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PERTH, AUSTRALIA

Commonwealth Civil Society Statement

Presented to Commonwealth Heads of Government, Perth, Australia 2011



**DRIVING CHANGE FOR A
DYNAMIC COMMONWEALTH**

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Introduction

The statement has been developed out of a Commonwealth wide process, which saw the facilitation of regional consultations in the Caribbean (Georgetown, Guyana 28-29 June 2011), Central and West Africa (Abuja, Nigeria 22-23 June 2011), East and Southern Africa (Johannesburg, South Africa 27-28 June 2011), Asia (New Delhi, India 27-28 June 2011), Europe (London, United Kingdom 11 May 2011) and the Pacific (Sydney, Australia 23-24 May 2011). These brought together more than 250 civil society representatives between May and June 2011. This statement was also informed by submissions from 14 Commonwealth Associations and two National Associations.

It was drafted by a group of nominated civil society leaders that were deeply involved in the regional consultations, and included representation from the Commonwealth Associations. This statement was developed, focussing on achievable, measurable and targeted recommendations which provide the basis for civil society engagement. It is indicative of contemporary civil society concerns, rather than a comprehensive listing. In the tradition of previous declarations from civil society it highlights critical contextual issues of common interest and high priority to civil society and recommends actions to be taken by Commonwealth Heads of Government, Commonwealth Member States, Commonwealth bodies and civil society itself.

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The opinions expressed represent the views of contributors and do not necessarily reflect the views of the Commonwealth Foundation or associated partner organisations.

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Overview

Civil Society as Drivers of Change in a Dynamic Commonwealth

Civil society is central to the contemporary Commonwealth project. There has long been an understanding that the Commonwealth is more than an association of governments, yet the Commonwealth's structures and processes do not make proper provision for the inclusion of civil society, whether it be space at Commonwealth Ministerial Meetings, engagement with the Commonwealth Ministerial Action Group (CMAG), participation in election monitoring or access to Commonwealth technical assistance. We see many references to civil society in CHOGM Communiqués and declarations, but these rarely take cognisance of the views of civil society. There should be nothing written for civil society without civil society's involvement and engagement.

Civil society adds an essential core to the Commonwealth at a local, national, regional and international level. Yet conditions are required to enable it to flourish and contribute. These conditions include policies, institutions and capacity. Together, these elements combine to provide the space for civil society. Across the Commonwealth we see this space diminishing or under threat. This trend must be reversed if the Commonwealth is committed to national and global stability and strengthening resilience.

We call on Member States to put civil society back at the heart of the Commonwealth during this exciting phase in the association's revitalisation.

Preamble

In the context of recovery from multiple crises, and the ongoing threat of further crises, we are acutely aware of the challenges facing Commonwealth countries. We understand the pressures of dwindling state resources, which must attempt to respond to growing societal demands, the negative impact of climate change which threatens the sustainable development of small states in particular, the tremendous effort required to meet the MDG targets as well as the continuous struggle to sustain democratic governance. However, we are also aware that those challenges can only be confronted by a focused, urgent and inclusive effort which engages civil society in a central way.

Civil society values the Commonwealth space, recognising that the core values and principles speak to universally held ideals related to development, democracy and diversity. We believe that the Commonwealth has much to offer the global community and welcome the realisation that the time has come to review, refresh and renew itself. This process has been led by the Eminent Persons Group (EPG) – we welcome the way in which they have sought to engage with a broad cross section of Commonwealth stakeholders. We therefore look forward to the full release of their recommendations as part of this strategic process of renewal.

The Commonwealth has tremendous potential to make a real difference to global multilateral affairs. By working together, Commonwealth Member States could change the tenor of the international discourse on development issues; such a moment for collaboration should be seized at the 17th Conference of the Parties of the United Nations Framework Convention on Climate Change in Durban, South Africa 2011. We also recognise that such collaboration could change the face of international institutions, including the United Nations Security Council, the World Trade Organization and the International Monetary Fund.

(continued)

At the same time the Commonwealth must confront its own weaknesses. The disconnect between the Commonwealth's high level goals and ideals agreed at the intergovernmental level and the lack of follow through at the national level severely hampers effective action and the ability of the Commonwealth to be a meaningful vehicle for change.

The Commonwealth operates in what is becoming a particularly crowded international space, and so in reconsidering and revitalising its mission, it is important to consider what it is about the collection of peoples and nations that make up the Commonwealth, beyond their shared colonial history, that distinguishes them, and where the Commonwealth can add value and provide effective international leadership. We believe that it is the strength of its civil society that distinguishes the Commonwealth. By building on and strategically strengthening this capacity the Commonwealth and its partners can again become relevant to developing the new international community of peoples.

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Indigenous Peoples and Communities

1. *Recognising the negative impact and legacy of colonisation on Indigenous peoples; expressing concern about the denial of the existence of Indigenous peoples by some Commonwealth Member States; recognising the needs and rights of Indigenous peoples to self-determination and their holistic vision of rights-based economic wellbeing and sustainable development of the environment;*
2. *Highlighting the value of traditional knowledge and conservation practices of Indigenous peoples in protecting and sustaining biodiversity and the environment; and acknowledging the crucial role that Indigenous women play in such practices especially in the protection, development and transmission of Indigenous knowledge and culture.*
3. **We call** on Commonwealth Member States that have not already done so to:
 - a. ratify the UN Declaration on the Rights of Indigenous Peoples by 2013;
 - b. harmonise national legislation with the rights of Indigenous peoples; and formally adopt the implementation of Indigenous determined mechanisms to recognise and protect the *sui generis* traditional knowledge of Indigenous peoples;
 - c. recognise the empowerment of Indigenous peoples that is taking place and enable them to exercise their rights and authority over their traditional lands, resources and traditional knowledge;
 - d. support customary practises and respect the customary use, development, exchange and transmission of traditional cultural heritage and knowledge;
 - e. contribute to the safeguarding of traditional cultures; and
 - f. encourage community innovation as well as promote indigenous development and legitimate trading activities.

Culture and Identity

4. *Highlighting the value of cultural diversity and intangible cultural heritage to the global community; and concerned at the rapid loss of biocultural diversity currently occurring across the globe.*
5. **We call** on all Commonwealth Member States that have not already done so to:
 - a. ratify the 2001 UNESCO Universal Declaration on Cultural Diversity and the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage; and
 - b. harmonise national legislation and adopt policy to enact cultural heritage protection.

Climate and Environment

6. *Concerned that climate change and biodiversity loss pose multiple and serious risks to water and food security, fisheries, forests, human livelihoods, health and settlements, social stability and global security;*
7. *Stressing that there are urgent environmental threats within the Commonwealth that need to be addressed immediately;*
8. *Supporting the need for the Commonwealth to work collectively and constructively with the broader international community to reach agreement on emissions reduction, technology sharing and transparent and accountable financing of vulnerable communities to underpin an equitable global response to climate change;*
9. *Asking that Commonwealth Heads of Government recommit and urgently implement as agreed in Trinidad and Tobago in 2009, to tackle climate change and work collectively to agree on an equitable global framework for emissions reduction and sustainable development at the 17th Conference of the Parties of the United Nations Framework Convention on Climate Change, South Africa, 2011 and Rio +20.*
10. **We call** on Commonwealth Member States to:
 - a. establish an accessible funding mechanism for civil society to support vulnerable communities' initiatives and projects which mitigate and adapt to the immediate environmental threats facing them and enables them to undertake research and exchange information and expertise; and

- b. commission and publish a technical and scientific consumption and development study (including measurement of corporate carbon footprints) which reports on each Member State's contribution to climate change and biodiversity loss, the development needs of each State, and informs the level of financial contribution wealthier member countries should make to environmental programmes and the sustainable economic development of developing Commonwealth Member States.

Human Rights

11. *Recognising that a rights based approach is needed to apply the Rule of Law equitably; endorsing the welcome proposal made by the Eminent Persons Group (EPG) that a Commissioner on Democracy and the Rule of Law be established;*
12. *Noting that some Commonwealth Member States have not ratified human rights conventions as well as the fact that a disparate regime of migration policies, legislation and regulations apply across the Commonwealth;*
13. *Highlighting the need for the Commonwealth Ministerial Action Group (CMAG) to meaningfully engage civil society.*
14. **We call** on Heads of Government to:
 - a. support the establishment of the office of a Commissioner on Democracy and the Rule of Law as an independent institution, reporting to CMAG;
 - b. implement a comprehensive engagement plan for that office to include civil society in its processes and procedures;
 - c. ratify and implement all international human rights conventions; to ensure that all persons are respected and protected equally under the law, regardless of their race, gender, ethnicity, physical ability, sexuality, faith, and ratify all eight core labour standards by 2015 and commit to biennial progress reviews prior to each CHOGM;
 - d. make the protection of Human Rights Defenders across the Commonwealth a priority for the Human Rights Unit, which we recommend be upgraded to a full Division of the Commonwealth Secretariat; and

- e. establish a Commonwealth expert group on policing to review the state of policing in the Commonwealth, highlight best practices and advise Member States to urgently embark on police reforms and necessary human rights training.

15. **We recommend** that the Commonwealth Foundation:

- a. develop a migrant worker toolkit so that Civil Society can raise awareness and protect the interests of such migrant workers.

Health

- 16. *Noting that human rights and legal frameworks underpin health and wellbeing, including progress on HIV and AIDS;*
- 17. *Recognising that poor physical and mental health has a double impact in that unhealthy people are less able to contribute to the economy, and health care provision is an increasing economic burden on scarce resources;*
- 18. *Noting with concern that although Commonwealth Member States have approximately 30% of the world's population they have approximately 60% of the world's people living with HIV;*
- 19. *Concerned that 41 out of 54 Commonwealth Member States criminalise sex between men; and concerned about the sexualisation of women and children, which leads to poor health and mental health outcomes for women and children.*
- 20. **We call** on Commonwealth Member States to:
 - a. ensure there is adequate equitable health care for all citizens and achieve all health MDGs by 2015;
 - b. commit to programmes that mitigate the HIV and AIDS pandemic, including decriminalising same-sex sexual conduct, repealing all laws that impede an effective response and ensuring that all citizens have equal rights and protection, regardless of sexual orientation, marital status, gender, age, race, religion and disability, so as to ensure the health and wellbeing of its citizens;
 - c. tackle the reduction of non-communicable diseases including the eradication of polio; and
 - d. adopt a collaborative and holistic approach to mental health across government departments and sectors, in particular with reference to co-morbidity, alcohol and drug issues, poverty, homelessness and violence.

- 21. **We recommend** that Commonwealth organisations and the private sector in consultation with civil society:
 - a. develop strong guidelines on advertising, merchandise and services that objectify women and children to meet commercial goals.

Peace and Security

- 22. *Noting that wars and conflicts continue to threaten global peace and security including the escalation of conflicts over resources, proliferation of arms and on-going threats of military responses to terrorism and the illegitimate use of force against citizen movements; acknowledging the Commonwealth's work on conflict prevention through Good Offices and election monitoring;*
- 23. *Welcoming the recognition in the Commonwealth publication **Civil Paths to Peace** of the role of civil society in peace building; and recognising also the important role of women and young people in peace building; and condemning the interests that seek to inflame cultural, ethnic and religious conflicts.*
- 24. **We recommend** that Commonwealth Member States:
 - a. develop national action plans in conjunction with civil society, women and young people to implement the recommendations in **Civil Paths to Peace** and report on progress to CHOGM 2013.

Education, Technology and Innovation

- 25. *Recognising that education, innovation and technology are critical elements of sustainable and culturally appropriate economic development;*
- 26. *Highlighting the benefits of mother-tongue language education for early childhood development; and concerned at the increasing trend of both private funded and fee-for-service education;*
- 27. *Stressing the need for commitment to women and to girl child education across the Commonwealth to realise their full potential on equal terms with men and boys;*
- 28. *Safeguarding access to education and subsequent lifelong opportunities, unconstrained by religious or cultural dogma;*
- 29. *Recognising the need for leveraging the benefits of technology, based on consultation and in the interest of local areas, at all levels of education, to underpin access, equity, quality and interactional dynamics between the teacher and the student;*
- 30. *Appreciating the need for flexible approaches to innovation instead of conventional and traditional models;*

31. *Recalling the commitment made at the Conference of Commonwealth Education Ministers (CCEM) in Kuala Lumpur in 2009, Civil society reminds Commonwealth Heads of Government of the need for renewed support for the Commonwealth Scholarship and Fellowship Plan (CSFP), the Endowment Fund and the Association of Commonwealth Universities' scholarships programmes.*
32. **We call** on Heads of Government to:
- constitutionally entrench education as a fundamental human right for all Commonwealth people irrespective of gender, ethnicity, faith, sexuality, physical ability or migrant status;
 - commit to increased investment in teacher training and continuous professional development; that curricula and delivery are matched to national development priorities; and
 - mandate the next Commonwealth Education Ministers Meeting (CCEM) in Mauritius, in 2012 to examine comparable opportunities, to develop and sustain student leadership skills in education, sufficient to ensure that such students are assured livelihoods, making life-long contributions to Commonwealth society; invest in technical infrastructure, especially broadband; as well as appropriate technology to bridge the digital divide across states, regions, gender and income; and commit to supporting educational innovation to optimise resource exchanges.
33. **We urge** Commonwealth Member States to:
- develop and implement mother tongue early childhood education strategies to improve opportunities in later life; Increase student mobility across Commonwealth Member States through educational grants and support, to reinforce Commonwealth identity, benefit from the diversity of study and learning opportunities and encourage innovative peer-level exchange for lifelong relationships.

Governance and Democracy

34. *Recognising that the quality and effectiveness of Commonwealth governance and democratic systems would be greatly strengthened by enhanced civil society involvement in political processes, planning, decision making, and policy and programme implementation;*
35. *Acknowledging that freedom of information can be an effective tool for enhancing governance and transparency;*
36. *Stressing the importance for monitoring the Commonwealth's compliance with its own established principles and values on democracy and good governance as well as other international agreements and conventions ratified at the national level.*

37. **We call** on all Commonwealth Member States that have not already done so to:
- agree to implement Freedom of Information legislation by 2013 as a key development strategy to improve governance, participatory democracy and stamp out corruption.
38. **We call** on the Commonwealth Foundation to:
- provide support for civil society, to establish a clear monitoring mechanism that reports prior to each Commonwealth Heads of Government Meeting on the state of civil society, as well as progress with implementation of mandates adopted by Heads. Such a mechanism should bring together technical experts from all Commonwealth regions and be well resourced.

Economic Development, Trade and Finance

39. *Highlighting the need to challenge the prevailing economic paradigms, and need to advance alternative models of economic development; recognising the role of the Commonwealth in initiating dialogue on the reform of the international financial institutions;*
40. *Stressing the need for ongoing advocacy for reform of the international finance and trade architecture in order to ensure that related processes prioritise endogenous growth, poverty reduction, sustainable development and the rights of workers;*
41. *Emphasising that south-south trade can offer a viable option for enhancing trade outcomes for developing countries and small states;*
42. *Noting the preparations for the Fourth High Level Forum on Aid Effectiveness in Busan, South Korea and the need to mobilise Commonwealth civil society participation in follow-up activities.*
43. **We call** on Heads of Government to:
- build on the recommendation from the Eminent Persons Group to convene a Commonwealth Ministers of Foreign Trade Meeting and mandate the Commonwealth Secretariat to convene a joint meeting with Commonwealth Ministers of Finance to develop a joint approach to engagement in international trade and finance processes underpinned by consultation with civil society and a rights based approach to economic development;
 - Build on the work of the Ramphal Commission on Migration, to mandate the Commonwealth Secretariat to provide technical assistance for the analysis of the impact of freer movement of people on sending and receiving countries within the Commonwealth and report to the next CHOGM in 2013; and

- c. adopt migration strategies which should enable countries of origin, as well as countries of destination, and migrants themselves, to share equitably in any benefits. Such benefits should include the reduction of the cost of remittances entrench civil and political rights, legislate for portable pensions and professional qualifications, as well as circular migration.

Gender Equity and Women's Rights

44. *Welcoming the Commonwealth focus on Women as Agents of Change in 2011, particularly in tackling poverty and achieving the Millennium Development Goals;*
45. *Stressing that it is imperative that women's voices are included in all spaces especially political and economic discussions at national ministerial and Commonwealth processes;*
46. *Acknowledging that women still face severe challenges in relation to gender based violence, lack of access to resources and discrimination, particularly against indigenous women;*
47. *Emphasising the need to focus attention on the situation affecting the well-being of young boys and cognisant that the Commonwealth Gender Plan of Action comes to an end in 2015.*
48. **We call** on Heads of Government to:
 - a. give priority in national budgets to investment in education, training, skills and business development for women and girls, particularly to tackle poverty, food security and environmental sustainability;
 - b. enhance the power and presence of the voice of women at all levels of Commonwealth institutions and processes through agreeing to implement at least the 30 per cent quota as recommended in the Plan of Action (POA) for the representation of women in parliament and decision making processes; and
 - c. mandate the Commonwealth Foundation and the Secretariat to work jointly to enhance the capacity of the Commonwealth Gender POA Monitoring Group and to ensure the effective participation of civil society.





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