CELEBRATING COMMONWEALTH DAY

Monday 9 March 2015 at 6.00pm
Wellington Cathedral of St Paul

Join us for the National Observance of Commonwealth Day as we celebrate this year’s Commonwealth Day. Invitations are being issued electronically through the Visits & Ceremonial Office. Please check your email and let us know if your invitation does not arrive!

Announcing the theme for 2015, ‘A Young Commonwealth’, Commonwealth Secretary-General Kamalesh Sharma said: “People aged 29 or under account for the majority of the Commonwealth’s population, and play a vital role at the heart of sustainable development and democracy. ‘A Young Commonwealth’ recognises the capacity, contribution and potential of young people, particularly in 2015 when the world will define a new global development framework.”
“The Commonwealth is also a family of dynamic countries at the forefront of innovation, growth and contributing global value. As a diverse and increasingly connected global network, we bring fresh perspectives and new ideas. We will always remain a contemporary and young Commonwealth.”

OUT AND ABOUT

Some of the CYNZ team and UK in New Zealand Successive Generation Initiative met with Rt Hon Philip Hammond, UK Secretary for Foreign & Commonwealth Affairs, on his recent visit to Wellington. It was great to hear his comments on the UK’s strategic direction in the Pacific, as well as how the UK and New Zealand can strengthen cultural and commercial links. The photo opportunity followed the unveiling of the Victoria Cross plaque which Mr Hammond formally gifted to the NZ Parliament and which will be a feature of the new Cenotaph and Parliament forecourt revamp marking the centenary of WW1 and the 150th founding of Wellington City.

RCS and CYNZ representatives L to R Aaron Hape, Jenny Officer, Darryl Stevens, Sandra Ivanov, Patrick Lindsay, and Emma Stilwell were invited by the Governor-General to celebrate Waitangi Day at the Bledisloe Garden Party to mark the 175th anniversary. Missing in this photo were Bevan and Sarah Marten who were taking tea!
The CYNZ team had an awesome time at the British High Commissioner’s annual BBQ on Friday 13th, and got to meet legendary comedian, Eddie Izzard.

RCS News

The Commonwealth in 2015

Posted by The Royal Commonwealth Society
11th January 2015

2015 is set to be a busy and important year for the Commonwealth. Below we take a look at the big events.

Commonwealth Day 2015

Each year the Commonwealth is celebrated throughout the world on the second Monday of March. Commonwealth Day is a unique opportunity to promote understanding of global issues, international co-operation and the work of Commonwealth organisations. In London the Royal Commonwealth Society hosts the Commonwealth Observance: a special multi-faith event held at Westminster Abbey and attended by Her Majesty The Queen, Head of the Commonwealth, the Commonwealth Secretary-
General, High Commissioners, dignitaries from around the Commonwealth and specially invited guests, as well as 1,000 young people.

The Commonwealth Day theme also acts as catalyst for broader appreciation of the Commonwealth for the rest of the year. This year the theme is ‘A Young Commonwealth’, underlining the fact that more than half of the people in the Commonwealth are aged under 25. ‘A Young Commonwealth’ also recognises the capacity, contribution and potential of young people, particularly in 2015 when the world will define a new global development framework. Over the course of the year the Royal Commonwealth Society, along with many other Commonwealth organisations, will contribute to projects, programmes and competitions that celebrate ‘A Young Commonwealth’.

Elections

After an apparently successful rotation of the democratic process in Sri Lanka, more elections will follow across the Commonwealth in 2015. Democratic rule is a central value of the Commonwealth Charter. Nigeria, Tanzania, Trinidad and Tobago, Canada and the United Kingdom all have national elections scheduled for this year. As well as being significant in their own right, these elections are important in that they can also influence the Commonwealth by bringing political parties with different foreign policy priorities into government.

This is particularly true of the UK election as the UK government is the largest funder of the Commonwealth. Nigeria and Canada’s elections are also significant in this regard. UK foreign policy is a prominent issue in election media coverage as debate over EU membership is particularly loud. Some political actors have suggested that, a renegotiation of the country’s relationship with Europe is a chance to reframe the UK’s commitment to the Commonwealth. The UK’s elections are also relevant to the Commonwealth as all Commonwealth citizens living in the UK can vote.

CHOGM

In November 2015 the Commonwealth Heads of Government Meeting (CHOGM) will be held in Malta. Many commentators are looking for Malta to move the Commonwealth beyond the controversy of the last CHOGM’s host, the Sri Lankan government (which at the time was facing serious allegations of war crimes) and produce Commonwealth initiatives that will signify tangible benefits to citizens in the 21st century. Already, the Maltese government seems up for the challenge. The Prime Minister, Dr Joseph Muscat, has outlined a number of different visions for the modern Commonwealth. His emphasis has been on relevance and commitment from its members. The theme for CHOGM, The Commonwealth – Adding Global Value, certainly reflects this emphasis on relevance and seeing tangible benefit to Commonwealth membership.

At the moment it is difficult to know exactly which Commonwealth reforms Dr Muscat will be successful in seeing adopted, and there are rumours that some ideas have already been rejected by Commonwealth
governments, which have to reach agreement by consensus. However, a number of changes to the CHOGM process can already be seen. Most significantly Malta will host for the first time a Women’s Forum to place women’s economic and social issues high on the Commonwealth agenda and create networking opportunities for those working on these issues. The Women’s Forum will sit alongside the usual People’s Forum, Youth Forum and the Business Forum. The latter is hoping to draw 1,000 delegates to discuss trade and investment opportunities.

The Malta CHOGM meeting is well-placed in the global meeting calendar, coming as it does so soon after the September meeting of the United Nations’ General Assembly (UNGA), at which the new post 2015 development framework will be agreed. Implementation of the new Goals is likely to be a priority area for Commonwealth inter-governmental and civil society discussion. The CHOGM also takes place before the Paris COP 21 (Conference of the Parties – UN Climate talks), which is a critical meeting, given difficult negotiations and compromises in Lima, Peru in July 2014 and the divide between rich and poor nations. It was in similar circumstances back in 2009 that the Trinidad & Tobago CHOGM became important in the run-up to COP Copenhagen, with at least a measure of Commonwealth consensus helping to facilitate wider global agreement at the time on climate change.

This important Commonwealth summit will give a chance for numerous Commonwealth citizens - from Prime Ministers and Presidents to activists and young people - to discuss the pressing issues facing the Commonwealth as an organisation as well as those facing its citizens and the global community.

A New Secretary General

CHOGM will also provide the setting for the election of a new Commonwealth Secretary General. With the current Secretary General HE Kamalesh Sharma due to finish his second term in office in March 2016, the hunt is on for his successor. At the moment there is much speculation about who may run for this position. The Caribbean press has been particularly active in covering the contest, and the lack of consensus in the region over a preferred candidate. According to the Jamaica Observer, Dominican-born Baroness Patricia Scotland, former UK Attorney General, and Trinidad and Tobago Planning Minister, Dr Bhoendradatt Tewarie, are both said to be in the running. The respected Baroness Valerie Amos is also thought to be a potential candidate as she stands down from her high profile appointment at the UN. The experienced High Commissioner to UK for Antigua and Barbuda, Sir Ronald Saunders, had declared his interest in the position but his intentions are now less clear and no doubt, will depend on later indications of support he might get. In addition to these candidates, former Commonwealth Deputy Secretary General, Mmasekgoa Masire-Mwamba has also declared her interest to stand. Like the two Baronesses, if Botswanan Masire-Mwamba is elected she would be the first woman to hold the position. It seems highly likely that new and late runners will appear in the next few months and that this contest will draw huge levels of interest and discussion from across the Commonwealth. Whoever becomes the next Secretary General will have to engage with the post-Malta agenda and ensure the continued relevance and efficacy of the Commonwealth.
Introducing the RCS Head Office Team

Based in London, the Royal Commonwealth Society's central staff team is in regular contact with our Regional Co-ordinators and Branch Representatives across the Commonwealth.

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**Magna Carta to Commonwealth Charter -800th Anniversary**

Posted by Julia Beck
4th February 2015

The article below is a summary of a 3 day conference and makes for fascinating reading!
The Commonwealth Parliamentary Association (CPA) UK’s conference ‘Magna Carta to Commonwealth Charter: Human Rights in the Modern Day Commonwealth’ opened with a lecture delivered by Rt Hon. John Bercow MP, Speaker of the House of Commons and Rt Hon Baroness Scotland of Asthal, former Attorney-General on the modern legacy of Magna Carta. Mr Speaker took the opportunity to urge his Commonwealth parliamentary colleagues in attendance to take inspiration from the spirit of the authors of Magna Carta and continue to develop and distil the principles of democracy it outlines. Baroness Scotland then asserted that the Commonwealth is bound together by rule of law and the other common values defined by Magna Carta, in their modern-day manifestations of the Harare Principles and the Commonwealth Charter. She identified it as a statement of aspiration for any good government, 1215 or 2015.

The main conference programme began with an exploration of rights, democracy and the rule of law. Chairing, constitutional expert Lord Norton of Louth singled out democracy and the rule of law as the twin pillars of a functioning democratic society, but acknowledged that upholding both pillars can lead to conflicts between the legislature and the judiciary. He urged courts and parliaments to recognise that each has a vital role in protecting both elements, and to cooperate as far as possible. Sir Edward Garnier QC MP then gave his perspective as a parliamentarian and lawyer, and identified three factors critical to protecting rule of law: an independent judiciary, an executive that acts with respect for citizens’ rights and a free and open press. He encouraged the parliamentarians participating to be vigilant to ensure their governments were not allowed to abuse the rule of law in the name of national security.

Finally, Professor Vernon Bogdanor, leading constitutional historian, discussed the link between Magna Carta and modern constitutions. He pinpointed three purposes of constitutions in modern democracies: the first, to give citizens a sense of purpose, a rallying cry for the system; the second, to provide an organisational chart for government; and thirdly and most importantly, to protect individuals and minorities from the ‘tyranny of the majority.’ He briefly discussed the relative merits of the UK’s unwritten common law constitution and those of a written constitution, concluding that individually each nation must decide its best-suited constitutional system.

In the next session, discussing parliamentary strengthening, Rt Hon. Sir Malcolm Bruce MP highlighted the findings of the International Development Select Committee’s report on parliamentary strengthening, particularly the importance of parliamentarians and parliamentary staff sharing knowledge on an international level. He drew attention to the fact that the international community spends twice as much on promoting elections as it does on subsequent support to the parliament once elected. Alina Rocha Menocal of the Overseas Development Institute echoed this, suggesting that international actors often mistakenly approach parliaments as technocratic rather than political institutions. Closing the morning’s programme, Hon. Dr Shirin Sharmin Chaudhury MP, Speaker of the Parliament of Bangladesh, explored parliamentary
democracy and the legislative, representative and oversight roles of parliamentarians. She suggested that parliaments should constantly develop, in particular seeking to address the challenges created by globalisation such as sustainability and protection for the environment.

This afternoon began with a session on the Universal Declaration of Human Rights chaired by Virendra Sharma MP. Sir Nigel Rodley, Chair of the UN Human Rights Committee, quoted Eleanor Roosevelt in defining the Declaration as ‘a Magna Carta for all mankind,’ with the rule of law as a clear line from 1215 to 1948. He explored the development in states’ attitudes towards the rights outlined in the Declaration, with increased weight given in recent decades. Dr Corinne Lennox of the Institute of Commonwealth Studies focused on one area in which the UNDHR is not explicit, that of minority rights, and demonstrated ways in which it could be used to support these rights. Finally, Baroness O’Neill discussed the relationship between parliamentary democracy and human rights. She defined three prerequisites for democracy, namely order, the rule of law and the elementary rights of the person, arguing that democracy cannot exist without respect for these rights.

In the final session of the day, a panel led by Baroness Berridge explored the relationship between national and international law, as well as the role played by international organisations. She reminded participants that respect for national sovereignty is a principle of international law, but so is respect for human rights, and they must be taken together. David Hobbs, Secretary General of the NATO Parliamentary Assembly, expanded on this, discussing the role played by NATO in conflicts from the Cold War to date, including in challenging situations where the UN has not supported action. Concluding the first day’s programme with a harrowing and very personal account was Ruth Mumbi, an Amnesty International Human Rights Defender. Her experience of harassment, trumped-up charges and abuse during a peaceful demonstration for maternal healthcare gave a very real example of the difference between the theory of human rights and the rule of law and its practice.

Day Two

UK Commonwealth Minister Rt Hon. Hugo Swire MP opened day two of CPA UK’s Magna Carta to Commonwealth Charter conference. He stressed that whilst the Commonwealth Charter built on Magna Carta to improve the lives of Commonwealth citizens and protect their rights, the Commonwealth community can and should do more. Although it is an aspirational document, in his view it is meaningless unless its signatories take real and tangible steps towards implementing it, and he welcomed the plans of the Commonwealth Ministerial Action Group to use their next meeting to examine countries’ level of adherence. Professor Philip Murphy of the Institute for Commonwealth Studies expanded on the point of its lack of enforcement mechanism, highlighting this as a major shortcoming. However, he did suggest that Magna Carta’s lasting effect came from its lasting position in the popular imagination rather than from its enforceability, and that the Commonwealth Charter could perhaps be made to emulate this by inspiring the public in
Commonwealth countries. Finally, Karen McKenzie of the Commonwealth Secretariat outlined the ways in which the Charter is being used on a practical level to improve human rights protections through the Secretariat’s programmes and advocacy.

Splitting into smaller groups, the delegates then explored two specific areas of human rights infringement: early and forced marriage and obstruction of the right to education. In the early and forced marriage session, Sophie Lott of the Forced Marriage Unit outlined the unit’s work as an example of how governments can seek to prevent such abuses occurring. Meanwhile, Delphine Dorsi of ActionAid’s Education for All Programme identified the ways in which parliamentarians can act to support the rights of their young constituents to education.

Moving on to the rights of minorities, Crispin Blunt MP next chaired a session addressing conflicts between protection for human rights and cultural values. Professor Frans Viljoen of the Pretoria Centre for Human Rights examined the concept of culture, which he suggested was often used as shorthand for 'the views of the majority.’ He also emphasised that any claim to ‘cultural override’ of a human right could not stand without a proportionality test, and that such a test must be considered within a human rights framework. Jonathan Cooper, CEO of the Human Dignity Trust, meanwhile called on the parliamentarians participating to use their legislative power to protect the human rights of LGBTI individuals in the 41 Commonwealth countries in which homosexuality remains illegal. He reminded those present that criminalisation has a very real effect on the lives of its victims, that they are often subjected to violence and persecution as a result of marginalisation. Concluding the session, Valerie Vaz MP reminded her parliamentary colleagues that fundamental rights cut across race, religion, gender and sexuality, and that it is the role of the parliamentarian to represent even the most vulnerable or marginalised of their constituents.

The afternoon’s programme began with a session Chaired by Lord Black of Brentwood on freedom of expression, particularly resonant in the aftermath of last month’s tragic events in Paris. Hon. Bruce Scott MP, Deputy Speaker of the Australian House of Representatives, gave an overview of the model Australia uses to balance concerns over national security with respect for freedom of expression. Steve Crawshaw, representing Amnesty International, emphasised the ways in which anti-terror legislation is often hijacked by repressive regimes to suffocate freedom of expression, urging parliamentarians to guard against this happening. He concluded with a reminder that freedom of expression benefits all citizens by creating an open and stable society. Speaking last, Henry Maina, Article 19’s East Africa Regional Director, explored freedom of expression as a political right, incorporating the right to be informed as well as the need for transparency on the part of government. He echoed Steve Crawshaw’s suggestion that freedom of speech affects all citizens, paraphrasing Amartya Sen: ‘No country has suffered famine that has had freedom of expression.’

In a once-in a generation occurrence, parliamentarian delegates were then joined by Commonwealth scholars for a hugely impressive exhibition in the House of Lords, having come from
the British Library, which reunited the four original copies of Magna Carta for the first time since they were sealed 800 years ago. As well as the background information on each copy given by four experts, those viewing were treated to an impromptu history of the significance of the copies from Lord Cormack.

Concluding the day’s programme for parliamentarians and scholars in a stirring final plenary address, Hon. Angelo Farrugia MP, Speaker of the Parliament of Malta, gave his and his country’s unequivocal support for the continued relevance of the Commonwealth as a force for good. However, he forcefully urged his parliamentary colleagues not to rest on their laurels, but to continually bear in mind the principles of Magna Carta and the Commonwealth Charter when carrying out their work. He went on to endorse the view that the CPA should not be wary of addressing human rights infringements throughout the Commonwealth, and proposed two ambitious ways in which the wider Commonwealth could effectively do so: through a Human Rights Council, or by creating a 'Commonwealth Court of Human Rights.'

**Day Three**

The final day of CPA UK’s conference ‘Human Rights in the Modern Day Commonwealth: Magna Carta to Commonwealth Charter’ saw the current leaders and legislators of the Commonwealth arguing issues morality and human rights with those of the future. The parliamentarian participants and Commonwealth Scholars debated the motion ‘Can you legislate for a moral issue?’

Opening the debate, with Baroness Hooper in the chair, South African Deputy Speaker Hon. Solomon Lechesa Tsenoli MP highlighted the complexity of the issue, and suggested that moral values will often conflict with human rights as morality is subjective, and may be derived from a religion or another specific community. He urged legislators to keep the private (morals) and public (law) separate.

Responding on behalf of the Commonwealth Scholars Avanka Mahikanthi Fernando, a Sri Lankan student currently attending the University of Cambridge, argued that human rights and absolute moral values are inextricably linked, quoting Amartya Sen: ‘Human rights are seen as powerful moral claims.’ She went on to suggest that the modern tendency to see morality in shades of grey, rather than in black and white absolutes, could leave individuals’ rights open to erosion through interpretation, and encouraged the parliamentarians present to create clear and meaningful legislation.

Following the two opening speeches, Baroness Hooper opened the discussion to the floor. The wide-ranging and well-informed contributions emphasised that legislation on human rights issues should primarily seek to protect marginalised and vulnerable groups from the prejudices of the majority. This echoed Professor Vernon Bogdanor who earlier in the week had suggested that one of the
major achievements of Magna Carta and modern constitutions was to protect individuals from the ‘moral majority’ who might seek to persecute them. Specific groups identified ranged from women in repressive societies, victims of FGM, and children denied an education, to LGBTI individuals in societies that criminalise homosexuality and political opponents of those who suppress freedom of expression.

A prominent theme of the discussion was what ‘morality’ is. The majority argued that it is subjective, and so derived from personal, cultural or religious values. This view was summarised by Hon. Raymond Pryce MP of Jamaica, who asked ‘Whose right is right?’ This group put forward the opinion that this subjective morality – even if shared by a majority – should not be enshrined in legislation; Hon. Deputy Speaker Emilia Lifaka of Cameroon gave an example, informing the room that her views of abortion as a Catholic and as a parliamentarian were diametrically opposed, but when legislating her opinion as a parliamentarian was dominant. Urmilla Pullat, a Commonwealth Scholar from India, added that in conservative societies most issues can take on moral overtones and be used to oppress groups’ human rights.

However, others felt that human rights could in some cases themselves be taken as an absolute moral standard, and therefore be legislated. Hon. Speaker Santi Bai Hanoomajee MP of Mauritius urged parliamentarians to base legislation on fundamental human rights, differentiating between subjective morals and this absolute and universal moral standard. Scholar George Asiama also made this distinction, advocating that legislation should reflect this universal morality rather than the views of the majority. Taking a vote on the motion at the end of the discussion, the participants were evenly divided between these two perspectives.

A number of contributions raised associated points, for instance framing poverty as a moral issue to be addressed (Cleopas Sambo, a scholar representing Zambia) and suggesting that whatever the moral imperative parliamentarians will always have to make decisions in an economic climate that might influence them (Hon. Dr de Silva MP, Sri Lanka).

At the close of the discussion, the Lord Speaker summed up the arguments, leaving participants with an appropriate closing message at the end of the three-day exploration of modern human rights: ‘Human rights, like democracy, are not a fixture. They need constant attention to ensure continued effectiveness.’