family in this task, and for them to take a personal responsibility for the scheme's success. This particular scheme of scholarships should be awarded to Commonwealth students wishing to study at British Universities and the scheme could run alongside the proposal that John Major has made for inter-Commonwealth studentships.

5. Entry to British Universities is currently skewed against citizens from countries that have loyally fought with this country through two world wars. Our immigration policy reflects a similar bias. The role of The Queen's Commonwealth Scholarship Scheme should be to so overcome the adverse differential fee system that Commonwealth citizens now face when they consider coming to this country to study.

6. The aim of the Queen's Commonwealth Scholarship Scheme should be to build close links between the next generation of economic, military, cultural, social and professional elites of Commonwealth countries and for this elite to see themselves as natural allies and trading partners.

7. The scheme could be financed entirely from DfID's growing budget. Such a move would involve a long term commitment by British tax payers and would offer them the opportunity of insuring that their aid was safeguarded from the opportunities for fraud to which DfID's budget is so subjected.

8. It is difficult to think of a more effective tribute to her Majesty for her stewardship of the Commonwealth over the past 60 years than to ensure that the next stage of the Commonwealth's life will be one which will build on its own momentum.

1 March 2012

Written evidence from the Commonwealth Partnership for Technology Management

This submission is made by the Commonwealth Partnership for Technology Management Ltd and is in response to the Foreign Affairs Committee's call for evidence in respect to its' inquiry into "the role and future of The Commonwealth". We have noted the questions and the appropriateness of our answers are specific to only some that were addressed, Therefore we have most usefully and pointedly given our evidence in a single submission.

1. CPTM agrees with Mr Richard Ottaway MP regarding the disappointing outcomes from CHOGM in Perth last year. The outcomes from Perth were a "watering down" of even the Eminent Persons Group findings and recommendations which were themselves quite modestly framed.

2. What is distinctive about the Commonwealth is not its set of values, which is probably shared by the UN, its Agencies, many global NGOs, Governments and much of the "world community". What is special is the Commonwealth's capacity for drawing on those values: the capacity to "extract value from values". This Smart "extraction" is precisely what the Smart Partnership Movement (CPTM) is about. CPTM's focus and aptitude—in complex situations involving various players—is on maximising the plus points and minimising the impact of the negatives, to achieve win-win answers.

The Commonwealth should be about delivering value from values and that is where the CPTM Smart Partnership Movement has a specific contribution to make. CPTM Members are able to approach the delivery of these values from a helpful/constructive point of view, sharing and deploying the underlying values of the Commonwealth. CPTM offers a special approach to delivering these values—characterised by an ability to set aside aggravating factors, and to emphasise possible factors or elements from which win-win solutions can emerge. This can enhance the longer-term development of trust between players, which can build cumulatively for a more cooperative, Smarter future.

3. CPTM members see three ingredients within the Commonwealth experience since its inception in 1984 and then in 1995 when it became CPTM as it now. Among the Movements' assets are:

- Shared history. CPTM recognizes both negative and positive factors alongside the importance of the intellectual axis it often uses, such as tradition and modernity (as in Southern Africa). This represents an authentic and realistic approach which recognizes what the British and other players have contributed towards and what they have not.
- Shared value of the English language is a big advantage for the sharing of ideas within a homogenous sphere.
- The arrival/development of a new range of art, culture and media which enable the conceptual frameworks of participants to share ideas and to maximise the benefits with one another.

4. Among the CPTM Movement's assets is a range of definable experts (ie. "Smart Partners") in natural sciences, business, civil service, humanities, linguistics etc:

- Above all, CPTM is known for having a measure of expertise in areas in which there is no formally prescribed education or teachers, such as political and societal leadership.
- CPTM discovered a special method of bringing together and blending expertise for different and diverse sorts of people; people may have different mentalities, but can still share the same values. Heads of Government are able to engage with one another...and can think freely, liberally...they are able to free themselves their previous status, prejudices and tied constituencies.

5. The capacity for establishing complementary, non-rivalrous relationships is characteristic of the Commonwealth and is manifested through the Smart Partners relations, developed for 25 years or so through the CPTM framework. In this way, CPTM Members contribute towards the establishment of "soft power" which is good per se but also supplies an underlay for the deployment, where necessary, of "harder power". There is an element of "soft power" which averts the necessity for "hard power":

- There is a need for the youth of the Commonwealth to have the courage to challenge and to offer alternatives, but also the wisdom not to rebel for the sake of rebelling. This makes the Commonwealth a progressive platform, binding generations by encouraging learning and collaboration.
- CPTM is "cooperative" but not "soft". It is not itself profit-driven but believes in the value of the profit motive in a framework of regulated competition which does not violate certain basic principles of equity. CPTM seeks to be at the cutting edge of new ideas, technologies and thought: *ideas "on the table" and "ideas for action"*. CPTM Smart Partners are on the same "wavelength" as a result.
- It is therefore useful to re-emphasize that the values of the Commonwealth are not that different from the United Nations Millennium Development Goals, but the difference lies in the capacity among nations to deliver shared values. CPTM and the Smart Partnership Movement is well placed to provide leverage for the delivery of these values.
- Examples of CPTM Members and their contributions can be found on the CPTM Website: www.cptm.org

6. The Commonwealth was and continues to be a unique platform for emerging progressive Movements, such as The Smart Partnership Movement. It costs nothing to be a Smart Partner in the Movement but it can encourage for example, trade among other things.

CPTM has something special to offer in that we can provide leverage behind the “soft values” of the Commonwealth. CPTM has a reconciling effect whereby values are transformed and utilised to impact upon real situations.

7. The benefits of membership of the Commonwealth in terms of trade have been outlined by CPTM Fellow Sir Martin Laing CBE, who reflects that:

“The name says it all ‘Common Wealth’...The role should be to achieve this for all the members... developed countries should share and help those less developed to achieve the goal of common wealth; this will increase business opportunities. Utilising the wealth of DFID to promote these attitudes with vigour; use the unique grouping of Commonwealth members to bring about change through shared experiences. Membership of the Commonwealth can bring increased trade opportunities for the UK; enable it to improve human rights; increase its image in a positive way. We have allowed ourselves to miss this chance through too much emphasis being placed on other global bodies such as G20 UN etc. Communication of and through the Commonwealth needs to be improved; its profile needs to be raised through better PR; better use of the new media-Internet, social media. Business opportunities, successes recognised. Use the Commonwealth organisation to help the younger generation to develop their potential in all fields whether academic, economic, artistic or political. There should be greater co-operation with other bodies both public and private”.

8. In regard to the promotion of “soft power” and a positive image of the UK, in so far as the Commonwealth is based in the UK, and as a side-effect of the UK’s promotion of the Commonwealth, it is obviously a positive thing that the UK is a member of the Commonwealth. As Dr Andrew Taussig, CPTM Member and former BBC Manager suggests:

“If membership of the Commonwealth serves to promote a positive image, then so much the better. The UK pulls above its weight in certain areas—excelling in the arts, culture and the media out of proportion to its size, population or GDP. Its use of the English language—fortuitously shared (more or less) with the North American superpower—supports the spread of British influence throughout the Commonwealth and beyond. The Commonwealth is an appropriate instrument for optimising the UK’s ‘soft power’”.

9. In regard to the direct benefits which the Commonwealth bring to citizens of the UK and the Commonwealth countries, a principal asset of the Commonwealth is the role and function of Her Majesty Queen Elizabeth II. The Queen anchors the “dignified” part of the Constitution (ie that part which is symbolic).

Sport, as instanced by the Commonwealth Games, is another strand of the fabric which binds the UK into the Commonwealth community.

21 March 2012

Written evidence from the BBC

BBC WORLD SERVICE AND GLOBAL NEWS IN THE COMMONWEALTH OVERVIEW

The BBC’s global role in the provision of high quality independent news and analysis has enabled it to have a substantial presence and impact across the Commonwealth—it delivers outstanding journalism on radio, television, online and mobile platforms, bringing a wide global perspective to its audiences.

Audience interaction is central to the way that BBC World Service operates—it provides a platform for debate on key issues that link many Commonwealth countries providing opportunities for its audience to engage with the BBC and audiences across the Commonwealth. Programmes such as *World Have Your Say* (*WHYS*) encourage the audience to participate and provide perhaps the strongest link for Commonwealth citizens with the UK on a day-to-day basis, when compared to other British institutions.

BBC World Service (BBCWS) is available either on short wave, medium wave or on FM in all but one (Samoa) of the 54 member countries of the Commonwealth, BBC World News (BBCWN) is also available via satellite in many of these countries, and bbc.com/news is available throughout the Commonwealth. BBC Global News (including BBCWS, BBCWN and BBC online) reaches 90.1 million people weekly across the Commonwealth, of which 79.1 million tune into BBC World Service. The BBC’s strong presence in the Commonwealth, in terms of its wide range of distribution platforms and partnerships, is also partly down to the UK’s historical links with member countries.

In addition, BBC Media Action, the BBC’s international development charity, currently has projects running in eight Commonwealth countries (Bangladesh, India, Kenya, Nigeria, Pakistan, Sierra Leone, Tanzania and Zambia), including an educational drama series in Nigeria which reaches more than 20 million people.

Foreign Office Minister, Jeremy Browne MP, recently described the BBC as “*the most influential broadcaster in the world*”—its values of accuracy, impartiality, objectivity, trust and internationalism are respected and often imitated throughout the Commonwealth and globally. As well as offering an international perspective,

the BBC's coverage of British events and systems, such as the Olympics in London, the Diamond Jubilee, UK elections and legislation, enables its audience across the Commonwealth and more widely to learn about Britain, and to keep across major UK news stories.

Some highlights of the BBC's reach and impact in the Commonwealth are detailed below:

- The BBC's biggest audiences in the Commonwealth are in Africa with 19.4 million weekly listeners to BBC Hausa in Nigeria and 12.6 million listeners to the Swahili Service in Tanzania. BBC WN and WS English (which produces special programmes for Africa) are also strong in these two countries—in Nigeria BBC WN has an audience of 5.7 million and WS English has an audience of 7.6 million.
- BBC WN is also strong in India with an audience of 3.2 million and in Pakistan it has an audience of 2.6 million, whilst BBC Urdu has 5.3 million listeners. BBC Bengali has a notable audience of 7.8 million listeners in Bangladesh.
- BBC online is most popular in Canada with 1.5 million users, and in Australia (910,000 users).
- Research carried out by *Human Capital* in 2010 found that the majority of BBC consumers in the Commonwealth countries surveyed felt that it was essential or very important for the UK to provide the BBC to the world—over 90% in Kenya and 88% in Pakistan (some of the audience comments recorded as part of this research project are shown at the end of this document).
- As the world's attention is on London and Britain in 2012, the *London Calling* season, running across all BBC Global News platforms, includes compelling programming around the Olympics, the Diamond Jubilee and the Cultural Olympiad throughout the summer. It is a major campaign which brings modern Britain to the BBC's Commonwealth and global audiences.
- Recent Commonwealth issues discussed on *WHYS* include Pakistan's missile test, the deportation of Nigerians from South Africa, India's banning of cotton exports and the sacking of 25,000 nurses in Kenya. A special *WHYS* programme coming up in June will broadcast from the Royal Commonwealth Society in London with key guests linking up with contributors across the Commonwealth to discuss amongst other things whether the Commonwealth remains an effective and meaningful organisation.
- *BBC World Class*, the BBC's school twinning initiative, working with external partners including the British Council, links up schools in the UK with those overseas, many of which are in the Commonwealth (www.bbc.co.uk/worldclass). The BBC hopes to extend this project until August 2014 to tie in with the Commonwealth Games in Glasgow.
- The BBC provides ELT content on a number of BBC online platforms and through partners attracting visitors from all of the 54 Commonwealth countries. It has developed and created the English language teaching framework and content for a DfID-funded intervention programme (*BBC Janala*) in Bangladesh. This is a unique and ground-breaking programme which utilises the benefits of the large mobile infrastructure and mobile usage in Bangladesh to deliver high quality, award-winning content to some of the poorest and hardest to reach audiences in the country including women, rural village dwellers and urban male youth. The purpose is to improve English language levels and, through that, economic opportunity.
- Also in Bangladesh, following broadcasts of *BBC Sanglap* Question Time style programmes, the number of similar programmes by other broadcasters substantially increased, and this style of programming continued through other programmes long after Bangladesh *Sanglap* ended. A new series of *Sanglap* is being planned by BBC Media Action with support from DfID.
- In Zambia and Sierra Leone, BBC Media Action is building the capacity of community radio stations to produce interactive programming that enables people to question politicians and engage in a public debate on the issues that shape their lives.
- In Nigeria BBC Media Action continues to produce the popular radio soap opera *Story Story*, which reaches more than 20 million people across the country focusing on governance and health issues (including voter rights around the recent 2011 Presidential and Parliamentary elections).
- The BBC is a member of the Commonwealth Broadcasting Association, and Peter Horrocks, Director Global News, sits on the board. He recently spoke at the CBA annual conference in Brisbane attended by public service broadcasters of every size, which focussed on media leadership during international crises, disasters and emergencies—an area in which the BBC has a long history.

LOOKING AHEAD

Following the Government's Spending Review 2010, and subsequent budgetary cuts, BBCWS had to make some difficult decisions with regards to its distribution and range of regional and language services offered. A number of reductions to short wave and medium wave broadcasts were made and the Caribbean Service was amongst the services closed. However, the BBC aims to continue to maintain a strong presence in people's lives across the Commonwealth, and has found ways of sustaining its presence where cuts to AM broadcasts have been made.

In many countries of the Commonwealth BBC programming is available through local FM broadcasts, either directly or via its partners, and on BBC World News. For example, WS English content continues to be available through a number of outlets throughout the Caribbean including via FM relays in Antigua, Jamaica, Trinidad and Tobago and Barbados and BBC WN is available in The Bahamas, Barbados, Dominica, Grenada, Jamaica, St. Kitts, St. Lucia & Trinidad. Meanwhile Australia ABC transmits programmes such as *The World Today* and *Newshour* daily, in Canada WS programmes are available on public radio stations and via CBC Canada, and in the Pacific Islands (including Fiji, Kiribati, Papua New Guinea, Solomon Islands and Vanuatu) BBCWS radio is transmitted 24 hours a day on local FM frequencies.

Whilst radio distribution is increasing via FM broadcasts and partnerships, online and mobile audiences are also growing rapidly. In addition, we have plans to expand TV programme activity, which are intended to address the global shortfall in impartial news, particularly in Africa, where the BBC's editorial offer will be re-energised and expanded in the face of a diminishing independent media and the growing Chinese media presence across the continent.

BBC World Service strategy over the next few years is to develop cost-effective TV partnerships, which offer the prospect of large audiences and high impact at relatively low cost. Despite reduced budgets BBCWS has sought to set aside limited funds for this purpose to enable it to respond to new audience needs, and retain a strong and impactful presence in the increasingly competitive markets in which it operates.

Current television plans include an African English daily programme and a Swahili daily programme, reaching countries such as Ghana, Kenya, Zambia, Uganda and Tanzania. There are also plans for a thrice-weekly Urdu programme for Pakistan. BBCWS is aiming to have these on air by Autumn 2012, all of which will enhance the BBC's output to Commonwealth countries. Development work on a Hindi weekly pilot project is also taking place (subject to identifying further investment funds).

Looking ahead to BBC World Service's move to Licence Fee funding in 2014, and its physical move to new Broadcasting House in W1 along with colleagues from BBC News, BBC journalism will be strengthened further by bringing the best of the BBC's global capability to both UK and overseas audiences. It will also bring UK audiences closer to global audiences, including those in the Commonwealth. Recent independent research carried out in the UK has indicated that the BBC's international news services are strongly supported by Licence Fee Payers. The majority of respondents believed it was important to have an international news service and many expressed pride in the BBC's reputation for impartial news.

The BBC intends to continue to play its role in maintaining a strong British presence across the Commonwealth through the provision of trusted impartial news, information and analysis with an international perspective.

"There is a place we have christened "BBC", because all the time that we go there we always discuss about political issues and what we have heard on the BBC."

Male, 18 -40, Kenya

"The BBC has discussed health issues such as aids which our media never has."

Female, 25-55, Pakistan

"I think when it comes to fairness we cannot compare BBC to CNN. I trust the BBC and think most of Africa supports it."

Male, 18-40, Kenya

(Comments recorded by respondents who took part in the Human Capital research, commissioned by BBC World Service in 2010.)

4 May 2012

Supplementary written evidence from the Rt Hon Lord Howell of Guildford

COMMONWEALTH SCHOLARSHIPS

I was delighted to take part in the Foreign Affairs Committee (FAC) evidence session on 12 June, and to be able to assist your inquiry into the role and future of the Commonwealth -an organisation I feel passionately about. I was impressed with the wide-ranging discussion, demonstrating that the Commonwealth really is the necessary network of the future. Commonwealth scholars are a vital part of this network, and I was pleased that Andrew Rosindell raised the subject of Commonwealth Scholarships. Following this discussion, I thought it would be useful to set out the main facts on UK funded scholarships available to Commonwealth citizens ahead of your report.

The United Kingdom supports two scholarship programmes open to Commonwealth students:

- The Commonwealth Scholarship and Fellowship Plan (CSFP).
- Chevening Scholarships.

Funding for these programmes comes from different government departments, including the Department for International Development (DfID). The Department for Business, Innovation and Skills (BIS) and the Foreign and Commonwealth Office (FCO). The UK contribution to the CSFP is administered by the Commonwealth Scholarships Commission (CSC). You will be pleased to know that DfID has increased their funding and is providing up to £87 million of funding over a period of four years (2011–12 to 2014–15) to the CSC. I enclose a table selling out all HMG funding to the CSC and Chevening Scholarships.

In some cases, universities support Commonwealth Scholarships with joint funding. Universities and private sources also offer scholarships in their own right, which may or may not involve Commonwealth recipients. These do not typically involve government funding and no central record is maintained.

The CSC provide figures annually for the number of new recipients of awards, and the number of continuing recipients of awards in any year. The figure for continuing students is significantly higher than for new recipients, as some awards, notably those for doctoral study and those for part-time distance learning, extend beyond a single year. The figure of 1,478 for 2008–09 quoted by Andrew Rosindell at the evidence session represented the number of *continuing* students (described as on award). The figure for *new* awards in that year was actually 699. By 2011, *new* awards had risen to 734 but the figure for students on award had declined to 1,357. This was not due to the funding in those particular years, but represented figures for those who had completed their courses, approved as part of a special allocation by DfID in 2006. Although it is too early to give a precise figure for the number of new awards in the current financial year, this is estimated to be approximately 800.

Chevening scholarships also benefit Commonwealth citizens. They support FCO objectives by creating lasting positive relationships with future leaders, influencers and decision makers. The Chevening programme, begun in 1983, has developed into a prestigious international scheme offering about 700 scholarships each year. Chevening is a global programme and about a third of these awards go to Commonwealth countries. A total of 198 Chevening scholarships were awarded to citizens of Commonwealth countries in 2011–12 and India is amongst the top five recipient countries. We estimate that there will be well over 700 Chevening Scholars in total in 2012–13, but numbers have not yet been finalised.

I am delighted that overall, funding for Commonwealth Scholarships has increased in the past two years, and a four year settlement has ensured that this trend will continue until 2015. When compared on a like for like basis, award numbers are also increasing. Therefore funding has increased in real terms over the period 2011–15.

Commonwealth Scholarships have vast benefits and provide a valuable tool for future cooperation in a rapidly changing global landscape. We will continue to support Commonwealth Scholarships where possible. I hope you find this Information helpful.

Annex

COMMONWEALTH SCHOLARSHIPS FIGURES

UK GOVERNMENT FUNDING ALLOCATIONS TO THE COMMONWEALTH SCHOLARSHIPS COMMISSION (CSC) BY YEAR

Department	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
DFID	£17.4m	£17.5m	£19.1m	£21.1m	£23.4m	£24.1m
BIS	£400,000	£400,000	£400,000	£400,000	£400,000	£400,000
Scottish Government	£50,000	£50,000	£50,000	£50,000	£50,000	£50,000

CHEVENING SCHOLARSHIPS (FUNDED BY THE FCO) BY YEAR

<i>Chevening Scholarships</i>	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Chevening Scholars (totals)	970	598	700	Estimated at 700 but still to be finalised		
Chevening Scholars (Commonwealth only)	(Approximately £15m) Figures unavailable	(Approximately £19m) Figures unavailable	(Approximately £20m) 198			

4 September 2012

Written evidence from the Commonwealth Education Trust

At the meeting of the Select Committee on 24 April 2012 reference was made to the Commonwealth Institute in the context of the education of children about the Commonwealth. The relevant section is quoted in the attached note from the Chief Executive of the Commonwealth Education Trust.³⁷ The Trustees feel that it would be potentially misleading if that remark was left on the record uncorrected and submit the note by way of clarification.

The Institute existed in statutory form from 1902 to 2002 and comprised two elements: a statutory trust in which was vested property and a small endowment fund; and activities that were the management responsibility, since 1968, of the Secretary of State for Foreign and Commonwealth Affairs as the responsible Minister.

The Commonwealth Act 2002 brought the statutory activities to an end. However the Commonwealth had by then been included in the school curriculum and responsibility for teaching about it to UK schoolchildren lay with the education system supported by the Commonwealth Secretariat in the same way as in other countries.

The statutory trust held, as charity assets, what remained of the proceeds of a substantial collection (capital value in 1887 of some £700,000) raised under the direction of the Prince of Wales from individual citizens across now Commonwealth in celebration of Queen Victoria's golden jubilee. These were by 2002 invested almost entirely in a building on Kensington High Street.

With the endorsement of Commonwealth Education Ministers and Heads of Government the building was sold in 2007 and stewardship of the proceeds now lies with the Commonwealth Education Trust. In the nearly five years since it took over this task the Trust has endeavoured to be true to the intentions that lay behind the original collection, namely to contribute to the development of sustainable communities across the now Commonwealth.

Operating within the field of children's education it works with educationalists to use its financial and business skills to structure sustainable scalable and transferable projects based on applied research. I enclose a brochure that illustrates its activities and a copy of an anthology on the theme of water with poems and stories from across the Commonwealth published to celebrate the 125th anniversary this year of the original collection.³⁸

This publication is also illustrative of the Trust's work in the field of children's literature described further in the note and which is but one way in which it seeks to bring the Commonwealth alive in a meaningful and memorable way to children in all countries. Copies of this book were distributed to schools attending this year's Commonwealth Day service.

Annex

CLARIFICATION OF ORAL EVIDENCE

The transcript of the oral evidence of Mr Mark Robinson heard in public before the select committee on 24 April 2012 includes the following exchange:

Q: I went to a High School on Friday. And spoke to fifth and sixth year pupils. Because of this inquiry about the Commonwealth I asked them "what does the Commonwealth mean to you?" No one answered

A: (Robinson) I am not surprised. A strong programme was run by the Commonwealth Institute, which no longer exists—it has been translated and gone with the Commonwealth Education Trust in Cambridge. Before every Commonwealth Day the Institute would be running programmes in schools about Commonwealth Day.

The Commonwealth Education Trust, as the successor trust to the Trustees of the Commonwealth Institute, would like to clarify for the committee the misleading impression that could be given by the answer recorded above.

The statutory activities of the Commonwealth (formerly Imperial) Institute came to an end with the passage of the Commonwealth Act 2002.

The property with which the Institute as a statutory undertaking was most recently associated on Kensington High Street, London W8, was held by the Commonwealth (formerly Imperial) Institute Trustees responsible for safeguarding the assets arising from the collection made for Queen Victoria's Golden Jubilee in 1887.

The Commonwealth Institute Trustees were required by statute to make the Kensington property available for the use of the Responsible Minister (latterly the Secretary of State for Foreign and Commonwealth Affairs) in fulfilling the purposes of the Imperial Institute Act 1925 and the Commonwealth Institute Act 1958.

The primary purpose of the Commonwealth Institute was to advance the educational, industrial and commercial interests of the Commonwealth, as befits a collection that was raised from private citizens across the then Empire.

³⁷ Annex.

³⁸ Not printed.

The Secretary of State for Foreign and Commonwealth Affairs (SoS FCA) inherited programmes (principally displays) for schoolchildren run by the previous Responsible Minister, the Secretary of State for Education from 1949 to 1967. Prior to this the activities had been the responsibility of the Board of Trade and the displays had been provided by the countries for the purpose of promoting the commercial and industrial interests of the Commonwealth.

In 1992 the SoS FCA announced that he wished to withdraw from funding these activities and during the next ten years those responsible under him made extensive attempts to find alternative funding. Attempts to secure other sources of income were unsuccessful and these activities came to an end in 2002 when all funding was exhausted.

The Commonwealth was however successfully introduced into the National Curriculum during this period and responsibility for making children in the UK aware of the Commonwealth as an institution now rests with the education system as is the case in other member countries. Providing general public information about the Commonwealth is a responsibility of the Commonwealth Secretariat.

Meanwhile in October 2000 the Kensington property was passed by the Commonwealth Institute Trustees to a charitable company limited by guarantee under the control of all Commonwealth countries which continued to fulfil the Obligations of the Responsible Minister under the Acts until 2002. The Commonwealth Act 2002 repealed the 1925 and 1958 Acts with effect from 7 January 2003 ending the duties of the Responsible Minister and his right to have the use of the Kensington property to assist him in discharging his responsibilities under those Acts. The building had always been exceptionally costly to maintain and by this stage was no longer fit for public use. The representatives of the Commonwealth countries, as members of the charitable company, with the endorsement of Commonwealth Ministers of Education and Commonwealth Heads of Government, decided that the property should be sold and the proceeds used to fulfil the extant charitable purposes of the jubilee collection made in 1887.

The property was eventually sold in 2007 and the members of the charitable company confirmed the wish of member governments that the proceeds of the sale should be applied to advancing education in the Commonwealth, with a focus on primary and secondary education and the training of teachers. It was agreed that the constitution of the charitable company was inappropriate and they constituted the Commonwealth Education Trust specifically to carry out this purpose in mid 2007.

The Trust has established a Centre for Commonwealth Education in the Faculty of Education of the University of Cambridge and, through it and in other ways, has progressed its purpose on a pan Commonwealth basis. The Trust is also investing in developing methodologies and systems to assist schools with the more efficient and effective delivery of education.

In 2011, the Commonwealth Education Trust celebrated its 125 year history by publishing *A River of Stories*, a collection of vibrant stories and poems themed around water evoking the sights and sounds of a diverse Commonwealth community, to stimulate children's interest and awareness, develop critical thinking, encourage readers to find connections and parallels between their own and other cultures and promote a balanced and sustainable relationship between humans and the environment. The book was well received and has spawned a range of initiatives to promote the use of local children's literatures in school classrooms across the Commonwealth including complementary learning resources which are currently being developed in New Zealand. A limited edition of *A River of Stories* was personally received into the Royal Library at Windsor by Her Majesty The Queen and copies were gifted to each school present at the Commonwealth Day Service in Westminster Abbey in 2012.

In these and other ways the Trust is using its resources to enhance the education of young children in the Commonwealth as a whole; a focus that had been lost with the increasingly UK centric activities promoting the Commonwealth as a political organisation in the years after World War Two. That task, as noted, now lies with the Commonwealth Secretariat and individual countries.

The charitable company is being wound up and the balance of the charitable assets from the original collection is in the process of being identified so that it can be passed to the Commonwealth Education Trust which is the named successor to all property and assets of the charitable company. Regrettably this process has been delayed by the complexities that have arisen from the incomplete drafting of the 2002 Act and will require an application to the Court by the liquidators to ensure finality.

The Commonwealth Education Trust is willing to elaborate further on this statement should Members of the Committee so wish.

12 September 2012