

# The COMMONWEALTH in the 21st CENTURY



The Commonwealth Secretariat  
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EDITED BY GREG MILLS AND JOHN STREMEAU

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**The  
Commonwealth  
in the  
21<sup>st</sup> Century**

Edited by

Greg Mills and John Stremlau

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## Foreword

*Emeka Anyaoku*<sup>1</sup>

I was delighted when the organisers of the conference on *Living Up to a Name: Creating a 21<sup>st</sup> Century Commonwealth* held at the South African Institute of International Affairs (SAIIA) at the University of the Witwatersrand, Johannesburg, asked me to provide a foreword to the edited compendium of the papers prepared for the meeting.

As the 20<sup>th</sup> century comes to an end, the Commonwealth with its 54 sovereign nations has through its activities and pronouncements become widely recognised as an effective force in promoting its core values of democracy, good governance, the rule of law and human rights in all their aspects; in assisting the sustainable development of its member-states; and in leading the way in creating the consensus needed for tackling a number of global problems.

The challenges of the 21<sup>st</sup> century are emerging to include the management of diversity in the face of growing intolerance and propensity to conflict in several pluralistic states, and ensuring that globalisation brings benefits to all sections of humanity. Endowed as it is with attributes that enable it to promote understanding and co-operation among its diverse members, the Commonwealth will become an increasingly important instrument for meeting these and other challenges.

I welcome the contribution that the conference has made to preparing the Commonwealth for such a role, and I hope that this compendium of papers will be widely read.

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<sup>1</sup> HIS EXCELLENCY CHIEF EMEKA ANYAOKU is the Secretary-General of the Commonwealth.

## Acknowledgements

This volume is based on a conference entitled *Living up to a Name? Creating a 21<sup>st</sup> Century Commonwealth* staged at the South African Institute of International Affairs (SAIIA) on 26 August 1999. Both the event and book have been sponsored by the British High Commission in Pretoria. Grateful thanks are made to the High Commission and, in particular, to Richard Morgan and Krish Shanmuganathan for their kind assistance. Others at SAIIA also made important contributions, especially Anne Katz, Pippa Lange, Nobuhle Moyo, Elizabeth Sidiropoulos, André Snyders and Heather Thuynsma. Finally, a special word of appreciation to those who presented papers, some of whom travelled great distances to attend the conference and share their thoughts and views.

This publication is also the result of a joint effort between SAIIA and the Department of International Relations at the University of the Witwatersrand. When the Institute was founded in 1934 it was intended that it fulfil 'the necessity for...study circles, for discussion on foreign politics which are no longer foreign to us; for the education of the public and the formation of an enlightened public opinion'. With the establishment of Jan Smuts House on the campus in 1960, it was envisaged that the Department and the Institute would together foster co-operation to develop a centre of international studies. Today that vision is being realised through joint projects such as this.

*Greg Mills and John Stremblou*  
November 1999

## **International Junket or Force for Change? SA and the Commonwealth in the 21<sup>st</sup> Century**

*Greg Mills<sup>1</sup>*

**T**he Commonwealth comprises 54 countries with a combined population of 1.8 billion people and 17,000 listed companies, making up US\$1.8 trillion in trade. Its member states are located in all corners of the earth, ranging from members of the Organisation for Economic Co-operation and Development (OECD) to micro-states in Polynesia. Over half of its members have populations under 1.5 million people, yet its largest member, India, has around one billion. The Commonwealth is notable both for its extraordinary diversity of membership and its consensus-seeking methods.

Indeed, South Africa's recent political history as well as its racial, geographic and economic heterogeneity represent perfectly a microcosm of the Commonwealth's mixture of developed and developing states. As its Secretary-General Chief Emeka Anyaoku has argued:<sup>2</sup>

The Commonwealth is a global sub-system. It is not a regional body. It is not a special interest group. It transcends regions and brings around the table a very diverse set of nations, whose interests reflect the diverse interests of the component parts of the global community. It is, therefore, well suited to point the way for tackling those problems of the 21<sup>st</sup> Century that will require a multilateral approach because they are truly global in their scope—be it security, or economy, or the environment or commercial crime.

As Nelson Mandela has observed:<sup>3</sup> '[the Commonwealth is] a body straddling the North-South divide'.

Contemporary global difficulties, particularly among emerging markets, have raised questions such as: how can weak states adapt to, and cope with, a potentially volatile cocktail of social and economic inequalities and political insecurity? and, what is the role of organisations such as the Commonwealth in helping to deal with such challenges?

For example, by mid-1999, the southern and central African region was faced

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<sup>1</sup> DR GREG MILLS is the National Director of the South African Institute of International Affairs (SAIIA), based at the University of the Witwatersrand, Johannesburg.

<sup>2</sup> This comment was made at a Wilton Park conference on 'The Commonwealth in a Changing World: New Relationships and New Directions' held at Wiston House, England, 11-14 March 1997.

<sup>3</sup> See <http://www.thecommonwealth.org>

with an arc of instability, ranging from the Great Lakes in the east through the Democratic Republic of Congo (DRC) to Angola in the west. The problems of governance and the rule of law failing, corruption, faltering democratic structures, the pursuit of personalised economic agendas, and, in some cases, outright civil war pose many challenges for South Africa and, we should hope, the international community on the cusp of the new millennium. As Kader Asmal MP recently contended:<sup>4</sup>

There is one danger that stalks Africa...as never before. It is warlordism. It feeds on failed statehood. It is a rapacious protection racket, run in the interest of the few. Ordinary people are the victims and dysfunctional governments are incapable of doing anything about it. The scourge must be combated, otherwise the very fabric of society will be destroyed. And the best way to combat it is to forge the widest of coalitions, spanning world bodies, national governments, aid organisations, other NGOs and the private sector, to be resolute in dealing with it.

Far from drawing together the states of the southern African region, most of which are Commonwealth members, this crisis has served only to illustrate the extent of the differences that exist between systems of governance, economies, personalities and policies. But as Charles van der Donckt has noted in this volume, 'Like any other major international organisation, the Commonwealth cannot escape the changing realities of how countries do business with each other in the wider international system.'

In this wider, global arena, Commonwealth states have met the challenges posed by economic globalisation and hotter and faster financial flows in markedly different manners. While some countries have responded by tightening up on banking regulations and sought to sever the links between political support and economic well-being through patronage, others, such as Malaysia, have put in place measures to cocoon their political economies against outside forces. It has been argued that the responses adopted to these challenges have reflected the nature of domestic regimes; of, put simply, an absence of accountability and of liberal democratic values.

But it is unclear which is the best course to adopt at present, given that we are marching into uncharted terrain in the global economy. Despite expansions in the size of emerging economies, the gap between the world's seven richest and seven poorest states has nearly doubled in the 30 years from 1965. Nearly a quarter of the globe's population lives in absolute poverty. As events in the Congo have demonstrated, behind these problems lies the existence of so-called 'dysfunctional states' — those which cannot even meet the basic needs of their citizens, such as individual security and the provision of fundamental services. In

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<sup>4</sup> See his 'Foreword' in Mills G & J Stremmlau (eds), *The Privatisation of Security in Africa*. Johannesburg: SAIIA with the US Institute of Peace, 1999, p.viii.



the UN's *Human Development Report* which indexes 174 countries on the basis of literacy, life expectancy, schooling, population growth, and per capita gross domestic product (GDP), 18 of the bottom 20 countries are African. In strife-torn Sierra Leone, at the foot of the list, life expectancy at birth is today less than 35 years. All this while, the American economy is powering away to a ninth year of record growth and low unemployment, though much of the rest of the globe, including Europe and Japan, is suffering comparatively harsh times. Developing country growth more than halved in 1998. In this environment, it is increasingly clear that, as John Stremblau noted at the conference on which this volume is based, 'The state is becoming too big to try to deal with really small problems; and too small to deal with really big problems.'

At the 1995 Commonwealth Heads of Government Meeting (CHOGM) at Millbrook in Auckland, New Zealand, President Nelson Mandela raised South Africa's head above the foreign policy parapet in soundly condemning Nigeria's human rights record and calling for the suspension of the west African regime from the association. This event brought prominence not only to South Africa's role in international affairs, but to the importance of the Commonwealth as a forum and vehicle for action on issues of global concern.

In the year of the 50th anniversary of its rebirth,<sup>5</sup> CHOGM will take place from 11-15 November 1999 in South Africa, focusing on the motif *People-centred Development: The Challenge of Globalisation*. The choice of this theme and the event itself brings to the fore questions about the Commonwealth's near- and long-term challenges, and South Africa's role in the association.

### **South Africa and the Commonwealth: Past ties**

During the apartheid years, South Africans' views on the Commonwealth were shaped largely by the role it played as a leading critic of South African racial policies and as one of the chief proponents of sanctions. But whereas the National Party and its supporters viewed the association with hostility — as an irrelevant, unwarranted intrusion on South African sovereign matters — South African opposition movements largely regarded its role as a positive contribution to the cause of liberation.<sup>6</sup> As Oliver Tambo said about South Africa's re-

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<sup>5</sup> The modern Commonwealth began with the entry of India and Pakistan to the club of dominions (New Zealand, South Africa, Australia and Canada, along with the UK) in 1947, and Sri Lanka (then Ceylon) in 1948. In 1949, with India becoming a Republic, the Commonwealth Heads of Government agreed to replace allegiance to the British Crown with recognition of the British Monarch as Head of the Commonwealth as a condition of membership.

<sup>6</sup> See Henshaw P, 'The Commonwealth and South Africa', in Mills G (ed.) *From Pariah to Participant: South Africa's Evolving Foreign Relations, 1990-1994*. Johannesburg: SAIIA, 1994, pp.158-169; and Chan S, *The Commonwealth in World Politics: A Study of International Action*,

admission, 'But the people of South Africa never left the Commonwealth.' Or as Abdul Minty reiterated, 'for many South Africans the Commonwealth never left them; and worked not to exclude but to adopt the peoples of South Africa'. And as Richard Bourne has observed, the Commonwealth was 'the most catalytic and persistent of inter-governmental organisations in the liberation of South Africa'.

Prior to 1947, the Commonwealth consisted of Great Britain and the Dominion governments of South Africa, Canada, Australia and New Zealand. In 1947 membership was extended to India and Pakistan, the former being the first Commonwealth member to suggest sanctions as a means of putting pressure on South Africa to reform its racial policies.

Despite the National Party government's unhappiness with the symbols of British dominance associated with the Commonwealth, during the 1950s it was content to remain in the association, reaping the benefits of membership which then included:

- preferential or free entry into British markets;
- special purchasing arrangements for commodities such as wool and sugar;
- access to British capital; and
- the (informal) military alliance implicit in the association.

Pretoria allowed its membership of the Commonwealth to lapse — under the threat of exclusion — with the declaration of a South African Republic on 31 May 1961. Until it rejoined in May 1994, the benefits of the earlier association were largely bestowed on the African National Congress (ANC) in the form of moral leadership of the sanctions campaign against the Republic, and material help for the exile movement. As Nelson Mandela put it at the time of South Africa's rejoining the Commonwealth:<sup>7</sup> 'The people of South Africa are greatly indebted to the governments and peoples of Commonwealth members for the sterling contribution they have made in bringing about a non-racial and democratic South Africa.' Of course, the Commonwealth also expanded its efforts to southern Africa, where it played a vital role in the establishment of democratic rule in Zimbabwe, and provided support for the Southern African Development Community (SADC) and its predecessor, the Southern African Development Co-ordination Conference (SADCC).

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1965–1985. London: Lester Crook, 1988.

<sup>7</sup> See *The Commonwealth and South Africa: Partnerships for the New Millennium*. Report of a Conference held at the SA Reserve Bank, Pretoria, 2–3 June 1998.

## Current benefits

Although National Party sceptics argued that the Commonwealth would lose its relevance once South Africa had ceased to provide it with a focus, the association today provides a number of tangible benefits.

First, it provides a forum for 54 diverse yet like-minded countries, representing around one-quarter of the world's six billion people. As Emeke Anyaoku has noted,<sup>8</sup> member countries have a 'similar structure and system of government, public administration and law', a 'similar structure and system of commerce and business practice', a 'common working language', and 'an identity of principles and fundamental political values, reaffirmed in the Harare Declaration in 1991'.

These states are not just former members of the British Empire, as has been suggested, nor is it that 'the only thing common in the Commonwealth is the disparity in wealth'. In fact with the independence of the bulk of the former British colonies in the 1960s, the organisation altered vastly. Its 'British' identity has been further eroded with the assumption of its management by the multinational Secretariat (established in 1965) in the 1980s. Today it is less of a 'British Commonwealth' than what Richard Bourne has termed a 'G-54'.

Members vary from the world's smallest and poorest countries to the richest and most populous, which are members, *inter alia*, of the G-7, the G-77, the European Union, the North American Free Trade Area, the Association of South East Asian Nations, the Indian Ocean Rim Association for Regional Co-operation (IOR-ARC), and of the southern African region. In this way, the organisation is said to transcend regions and regional groupings, granting it a unique position to tackle (sometimes sensitive) issues which are global in scope, such as organised crime, money laundering, and drug trafficking. This gathering of minds occurs formally at the biennial summits of heads of government. The practice of shared principles of good governance, a sound legal system and functioning institutions helps to create a commonality of understanding which assists in the attraction and facilitation of investment, trade and aid, particularly since the Commonwealth countries include some of the fastest-growing economies of the world.

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<sup>8</sup> Anyaoku Chief E, 'Governments and the private sector — partners for the future'. *The Commonwealth Ministers Reference Book 1998/9*. London: Kensington, 1998, p.13.

<b>Commonwealth Membership<sup>9</sup></b>			
<b>Americas (13)</b>	<b>Pacific (11)</b>	<b>Asia (8)</b>	<b>Africa (19)</b>
Antigua and Barbuda	Australia	Bangladesh	Botswana
Bahamas	Fiji	Brunei	Cameroon
Barbados	Kiribati	Darussalam	The Gambia
Belize	Nauru	India	Ghana
Canada	New Zealand	Maldives	Kenya
Dominica	Papua New Guinea	Malaysia	Lesotho
Grenada	Solomon Islands	Pakistan	Malawi
Guyana	Tonga	Singapore	Mauritius
Jamaica	Tuvalu	Sri Lanka	Mozambique
St Kitts and Nevis	Vanuatu		Namibia
St Lucia	Western Samoa	<b>Europe (3)</b>	Nigeria
St Vincent and the Grenadines		Britain	Seychelles
Trinidad and Tobago		Cyprus	Sierra Leone
		Malta	South Africa
			Swaziland
			Tanzania
			Uganda
			Zambia
			Zimbabwe

Second, access is given to the Commonwealth's Private Investment Initiative (CPII), launched in Auckland in 1995,<sup>10</sup> which is aimed at mobilising capital from within the organisation for developing markets, and involvement in the Commonwealth Business Forum, the first event of which was held in London in October 1997.

Third, membership entails the provision of electoral and military-training assistance. There were 57 Commonwealth observers at South Africa's 1994 general election. Since 1990, the Commonwealth Secretariat has arranged some 30 election monitoring missions.

Fourth, countries who are members have access to the Commonwealth

<sup>9</sup> Ireland, South Africa and Pakistan withdrew from the Commonwealth in 1949, 1961 and 1972 respectively. In October 1987, Fiji's membership was declared to have lapsed following the proclamation of a republic there. It was, however, readmitted on 1 October 1997. Pakistan rejoined the Commonwealth in October 1989. Nauru and Tuvalu are special members in that they have the right to participate in all activities except full meetings of the heads of government.

<sup>10</sup> Under its aegis, an Africa Fund (known as COMAFIN — the Commonwealth Africa Investment Fund — with capital of US\$63.5 million), a Kula Fund for the Pacific (with capital of US\$15 million) and a South Asia Regional Fund have been launched, and, by 1998, work was underway to establish a Caribbean Fund.

scholarship and fellowship plan.

Fifth, participation in the activities of the Commonwealth foundation, which aims to foster contact amongst professionals is included in the advantages.

Sixth, members benefit through the Commonwealth Science Council encouraging inter-government scientific co-operation, and through the UK£18 million Commonwealth Fund for Technical Co-operation (CFTC) set up in 1971, which provides expertise, training and consulting services.<sup>11</sup>

Seventh, membership provides contact with over 70 non-governmental organisations (NGOs) linked with the Commonwealth, including, for example, the Commonwealth Agricultural Bureau International (CABI), as well as those concerned with education, health issues, information and the media, law, professional and industrial relations, and communications.

Eighth, participation in cultural and sporting events such as the Commonwealth Games is available to all member countries.

The shared experience and linguistic inheritance of members provide a number of hidden benefits of understanding and heritage which are only now being recognised and exploited. For example, the British hub has left behind a commonality of understanding in terms of military operations and civil-military relations which, although not always adhered to in the past, could assist in preparing and launching contemporary peacekeeping operations. A Commonwealth-linked force with a common military culture and tradition as well as a pan-regional composition might be an appropriate instrument to cope with the wide range of operations in the peace support domain. However, there is a debate about the relevance of this role for the organisation, given the funding required; the role played by the UN already and the need to avoid duplication; and the desirability of turning the Commonwealth from being a club to wielding one.

The Commonwealth remains an important forum for 'small' (mostly island) states, which see the organisation as a platform for articulating their special concerns. In 1985, the so-called *Vulnerability Report* was conducted under the auspices of the Commonwealth, examining the special security concerns of small states (those with a population under one million). An update on this report was requested at the 1995 Auckland Summit for three reasons: first, the end of the Cold War had resulted in a vastly changed security milieu; second, globalisation and marginalisation had exacerbated the problems facing small states; and, third, the creation of new states since 1989 had 'bumped' small states down the priority order. Small states feel that the Commonwealth can play an important

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<sup>11</sup> During 1995-97, more than 9,000 nationals from 49 Commonwealth developing countries trained under CFTC programmes, while more than 700 experts and consultants were assigned to projects in 45 countries. The areas of operation were as diverse as economic and legal advice, gender awareness, science and technology, environmental protection and poverty alleviation.

role in addressing and articulating the special concerns arising from these changes, while, as David Hallet has noted, it gives the larger countries an opportunity to meet with small states with which they would not normally have much contact in the international community. As he put it, 'In the Commonwealth, one can have some very strange conversations, and that in itself can be useful.'

### **Some challenges**

The Commonwealth undoubtedly has a number of strengths, among them the very fact that its varied membership, commonalities and trans-regional nature prevent it from becoming a vehicle for any narrow interest or fleetingly fashionable ideology. Nevertheless, a number of pressing questions arise about its utility, purpose and priorities in a world where imperial linkages appear increasingly anachronistic and a plethora of international organisations compete for the scarce resources and finite energy of international opinion leaders, officials and politicians.

These questions, which form the rationale for the conference on which this volume is based, include:

- Is this institutional structure, with Queen Elizabeth II as the head and London as the administrative epicentre, appropriate for the maximum involvement and development of Commonwealth members?<sup>12</sup> Should it not be rebranded as the G-54?
- By what means can the Commonwealth contribute uniquely to the solution of international concerns such as transnational crime, or the protection of human rights and promotion of democracy?<sup>13</sup>
- What are the appropriate roles for the Commonwealth in trade and investment, bearing in mind, as Philip Clayton observed, that 'governments can encourage investment but cannot command?' This is a twofold process: on the one hand, there is clearly a need to provide specialist technical assistance to create conditions of transparency and good governance; on the other, there is a requirement to assist in changing the image of emerging markets among developed countries.
- What can the Commonwealth do to promote conflict resolution, bearing in

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<sup>12</sup> Post-Edinburgh, the Queen arguably has a greater role in the Commonwealth Summit. At Edinburgh, she addressed the opening ceremony, a practice that will be repeated at Durban.

<sup>13</sup> See, for example, Mayall J, 'Democratising the Commonwealth', *International Affairs*, Vol. 74, No.2, April 1998, pp.379-392. See also, Srinivasan K, 'A Force for Democracy, Human Rights and the Rule of Law? Do Harare and Millbrook Go Too Far or Not Far Enough?', *The Round Table*, 344, 1997, pp.513-516. He concludes: 'For the time being anyway, it looks as if Harare and Millbrook have gone as far as they can'.

mind that some of its members (Cyprus, Uganda, India, Pakistan) are involved in inter-state conflicts or situations of tension?

- What does a non-regional organisation like the Commonwealth offer which cannot be provided by other inter-governmental organisations, such as the United Nations (UN), World Trade Organisation (WTO), the Southern African Development Community, the North Atlantic Treaty Organisation (NATO) or the specialised UN agencies?
- Is the Secretariat performing its role effectively enough, given cost and resource constraints? Put simply, given the needs of many of the developing states within its structures, are there sufficient technocrats rather than diplomats among its 320 staff?

Regarding the latter, the Commonwealth has sought to streamline its activities and staff in a cost-effective manner. In 1990, the Secretariat's permanent staff numbered 431. By early 1997, this number was down to 348 and has been reduced further, to number just 320 today. At the same time, while the administrative budget has remained more or less constant at UK£10 million annually (of which Britain provides 30%), the voluntary budget for technical co-operation has increased from UK£13 million in 1991 to UK£18 million today.

While improving the effectiveness of its contribution to member countries remains its long-term challenge for the 21<sup>st</sup> century, it is also apparent that the association does face a number of short-term, yet ongoing challenges.<sup>14</sup> These include:

- Dealing with the issue of membership expansion, particularly given the controversy that followed Cameroon's and Mozambique's addition in 1995.<sup>15</sup> Potential members that could create problems in this regard include Yemen, Eritrea, Rwanda, Burma/Myanmar, Palestine and Angola. Ireland is another possible member. Dangers present in increasing the number of subscriptions include a slackening of the Commonwealth's common bonds of a shared history, values, legal procedures and language which are currently enjoyed by members.
- Ensuring that members stick to principles of democracy, good governance, the rule of law, and human rights articulated under the 1991 Harare Declaration (see p.81). The role of the Commonwealth Ministerial Action Group (CMAG), set up after the Millbrook summit in 1995 to examine and report back to the

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<sup>14</sup> See House of Commons Foreign Affairs Committee, *The Future Role of the Commonwealth: Volume One*. London: HMSO, 27 March 1996.

<sup>15</sup> Currently, following the Edinburgh Summit, a number of criteria for membership exist: first, there has to be a constitutional connection with the former British Empire; second, members have to abide by the terms of the Harare Declaration; and third, they have to recognise — for the time being at any rate — the British Monarch as the Head of the Commonwealth.

Commonwealth on the Nigerian issue,<sup>16</sup> reflects the Commonwealth's concurrence in the need for intrusion, where necessary, into the affairs of members, as well as its adherence to the Harare principles. Of course, it could be argued that in a Commonwealth where the collective decisions of its heads of government are neither binding nor enforceable, this much is permissible. As James Barber has argued: 'As an organisation, it is more a lattice work than a totem pole.' But if CMAG, now a permanent organ tasked with investigating human rights abuses throughout the Commonwealth, is to be taken seriously, it will have to take its role seriously too. While the Commonwealth, in the words of Charles van der Donckt, has 'one of the best international networks on electoral practices existing today', there is a need to extend the concern over issues around human rights and democratisation beyond the rhetorical, and beyond merely the staging of elections to take in the need for institutional development. Here, as Shadrack Gutto has observed, it is important for the Commonwealth critically to 'evaluate its experiences' and programme of support. There is a need for greater proactivity to potential problems rather than just simple reactivity.

- Encouraging mutual support between members on trade issues, particularly over the new rounds of Lomé and WTO (Seattle) negotiations. This explains, in part, the selection of the 1999 CHOGM theme. However, in the economic realm, there is also a need for the Commonwealth to assist governments on macro-economic issues, particularly the effects of tariff restructuring. The fact that the Commonwealth Development Corporation (CDC) no longer receives funds from the British government and is today a net re-payer of funds, highlights the need to empower the Commonwealth's Private Investment Initiative (CPII), set up after the meeting of the Commonwealth Finance Ministers in Jamaica in September 1995.
- Forging relations with *La Francophonie*, the Community of Portuguese Speaking Nations (*Comunidade dos Países de Língua Portuguesa* — CPLP), and the Islamic Conference.
- Ensuring that the simultaneous membership of regional groupings remains complementary to, and not a threat to, Commonwealth goals.
- Assisting Commonwealth states, particularly the smaller countries, in creating the conditions necessary to attract investment: as Philip Clayton noted, this includes the need to educate key decision-makers on sound policies, the rooting out of corruption, the improvement of financial services, and the tightening of regulatory frameworks. An examination of financial flows also, as Abdul Minty observed at the conference, needs to consider 'what kind of intervention is open to the nation-state in this environment', given that such flows affect 'foreign policy and welfare as quickly as they do'.

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<sup>16</sup> See Barber J, 'The Commonwealth, Nigeria and South Africa', *SAIIA International Policy Update*, 5, 1997.



Granting access to smaller (and less wealthy) Commonwealth states and businesses to activities such as the Commonwealth Business Forum. The 1999 CBF will take place from 9 to 11 November, just before CHOGM, on the theme 'Making Globalisation Work: Economic Advance with Social Development'. Yet the cost of attending the Forum (R6,000 or UK£600 per attendee) puts it beyond the reach of many small- and medium-size businesses which, ironically, are the focus of support through the various regional investment funds.

### **Conclusion: Moving from the banquet to the conference table**

In the face of an increasingly globalised world, the critical question facing the Commonwealth is, crudely: should it survive?

The answer to this is simple. Clearly, as long as its 54 members want it to, it will. While not a top priority for most, members see the organisation as offering unique benefits for their needs. Some see it as a vehicle for development assistance; others as a means of contributing to world stability and the reinforcing of liberal democratic values; some see it as a way of promoting trading and investment interests; and some, particularly the small states, see it as a means of promoting their otherwise-neglected interests on the world stage. The fact that it serves so many diverse interests is in itself both a strength and a weakness, even though membership is not especially costly.

As Richard Bourne has observed, Commonwealth states are bound not by treaty, but by several traditions, including its consensus-seeking nature. There are clearly dangers in what David Hallett referred to as 'mission creep', where the Commonwealth could be loaded with too many functions to remain viable. Yet the body has a critical role to play in a future where the affairs within states are becoming as much part of international concerns as those between them, and where multilateral institutions are the most viable avenue for action on these local issues of global concern. Paradoxically, given that it is only a loose association bound only by a common value system, the capacity of the Commonwealth to act and change matters is dependent on the strength of the participation of its members. But as Charles van der Donckt has noted, it fits into the current requirements for international organisations: being flexible and decentralised, cost-effective and co-operative, and not suffering from potentially paralysing structural weaknesses. The presence of a commonality of interest and purpose and its potential for use give it a high value in international relations today.

## **The Commonwealth into the 21<sup>st</sup> Century: New Challenges and Institutional Reform**

*Richard Bourne*<sup>1</sup>

**H**ow we can make the Commonwealth of more use to its 54 member states and 1,800 million citizens? My belief is that this body, whose political leaders meet in Durban in November 1999, is insufficiently understood, is underperforming, and could make a bigger contribution in the next century than it has in this. It is like the caterpillar which has not yet become a butterfly, or a tool box which has only made prototypes rather than everyday products we can all enjoy.

South African efforts towards an African renaissance and people-centred development could be complemented by vigorous South African leadership working for a renewal of this multifaceted association, the Commonwealth.

South Africa has already played a formative role in the history of the Commonwealth. The first contribution came in the early years of this century, after the Treaty of Vereeniging, when the old Union of South Africa was created. It was of course racist, disregarding the rights of the black majority, and within 50 years it had been taken over by the forces of Afrikaner nationalism. But it sought to reconcile the victors and vanquished in the South African War. I would like to pay tribute to the vision of Jan Smuts at a time when the imperial era was drawing to a close and a Commonwealth of self-governing nations was emerging in its place.

The second contribution has, of course, been much more recent. The concern of a modern Commonwealth, over some 30 years, was to assist the people of South Africa to achieve a democratic, non-racial, rights-respecting, transition. The Commonwealth was not the only player outside South Africa working to this end, but I would argue that it was the most catalytic and persistent, and it illustrated strengths which we can build on for the future: a public debate among Commonwealth political leaders which activated international pressure and media interest; a strong non-governmental role, typified by the campaigning of the Anti-Apartheid Movement; and a knock-on effect on the private sector, where multinational firms disinvested, were subject to consumer boycotts, and began to pay black workers in South Africa wages which were above the poverty datum line.

Before moving on to the exciting topic of institutional reform, I would like to make some observations about today's fast-changing world, and then offer my

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assessment of what the Commonwealth is now.

It is conventional wisdom to talk about globalisation as if it were some invincible force, sweeping all before it in a wave washing equally on all shores, projected by computers, transnational companies, and financial institutions, which leaps thousands of miles at the touch of a button. It is sometimes feared that globalisation may impoverish more citizens than it elevates, eroding nation-states and all familiar networks with a faceless irresponsibility.

But my understanding is different. We are talking about a series of different processes, moving unequally through time and place, quite often deflected by such immovable objects as religious fundamentalism, cultural and community loyalties, and governmental, consumer and media action. To take just one example from my own country, Britain: genetically modified (GM) organisms, promoted by multinational firms and a sophisticated biotechnology industry, have ground to a complete standstill in the marketplace due to consumer fears about food safety and inadequate independent research and government regulation. Marks & Spencers has withdrawn every item with a GM additive from its shelves — everything made with genetically modified soya or genetically modified tomato paste. This is a bigger consumer reaction than even the anti-apartheid boycott of South African wine in the 1980s.

There is also a sense in which the electronics revolution, though indeed it is creating disparities between the knowledge-rich and knowledge-poor, is assisting some developing countries, or communities within them, to vault ahead, causing a revision of economics textbooks. We know that Singapore has a gross national product per head that is over 50% higher than that of the United Kingdom — US\$32,810 as against US\$20,870 in 1997<sup>2</sup> — as a result of a series of disciplined policies which include a welcome to globalisation.

But more interesting is the impact in south Asia, where, for instance, a computer expert from *The Times* of London visiting Pakistan's Jang newspaper group in Karachi in late 1997 told them that he couldn't teach them anything about how to improve their website, because it was clearly superior to his own. Or the silicon zone around Bangalore, in India, whose software and computing resources won the ticketing contract for British Airways. As many as 140 out of the Fortune 500 business corporations now get all their software services from India.

Let us examine this entity called the 'Commonwealth'. It altered vastly during the years that South Africa was outside it. Among the key changes were that it ceased in most respects to be British; from 1965 it has been managed by an inter-governmental Commonwealth Secretariat. Its policies have on occasion differed sharply from those of Britain; notably, its leaders pressed ahead with their opposition to apartheid in the 1980s over the opposition of the then British

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<sup>2</sup> World Bank, *1999 World Development Indicators*. New York: World Bank.

Prime Minister, Margaret Thatcher. By the time a democratic South Africa rejoined the organisation, the Commonwealth had not only gone beyond its imperial phase, but also beyond its post-colonial phase. In many independent states there were calls for 'a second independence' — a reaction against self-interested élites which had occupied power for too long. In Britain, exercised with debates about the European Union, many had forgotten that they belonged to the Commonwealth at all.

Another seminal change was the arrival of non-governmental organisations (NGOs), especially of those 70-plus professional, leisure and development bodies with Commonwealth in their title which I like to describe as Commonwealth NGOs. Some, like the Commonwealth Press Union, the Commonwealth Parliamentary Association and the Commonwealth Forestry Association, go back to the first quarter of the 20<sup>th</sup> century. But the great majority, such as the Commonwealth Trade Union Council and the Commonwealth Lawyers' Association, have come into being in the 1970s or later. Many were nurtured by another inter-governmental body, the Commonwealth Foundation.

These Commonwealth NGOs are important, because they take the geography and values of the Commonwealth as givens, and they have been eager to make more use of the Commonwealth networks even when politicians and officials have shown little interest. The Commonwealth Human Rights Initiative, now backed by seven Commonwealth NGOs and based in Delhi, has been at the forefront of concerns for human rights. Governments have actually asked the Commonwealth Human Ecology Council to co-ordinate a mixed group of Ministers and NGOs in a Consultative Group on Human Settlements.

When the first Commonwealth Centre for NGOs was held at the Edinburgh Summit in 1997 over 25,000 took part in events and visited the stands; I expect there will be more in Durban. It is quite possible that the debates at the Commonwealth People's Centre in Durban may be livelier, and more likely to change lives in the long run, than the pressurised agenda of Heads of Government.

A few interesting points about the Commonwealth (which, for fun, and to cast aside the baggage of sentiment and prejudice, I shall call the Group of 54 states — the G-54):

- half of the G-54 states have populations of less than 1.5 million, a majority are islands, and only six are entirely landlocked;
- five of the members have joined or rejoined what is a voluntary association in the 1990s (not counting Nigeria);
- over half of the citizens of the G-54 live in India, and nearly 70% live in south Asia;
- it is wrong to say, as too many do, that the G-54 consists of four developed and 50 developing states. The latest World Bank figures, which incidentally, seem to have mislaid three members, show that eight are categorised as high

income, 12 are upper middle income, 15 are lower middle income, and 16 are low income;<sup>3</sup>

- virtually all G-54 countries are, to quote Archbishop Tutu, 'rainbow nations', and the racial and ethnic mix in greater London is as broad as in Gauteng;
- the G-54 accounts for some 20% of world trade, 58% of the investment in its developing country members, and includes half of the world's 10 fastest-growing economies;
- the G-54 is a world leader in human rights — for its campaign against apartheid and its suspension of the military dictatorship of Nigeria — and in promoting fair elections;<sup>4</sup>
- the G-54, which is based on no treaty, has acquired several traditions: for instance it reaches decisions by consensus rather than vote; it rarely votes as a bloc in the United Nations or other international gatherings, but it can make connections between regional blocs; and it is essentially a mutual body so that, for instance in the Commonwealth Fund for Technical Co-operation (CFTC), a country has to subscribe in order to benefit;
- the G-54 operates with a tiny bureaucracy — just 320 persons in the Commonwealth Secretariat — and a budget of some UK£10 million (or UK£28 million including the CFTC), which would be regarded as trivial by many UN and other international bodies, and would certainly not justify the diplomatic time and endless reviews devoted to it;
- if one definition of the G-54 is that it is nearly all the English-speaking world with the exception of the United States, it is also true that the majority of Commonwealth citizens who do so, speak English as their second or third language and, because of the linguistic situation in south Asia, it is doubtful whether the majority of Commonwealth citizens speak English at all.

The above should be enough to show that this G-54, the Commonwealth, fits no stereotypes and is quite a special group. The challenges it now faces are:

- to be more effective in the two areas carved out for it by history and destiny — to promote human rights, and the abolition of poverty;
- to deepen a sense of ownership and awareness among its political leaders and citizenry;
- to pull its weight in the global arena, especially by helping reform the United Nations; and
- to take advantage of some trends, such as the growth of communications, while mitigating others, such as a mindless free trade which could, for example, devastate the banana growers of the Caribbean.

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<sup>3</sup> World Bank, *op. cit.*

<sup>4</sup> The Commonwealth Secretariat, on behalf of the Commonwealth governments, has arranged some 30 election monitoring missions since 1990.

There is no doubt that, in spite of some achievements, the Commonwealth could do a great deal more to promote human rights, and to alleviate extreme poverty among its own citizens. In 1995, following the suspension of the Nigerian military dictatorship, the heads of government set up a Commonwealth Ministerial Action Group (CMAG) to bring Nigeria, Sierra Leone and The Gambia back to civil rule, and to act on 'serious or persistent abuse' elsewhere. In fact Nigeria and The Gambia are now ruled by civilians, although the brutal civil war in Sierra Leone has taken a long time a-dying. But it is not clear that CMAG has played a significant role in all this; it failed to lay down criteria for a satisfactory transition to democracy in Nigeria in 1998 when General Abacha seemed determined to succeed himself; it was ignored in February this year when the Commonwealth Secretary-General made an international appeal because of the humanitarian crisis overwhelming Sierra Leone. It has not tackled any other issue outside West Africa, although the Edinburgh summit in 1997 specifically reinforced its authority to do so.

This is not good enough. On the one hand, political involvement and accountability in CMAG need strengthening. On the other, recognising that CMAG is staffed by foreign ministers, it needs more expert, politically neutral advice on the prevention and resolution of human rights crises.

The first problem is best dealt with by aligning CMAG more directly with the Commonwealth heads of government who give it authority. In practical terms, this means that the chair should be the foreign minister of the country which has most recently hosted the Commonwealth Heads of Government Meeting (CHOGM) — hence the Foreign Minister of South Africa from November — with the vice-chair being the foreign minister of the country about to host CHOGM (from November, Australia). Other proposals which could improve CMAG's effectiveness would be the inclusion of a foreign minister from south Asia, a reduction in the number of members from eight to six, more interaction with NGOs, and an increase in the number of meetings outside London.

The second problem calls for a radical response — the appointment of a Commonwealth High Commissioner for Human Rights. He or she would have the rank of a deputy secretary-general, be an expert appointed for four years, and would be based in the country of residence with a team of seconded nationals supported by the Human Rights Unit in the Commonwealth Secretariat. This person would not necessarily mirror the responsibilities of the UN High Commissioner, but would take advantage of the commonalities we have in education, the common law, the media and voluntary associations. He or she would be concerned with all types of rights — economic, social, cultural, children's, women's and so on — and be required to report regularly to CMAG.

At a formal level the concern for human rights — which encompasses democracy and uncorrupt government — was given a big push by the Commonwealth Harare Declaration of 1991. But rather little has happened following that part of the Declaration relating to sustainable socio-economic

development.<sup>5</sup> It is of course true that, throughout the 1990s, the G-54 has been pressing for debt relief for the poorest nations. But it is too early to say that victory has been won, and here, close to South Africa's goldfields, you are more aware of job losses and the subsequent increase in unemployment.

In fact the G-54's special fund devoted to the transfer of expertise for development, the CFTC, has seen its real value drop by around 40% in the 1990s. It is now a paltry UK£18 million a year in cash terms — almost exactly a penny for every citizen in the Commonwealth, in spite of successive pledges by governments to raise their contributions. This is plainly insulting to millions of poor people, and to the ideals of the Commonwealth, especially when, at Edinburgh, their leaders pledged to halve the numbers of people in extreme poverty by 2015.

I would hope that, with preparation by Commonwealth Finance Ministers at their meeting next month, the leaders in Durban will agree to double their contributions to CFTC, on condition that the extra money is targeted at extreme poverty, and for empowerment of economic and social rights. There should be a compact under which all Commonwealth governments support each other to achieve the 2015 target — and I should add that we in Britain have beggars in extreme poverty too. A strong lead by President Thabo Mbeki and Prime Minister John Howard of Australia would bring others along; the funding formula for the CFTC guarantees that the United Kingdom will pay 30% of what is raised, so if every other state doubles its input the British pay double automatically.

How can we increase the sense of ownership among political leaders and the more aware members of the public? This is perhaps the nub of the question of institutional reform. The amount of attention which the average Prime Minister or President currently devotes to the Commonwealth, compared with other international bodies of a regional or UN nature, is not large. Some major issues with Commonwealth aspects, such as the proxy war between Zimbabwe and Uganda in the Democratic Republic of Congo, or the Indo-Pakistani dispute in Kashmir, or the division of Cyprus which has lasted a quarter of a century, are

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<sup>5</sup> Around half of the crucial paragraph nine in the Harare Declaration called for the 'the promotion of sustainable development and the alleviation of poverty in the countries of the Commonwealth through: a stable international economic framework within which growth can be achieved; sound economic management recognising the central role of the market economy; effective population policies and programmes; sound management of technological change; the freest possible flow of multilateral trade on terms fair and equitable for all, taking account of the special requirements of developing countries; an adequate flow of resources from the developed to the developing countries, and action to alleviate the debt burdens of developing countries most in need; the development of human resources, in particular through education, training, health, culture, sport and programmes for strengthening family and community support, paying special attention to the needs of women, youth and children; effective and increasing programmes of bilateral and multilateral co-operation aimed at raising living standards.' (See p.83.)

rarely seen through a Commonwealth lens.

In Zanzibar, Papua New Guinea and Bangladesh, the good offices of the Commonwealth Secretary-General have had a positive impact. But whereas he can do nothing when the parties to a dispute refuse to accept his good offices, it is at least possible that a Commonwealth political leader, with the support of the Secretary-General and the mass of members, could do more. Whatever the remit of CMAG in future — and I believe that it has to be concerned with membership questions, not least those which should arise if Commonwealth states go to war with each other — I think it is essential that the Commonwealth president or prime minister who has chaired the last CHOGM should have a special role for the following two years.

There are of course precedents for this, in the role of the chair of the Non-Aligned Movement, and in the Commonwealth itself. The Prime Minister of Malaysia, Dr Mahathir, oversaw the High Level Appraisal Group between 1989 and 1991 which led to the Harare Declaration. I was present at Rio de Janeiro in 1992 when Robert Mugabe, with a text supplied by the Commonwealth Secretariat, devoted part of his speech at the Earth Summit to the needs of the Commonwealth.

A chairperson for the Commonwealth would add to the political firepower of the organisation, and the sense of ownership of the members which take turns to host the CHOGM. It would not diminish the position of the secretary-general, who would however need to work closely with the chair. It would increase the range of possible initiatives open to the political Commonwealth, and root it more firmly in the democratic culture of our nation-states.

But we also need to do more to bring the Commonwealth closer to citizens, and here I see a special role for the Commonwealth NGOs. Although they are doing much with tiny resources, often in areas where the Commonwealth Secretariat is unable to contribute, they have many weaknesses. Too many are financially fragile, too many are based in the UK, too many are federations of national bodies without a strong Commonwealth capability. Actual controls over the use of the word 'Commonwealth' are disgracefully loose, and it is too easy for a handful of individuals to launch bodies titled 'Commonwealth', often without checking what others are doing. In Karachi in 1997 I came across a large conference and exhibition organised by CAPGAN, a paediatric health body, then virtually unknown to other Commonwealth health NGOs. Just this year a Commonwealth Environmental Journalists' Association was launched in Sri Lanka, supported by the Commonwealth Foundation, with no consultation with the Commonwealth Journalists' Association, founded in 1978, which also gets help from the Foundation.

And yet all the Commonwealth NGOs could provide the means by which more citizens could engage in the Commonwealth. NGO enthusiasm, and a renewed business interest based on English medium communications, and the role of the political Commonwealth as an international broker, may well be



motors for the G-54 over the next decade.

A wish list for the future would include the following. Every Commonwealth state would have its own Commonwealth Council, composed of the representatives of Commonwealth NGOs — including Commonwealth Societies where they exist — and their affiliates. They would open up their membership to younger people, encouraging the exchange of ideas and practical Commonwealth co-operation, using the latest electronic communications. New Commonwealth bodies would be started in a more systematic way — two of the latest are the Commonwealth Organisation of Social Work and the Commonwealth Association of Examination and Accreditation Bodies — with special budgetary support from the Commonwealth Foundation.

The Commonwealth has to fight for attention in the modern world, and if nobody knows it exists, it can have a half-life at best. There is no office or organisation in all member states which now has a duty to tell people what the G-54 does. A Commonwealth Council in each state with a paid secretary, with participation from the Foreign Ministry official responsible for the Commonwealth brief, should help to publicise what is going on, and provide a platform for debate. During the present contest for the post of Commonwealth Secretary-General, such Councils could be offering platforms for the two candidates, Don Mackinnon of New Zealand and Farooq Sobhan of Bangladesh, wherever they travel.

Would it help to create more stakeholders if, as a London think-tank suggested earlier this year,<sup>6</sup> the Commonwealth Secretariat was removed from Sir Christopher Wren's house for the first Duke of Marlborough in London and transferred to another capital? Is there some quintessentially British problem which is holding the Commonwealth back, and which would be removed if another country were to offer a home to its inter-governmental headquarters?

The mild controversy created by this report pointed up a number of factors. There are too few visible Commonwealth institutions outside London. I can think of one or two inter-governmental bodies, like the Commonwealth of Learning (CoL), the distance teaching service in Vancouver, and the Iwokrama Rainforest Programme in Guyana, both of which are admirable and too little known; and one or two NGO bodies, like the Commonwealth Human Rights Initiative (CHRI) currently in Delhi, or the Commonwealth Association for Local Action and Economic Development (COMMACT) in Kuala Lumpur. But it should be a high priority, for any new inter-governmental institutions and especially for the renewal and expansion of Commonwealth NGOs, that there should be more Commonwealth shopwindows in member states.

Secondly, it is not clear that any other member state — particularly a developing country — would wish to host the Commonwealth Secretariat. There

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<sup>6</sup> The Foreign Policy Centre, in 'Making the Commonwealth Matter'.

would be costs involved. The UK currently pays the building overheads for the Secretariat; also, there are around twice as many High Commissions in London as there are in any other Commonwealth capital. These mundane aspects also omit the fact that a great number of Commonwealth leaders and their citizens share an affection for London and the United Kingdom. Would the Roman Catholic religion gain if the Pope were to move from Rome to another capital, and would his flock find it easy to agree on where he might go next?

A greater risk, perhaps, is that if the Commonwealth Secretariat were to migrate any residual sense of ownership of the Commonwealth idea that exists in Britain might vanish too — and with it the standard 30% that the UK contributes to most inter-governmental budgets. In the early 1980s, when the G-54 was smaller than it is now, I did a calculation which, somewhat surprisingly, indicated that the British share of overall Commonwealth GNP was in fact around 30%. Current contributions to the Secretariat are based on a variant of the UN formula, but they ought perhaps to be reviewed every eight or 10 years.

There are other dangers to the Commonwealth idea in Britain, which makes the concept of a Commonwealth renaissance there — or a rebranding as the G-54 — quite as necessary as it is in any of the other 53 countries. If the Scottish Nationalists get a majority in Scotland at a subsequent election the United Kingdom could implode. Would England want to bear the cost of Marlborough House alone?

Few youngsters in England even know about the Commonwealth and, although Professor Bernard Crick's report last year on citizenship proposed that it should appear in the national curriculum, the idea was not adopted.<sup>7</sup> Finally, a strict reading of the Treaty of Amsterdam, the latest phase in the integration of European Union foreign policy, could make it impossible for the UK to adopt positions in common with Commonwealth partners if they were not already European Union (EU) policy.

There is much speculation here, and personally I do not regard any of these problems as terminal. There is a view, for instance, that the EU is becoming more like the Commonwealth as it expands eastwards and is forced to abandon its old centralism. Further, only 19% of the UK's current trade is with the euro zone, and it is fairly clear that Britain recovered in the mid-1990s from its longest recession in the past half-century thanks to trade with the rest of the world, including the Commonwealth.

But I would like to return to broader themes. The last British Prime Minister, John Major, said of the Commonwealth, 'We must use it or lose it.' The political Commonwealth works best with the engagement of presidents and foreign ministers, when they see it as an instrument for consultation and consensus on

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<sup>7</sup> In a welcome reversal, after the SALLA conference, the Commonwealth was inserted in the national curriculum. 'The review of the national curriculum in England: The Secretary of State's proposals', QCA and DfEE, May-June 1999.

serious issues. There has not been enough of this lately. There is no Commonwealth team working on a strategy for UN reform; CMAG passed up the chance to send its chair and vice-chair to investigate the crisis in Sierra Leone.<sup>8</sup> Too much of the Commonwealth's work, like election monitoring, is largely of a technical nature.

We need to be more astringent, and more transparent. It is right that the G-54 should work by consensus — for in what sense can India equal Barbados? What really matters is who does what after the G-54 meets. But consensus can be manipulated, and although there are remarkable qualities to a voluntary body — for people will often do more for friends than they are ever required to do by contract — you also have to recognise that some will do nothing at all.

If we are going to take the Commonwealth seriously, we have to ask the hard questions. *Who actually is doing what? Who is putting in the effort, the money, and the willingness to convert a lowest common denominator into a highest common factor? What did the governments, the Secretariat and the Commonwealth NGOs really do after any particular meeting? Is there truly a spirit of mutuality, or just realpolitik, free riding and a congenial international junket?*

*There are important differences between those who see the G-54 as a forum for trans-regional debate, and those who see it as having a capacity for action; those who see it as representing duties to its own citizens; and those who see it as a tool for consensus-building in the wider international society. It is because such questions are so important that I personally am working to establish a Commonwealth think-tank, a small independent Commonwealth Policy Studies Unit. The biggest resource that the G-54 needs now is applied intelligence.*

The Commonwealth NGOs cannot be expected to promote this complex group all by themselves, in spite of the spirit of sacrifice that many of those involved display. Using the Commonwealth is going to require inspiration, imagination and intelligence. It will also require money — sponsorship money, foundations' money, the pennies of those who can see the promise of the G-54 in a world where everyone is my neighbour, and even, a most shocking thought at a time of downsizing and privatisation, more government money.

This G-54 carries a hard-won ethical freight; it is an organisation devoted to peace which was born in the same year as the North Atlantic Treaty Organisation. It is a series of networks beautifully tuned to information technology, assuming we remember they exist. We need to make more noise. All the G-54 bodies need to be more open and more inclusive — to take a leaf from your book, here in South Africa. At Durban, on the eve of a new millennium, I believe South Africans will give the Commonwealth a shot in the arm.

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<sup>8</sup> This was proposed in a submission by the Commonwealth Human Rights Initiative to the April 1999 meeting of CMAG; CMAG instead instructed the Secretariat to draw up a 'Commonwealth Action Plan' to assist Sierra Leone.

## **Towards a Common Understanding: The Commonwealth and the Environment**

*David Hallett*<sup>1</sup>

It is undoubtedly a truism that the Commonwealth, with its diverse trans-regional character, transcends the narrowness of ideology, of national and regional interests or of transient fashions. Whatever the bonds that hold all of our countries and peoples together, they hold firm 50 years on from the foundation of the organisation — surely a landmark in anyone's language.

Australia is currently engaged in a national debate on whether Australia should become a republic. And one of the questions that seemed to arouse a genuine national interest in the earlier period of the debate was whether or not becoming a republic would, in some way, diminish our status within, or cut our ties with, the Commonwealth. Australians from all walks of life, from all sides of the political debate, seemed to have a genuine affection for the Commonwealth without necessarily knowing how we fitted into the Commonwealth, what its activities were and the benefits of membership.

We can ask: is sentiment enough to hold a group together and keep it meeting at heads of government level — as the Commonwealth will do in Durban in November? In its 50<sup>th</sup> anniversary year, is the Commonwealth an anachronism? These are questions which essentially provide their own answers. In a world of thousands of international institutions, conferences and working groups all clamouring for a share of the scarce resources and attention of governments, bodies based purely on sentiment and a shared historical background are unlikely to survive (especially when that historical background largely consists of colonisation by a foreign power).

If the Commonwealth has survived for 50 years, it can only be because governments see it as somehow in their interests to continue participating. And far from being on the verge of disintegration, the Commonwealth continues to expand: Namibia joined in 1990, and Cameroon and Mozambique in 1995 — and two out of these three countries do not have a British colonial heritage. Several other countries have submitted applications for membership. South Africa is something of a different case, but the new democratic government's decision to resume membership in 1994 was clearly a calculated, interest-based decision rather than an automatic one.

All of this raises the question of what concrete purpose the Commonwealth does in fact play. Dr Mills was kind enough to assign Australia the unenviable task of talking about whether the Commonwealth had any value to add on

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environmental issues. This question seemed to cause some puzzlement and more than a few raised eyebrows in Canberra — until our colleagues back home began to look more closely at what the Commonwealth was already doing in the environmental field, and what potential the group might hold to address environmental issues in the future.

Environmental degradation and the unsustainable use of the world's environmental resources are among those big global issues which have by themselves caused major changes in the management of international relations and diplomacy. The global, trans-boundary nature of problems such as ozone depletion, climate change and the depletion of fish stocks have revealed the futility of national responses without international co-operation, and have caused the emergence of a new and complex body of international law. Indeed, some more radical commentators have even argued that national governments are by their very nature incapable of reversing environmental degradation and that some kind of new world government is called for.

While we may concede the fundamental difficulties giving rise to such calls, governments in the here-and-now need to put their heads down and arrive at more pragmatic solutions. The early 1990s saw a flurry of environmental convention-making prior to and following the 1992 UN Conference on Environment and Development in Rio de Janeiro, more popularly known as the Earth Summit. Parties to those conventions have undertaken to commit resources in the struggle against global climate change, the loss of biological diversity and the damage caused by land degradation and desertification. The global environment also has at its service a range of inter-governmental organisations such as the Global Environment Facility, the UN Environment Programme and the Commission for Sustainable Development. Each year, the international environment calendar is full of dozens of Conferences of Parties, working groups and *ad hoc* consultations, with many smaller countries unable to commit resources to cover all meetings affecting their interests.

### **Where and how does the Commonwealth fit into this complex matrix?**

To begin with, let us acknowledge that it is most unlikely that the Commonwealth will ever become an important environmental forum. There can be no clearer demonstration of this fact than the conspicuous absence of green lobby groups milling around the Commonwealth's Heads of Government Meeting (CHOGM) summits, as they do around bodies such as the World Trade Organisation (WTO) and national governments themselves. The Commonwealth is unlikely to serve as a coherent negotiating group in relation to the environment or any other global issue. The most successful groups for advancing a particular cause at a multilateral level tend to be interest-based coalitions formed around a single issue, often with fluid membership.

The Commonwealth is too large and diverse, encompassing too many different

perspectives and interests on every issue, to serve such a direct purpose. But to argue this is to miss the point and to ignore the real strengths of the Commonwealth. The Commonwealth's *raison d'être* has never been to work as a coherent diplomatic bloc or a forum for engaging in sometimes gruelling international negotiations towards agreed positions on matters such as climate change, where national interests are uppermost and the best of Commonwealth friends may often find themselves pitted against one another.

The Commonwealth has often been disparagingly referred to as a 'Club'. The term 'club' is normally associated with stuffy old men and the reek of furniture polish, old leather and tobacco smoke, an anachronistic image if ever there was one. But a club, whether born of this image or of something more contemporary, remains the kind of place where conversation and dialogue is possible in a relaxed and congenial atmosphere. A club can be a place where information is exchanged, where preconceived ideas or pre-ordained positions may be broken down. Members of a club may share only the slightest of commonalities, but they are usually enough to ensure that old acquaintances are not forgotten and that the club survives.

And so it is with the Commonwealth — a unique organisation which brings together North and South (both geographically and politically) with all our diversity of size, geography, climate and culture. The Commonwealth provides a unique forum for dialogue, exchanges of views, ideas and experience, and renewal of acquaintance and friendship. It is important not to underestimate the value of these things in contemporary international relations. As the problems facing the world become more and more global in nature, we need such ties more than ever. In Australia's view at least, this is the value-added that the Commonwealth provides, and the reason why it has proved so perennial.

One of the key advantages of the Commonwealth is to provide a forum for the articulation of the interests and concerns of small states, which make up more than half the group's membership. Small states, in particular small island developing states, are often the most vulnerable to environmental threats such as climate change, natural disasters, depletion of marine resources, and shipments of hazardous wastes. The Commonwealth Consultative Group on the Environment, which brings together environment ministers on the margins of the Commission on Sustainable Development (CSD) every year at UN headquarters in New York, has regularly provided a voice for the concerns of small, vulnerable states. At its sixth meeting in April this year, the Group announced the development of a Commonwealth-World Bank Joint Task Force to address the issues and problems of such states in preparation for the special session of the UN General Assembly in September 1999 on the sustainable development of small island developing states. The Commonwealth is also working to develop a composite index of vulnerability of small states, which incorporates a range of economic, social and geographical factors to provide a more comprehensive picture of the real vulnerability of such states than traditional indicators would

imply.

Although the Commonwealth does not command the resources to become systematically involved in environmental projects, it has made a small but noteworthy contribution in this field as well. The Iwokrama International Rain Forest Programme in Guyana was launched under Commonwealth auspices in 1995 with partial funding from the Commonwealth Fund for Technical Co-operation, and is dedicated to promoting the conservation and sustainable development of tropical rainforest resources. Under the Iwokrama Programme — headed incidentally by an Australian — the Guyanan government set aside 360,000 hectares of pristine rainforest, half of which is being conserved for scientific research, with the remainder to be used in environmentally sound ways to generate income for the people of Guyana, including the indigenous Amerindian communities living near the forest site.

Clearly, projects such as this can only ever be subsidiary to the major global institutions which have a clear environmental mandate and relatively vast resources to spend on conservation and sustainable development activities. But providing the Commonwealth adds value to the sum of international effort to address environmental problems, there is no reason why the organisation should not be a contributor.

Rather than rendering the Commonwealth an anachronism, the process of globalisation has instead highlighted the out-datedness of entrenched institutions such as the UN regional groupings, where countries are consigned to boxes and expected to share common positions. There is perhaps no better example than the environment to demonstrate this. Consider Australia's situation for a moment. Australia is categorised in the UN system as a member of the Western European and Others Group (WEOG), which is an artefact born of the Second World War. For years, our membership of this group has served Australia well enough, sharing, as we have, much in common in political and economic terms with the other countries in the group. Then an issue like the environment bursts on to the world stage, and the old geopolitical certainties flowing from national boundaries and political origins begin to look rather less relevant.

Geographically and biologically, Australia stands at a great distance from its fellow WEOG members, with the exception of New Zealand. The realisation of just how far apart we are has often come through engagement in debate and negotiation on the global environment. As a southern hemisphere country, Australia has environmental commonalities not with WEOG members but with countries with which we share Gondwanan origins — from South Africa to Brazil. Out of this economically and culturally diverse group of nations, with so many trans-boundary ecological similarities, has been formed the Valdivia Group, named after the city in Chile where the group first met. The group comprises Argentina, Chile, Uruguay, Brazil, New Zealand, Australia and South Africa. Like the Commonwealth, the group has become a valuable forum for exchanging views and sharing information amongst a diverse set of countries, and even

reaching agreed positions and undertaking joint activities where our southern hemisphere interests coincide.

Of all WEOG countries, Australia is the only one which is designated as biologically mega-diverse. It is also the driest of the continents, with soils that are ancient, shallow and poor in nutrients. Australia crosses both a tropical and a temperate climatic zone and is subject to extraordinary and often unpredictable climatic variability. These factors give Australia a very different perspective to that of Europe and North America in multilateral negotiations on issues such as climate change, desertification and the conservation of biodiversity.

In terms of our geological and geomorphic history we have much more in common with our many Commonwealth partners in southern Africa, for instance, than we do with our WEOG partners in the UN. Our low-nutrient soils and vegetation, and the degradation caused by too many years of over-exploitation, have given rise to the National Landcare Programme, which aims to repair and sustain Australia's soil, water and our native vegetation resources, all of which are absolutely fundamental to the nation's prosperity and which we ignore at our peril. It is no surprise that, given the extraordinary success of Landcare in galvanising entire communities to participate in landscape restoration activities, other countries suffering land degradation have cast an envious eye towards Australia and its landcare programme. Equally it is no surprise that Landcare in Australia has given birth to the Secretariat for International Landcare which brings international delegations to Australia — and that this initiative is beginning to give birth to counterpart movements, the first right here in South Africa. Almost certainly, old and new Commonwealth connections make these technical relationships relatively easy to get off the ground — not just because of sentiment and common language but because there is often some common familiar legal and institutional framework to help lay the groundwork.

The current negotiations on a Biosafety Protocol to the Convention on Biological Diversity bring into stark relief the need to take a fresh look at traditional groupings. The biosafety negotiations arose as a result of the stunning advances in gene technology and its application to agriculture and food crops — an issue which is attracting increasing public attention and debate, not least in both Australia and South Africa. The protocol is not intended to address national regulations on food safety and product labelling, but rather is designed to provide a framework for trans-boundary movements of 'living modified organisms' that may have adverse environmental effects.

As a biologically diverse country with a large agricultural sector, Australia has important national interests at stake in the Biosafety Protocol. In this respect, our interests may well coincide with those of several of our Commonwealth partners — those with rich biological diversity and a high dependence on agriculture, particularly export agriculture. Towards the beginning of the negotiations in 1997, attempts were made to establish drafting groups drawn from four representatives of each of the UN electoral groups. This posed particular



problems for the WEOG and Latin American groups, whose memberships traversed a wide range of views on the issues. Not surprisingly, this approach was soon abandoned and a set of new coalitions of interest formed. Australia is now working closely with a coalition known as the 'Miami Group', made up of countries as diverse as Argentina, Canada, Chile, the United States and Uruguay. However, the negotiations have now reached a crucial phase where bridges need to be built between opposing blocs if the process is to move forward. In this regard, there may well be potential in the Commonwealth, amongst other fora, for exposing genuine commonalities and concerns, and creating opportunities for helpful dialogue.

The Commonwealth has also played a role in relation to the vexed issue of climate change. No other global environmental issue has driven Australia to strive so hard for co-operative international solutions that do not disadvantage the Australian people and their economy. In 1997, at the Conference of the Parties to the Climate Change Convention in Kyoto, Japan, Australia argued, ultimately successfully, for a differentiated approach to greenhouse gas emissions targets — one which properly accounted for national circumstances and economic and trade profiles. Every opportunity, in the lead-up to the Conference, was taken to ensure that the rest of the world knew precisely just how high the stakes were for Australia, and we were prepared to expend an extraordinary amount of time and effort to explain the benefits of our approach, not just for Australia but for many other countries — particularly developing countries which might take on emission targets themselves in the years to come. The Edinburgh CHOGM was one such opportunity, but it was not just another meeting to push our point of view. We regarded the occasion as a valuable one in that it provided an informal, relaxed setting to discuss this highly politically charged issue amongst old friends. Undoubtedly, some of our Commonwealth colleagues were disappointed that Australia stood firm in its position on greenhouse targets but, as with every good club, no channel of communication or dialogue was ever closed off.

The global environment also defies whatever logic remains in rigid North-South debates between developed and developing countries on the contending merits of regulation and market mechanisms in repairing environmental degradation, or in preventing degradation happening in the first place. Australia, as an open trading nation, holds the view that market mechanisms can play a key role in achieving sustainable development, provided of course that adequate environmental regulations are in place.

Letting the market do what it does best can work for the environment, especially if externalities can be internalised to reflect the true environmental cost of a common good. This, of course, implies the removal of subsidies contributing to over-exploitation of the 'global commons' and the serious damage to the environment which so often follows in their wake. This is why, for example, Australia takes strong issue with the European Union and, to a lesser

extent, Japan, over subsidies to open-ocean fishing fleets which are contributing to serious overfishing in the Southern Ocean. Australia is already sharing its opposition to these kinds of environmentally disastrous subsidies with fellow Commonwealth members Canada, South Africa and New Zealand, amongst others. Australia would certainly welcome a show of interest in this issue by other maritime Commonwealth states.

On much the same basis, Australia has long opposed subsidies for agriculture. And, once again, our argument has predominantly been with the European Union. It is not only the way subsidies of this kind distort trade, but the way in which they consume environmental capital to gain an unfair trade advantage which should be of concern to us all. Although these are not issues which lend themselves to a Commonwealth-wide consensus, the Commonwealth connection can facilitate a familiar dialogue between its constituent members and can bridge the rigidity of North-South posturing and unproductive bloc politics at the UN level or, in this case, in the WTO.

To conclude, the environment is an issue which has frequently broken through traditional diplomatic blocs and created a range of quite unexpected alliances and fora to exchange information. Some of these will endure, others will not, but they all serve a purpose appropriate to the prevailing circumstances. The Commonwealth at present is playing a minor role in the debate on environmental issues, and we should not attempt to manufacture a greater environmental role for the organisation. But what has become clear in recent years is that the environmental debate is a complex and fast-moving process and while the Commonwealth may seem of limited utility now, its unique structure and the diversity of its membership makes it a resource that should not be discounted in the future.

## **Examining the Commonwealth's Political Role: Constraints, Challenges, and Opportunities**

*Charles van der Donckt<sup>1</sup>*

**A**s we approach the next Commonwealth Heads of Government Meeting (CHOGM), I find it entirely fitting that South Africa, one of the new leaders of the Commonwealth, should take the initiative in trying to define what roles the organisation should take on in the 21<sup>st</sup> century. On the occasion of the organisation's 50<sup>th</sup> anniversary, it is a testament to South Africa's belief in the continued relevance and usefulness of the Commonwealth for younger generations that your country is eager to ensure that the organisation is able to modernise itself to tackle the challenges of the next century.

In preparing this paper, I found it quite challenging to tackle the questions asked by the conference organisers — to take a peek into the future and examine what tasks the Commonwealth should take up in the next century. Let us remind ourselves that the next century is but four months away, and also that the future of the organisation will be determined as much by what Commonwealth members want to do as by what they have to do. I should also add that policy planners in foreign affairs departments throughout the Commonwealth are no stranger to this type of exercise. It is often our task to try to see what could be done over a vast range of issues and under different scenarios. I must add here — only half-jokingly — that we often do this at our own peril.

I will focus on the political role of the organisation. With CHOGM just a few months away, it is time to pause and reflect on the challenges ahead. Many Commonwealth members want the organisation to play a much larger role in helping them deal with what we generally call globalisation. Although this paper does not focus on this topic, it is informed by some of the consequences of globalisation, which form part of the background against which the Commonwealth plays its role today.

First, I will discuss some trends in international co-operation and their relevance for the Commonwealth. Second, I want to raise the crucial question of Commonwealth cohesion. Finally, I will re-examine the Commonwealth's political role as it has evolved in the 1990s, and examine some of the challenges that lie ahead.

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**Trends in international co-operation:  
Their relevance for the Commonwealth**

Beyond the common heritage and language — which, in a sense, is the ‘software’ which allows the Commonwealth network to function as it does — there are several important reasons why the Commonwealth as we know it is well placed to maintain and perhaps enhance its role in the next century. Essentially, those reasons have to do with the added value the Commonwealth brings to its membership, as well as with the way it operates.

***The revolution in the conduct of foreign relations***

Like any other major international organisation, the Commonwealth cannot escape the *changing realities of how countries do business with each other in the wider international system*. Over the past two decades, as a result of the tremendous growth of what we call the international agenda, itself largely a consequence both of the opening of new sectors to international discussion and negotiation (environment, human rights, health and social issues, and so on) and of growing public concerns and knowledge about international affairs, the foreign relations workload of governments has increased exponentially. Foreign affairs departments, which used to have a monopoly on the conduct of relations with other governments now often find themselves in a co-ordinating role on many of these new issues. They have considerable difficulty coping with additional demands on their services and are often unable to maintain in-house the necessary knowledge-base to develop and dispense good public policy on an increasingly wide range of topics. This has been a revolution in foreign affairs.

If highly industrialised countries have had difficulties in adjusting to the expansion of the international agenda, less-developed countries (LDCs) have found it nearly impossible to keep up with the demands on their limited institutional resources. This provides one major reason why international groupings such as the Commonwealth and others are increasingly important for countries unable to afford vast and costly public policy instruments. Such groupings provide economies of scale by way of privileged access to wider knowledge and information sources — the Commonwealth does this in a general setting that resonates well with members’ own domestic structures — and constitute political platforms allowing countries to put their point of view across with influential international players at the table.

From a Canadian perspective, another such revolution is now taking place — that of the growing role of civil society in the making of overall foreign policy.

***International organisation and co-operation: Concepts in evolution***

*In terms of institutional design, the Commonwealth corresponds very much to*

what leaders generally require of institutions today. It is a flexible and decentralised instrument which does not demand constant political attention; it is a cost-effective co-operative framework which does not engulf vast amounts of public funds; and it does not suffer from major structural characteristics which can paralyse its functioning under adverse political conditions (it is understood that consensus is a requirement for all major policy decisions; whether this applies to their implementation is a matter for debate.)

Succinctly put, leaders of democratic nations want to belong to institutions that tackle real world problems. They dislike dealing with runaway institutions; they loathe inflexible administrative machinery (inevitable as it may be sometimes); and they have a direct political stake in ensuring that the decisions they make are not taken away from them by bodies unaccountable to their own constituencies.

Many of the international political institutions developed during the post-war era exhibit characteristics reflecting a model of international co-operation showing signs of deep fatigue. The standing inter-governmental conference model, which itself arose out of the experience of 19<sup>th</sup> century conference diplomacy in Europe, served as the basic blueprint for the development of post-war regional and international co-operation mechanisms. Typically, the traditional notion of multilateralism developed after the Second World War was both state-centred and state-centric. It was closed, highly structured, institutionalised, and often derived from a specific political mandate.

The United Nations, being the only universal body of its kind, remains the very embodiment of this approach, and although considerable efforts have been expended to reform its structures, it has been sailing through troubled waters for most of this decade. Similarly, the traditional regional bodies — the Arab League (established in 1945), the Organisation of American States (1948) and the Organisation of African Unity (OAU) (1963) — all have more or less similar characteristics. All three have also had their share of challenges over the last decade, not least the OAU, which has been overwhelmed by the numerous internal conflicts which have struck so many countries in sub-Saharan Africa.

The point I want to illustrate by way of this circuitous discussion is that the open and flexible organisation of the modern Commonwealth exhibits characteristics befitting current times. As stated earlier, the Commonwealth is in fact a flexible and decentralised network; it is not a treaty-based organisation. Comparing the Commonwealth with numerous other bodies founded in the post-war era — many still struggling to get out of it — I do not believe that a substantial remodelling of its basic functioning is needed in order to maintain and enhance its relevance. This, of course, is a counter-intuitive position to take in light of the contemporary discussion on the Commonwealth's 'image problem', discussed later in the paper.

***Globalisation in a regionalising world, or the other way around?***

A central feature of the last decade has been the growth of the already complex web of international co-operation. Though the expressions 'globalisation', the 'global economy', and the 'global information age' are on everyone's lips, the most remarkable developments in terms of international political co-operation have emerged mostly at the regional level, chiefly as a result of the end of the Cold War. Whether in Africa, Latin America, Pacific Asia, or Europe, older co-operation frameworks are being renovated and numerous new institutions and processes have emerged. It can be hypothesized that regionalism — especially of the economic kind — constitutes a natural response to globalisation; governments want to ensure that their common interests can be both enhanced and protected in frameworks over which they have more influence than in global ones in which their voice is often diluted.

In Africa, for instance, this has changed the regional institutional landscape over the last decade. The OAU is slowly renovating its structures — admittedly with difficulty — and, in a landmark development which took place in Algiers a few weeks ago, it declared any interruption of the democratic process in its members unacceptable.<sup>2</sup> The Southern African Development Co-ordination Conference (SADCC) used to be united in opposition to apartheid South Africa; now South Africa is a pivotal leader in the Southern African Development Community (SADC). A few years ago few people outside Africa had ever heard of the Economic Community of West African States (ECOWAS), the Inter-Government Authority on Development (IGAD), the African Economic Community (AEC), or the Common Market for Eastern and Southern Africa (COMESA); now they are part of the vocabulary of African and international co-operation.

What this tends to demonstrate, whether in Africa or elsewhere, is that in the post-Cold War periods patterns of international co-operation are being shaped and remodelled by forces closer to regional realities. With the end of East-West confrontation this was probably inevitable. But regionalism, let us not forget, can also have its price. It can tie countries to regional dynamics that may not always be favourable to them.

The Commonwealth, of course, is not a regional body. Its membership spans all continents and includes countries vastly different in size, economy, and cultures. It is one of only three trans-regional organisations sharing similar characteristics, the other two being the *Francophonie* — which, incidentally, is developing a general political mandate not dissimilar to the Commonwealth's own

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<sup>2</sup> For comparison purposes, in June 1991, OAS members adopted the 'Santiago Commitment to Democracy and the Renewal of the Inter-American System', to which it joined Resolution 1080 on representative democracy. With the Santiago Commitment members pledged to 'adopt efficacious, timely and expeditious procedures to ensure the promotion and defence of representative democracy'.

— and the Community of Portuguese-Speaking Nations (CPLP).<sup>3</sup>

In hindsight, the fact that the Commonwealth has not only survived but also modernised itself to the extent that new members still want to join is an accomplishment. One of the major reasons for this success is that Commonwealth members continue to attach great importance to maintaining links with each other in a flexible and informal framework that contributes to their standing in international affairs. This, of course, does not mean that the organisation can rest on its laurels — institutions that do so invariably decay over time — but it shows that the organisation is not on the verge of collapse.

### **Maintaining cohesion within the Commonwealth: The challenges**

Many in the Commonwealth have expressed doubts that the organisation can (or should) maintain a place in the front row of international affairs. Many critics continue to point to the colonial origins of the organisation, or argue that in a world driven by a complex combination of globalisation and regionalism the Commonwealth is an anachronism. Though the link with Britain forms the background of the Commonwealth, for the vast majority of its members this link has long ceased to be the dominant feature of their trading activity and foreign relations.

### **The Commonwealth's 'image problem'**

Even in Canada, a country that invested considerable political capital in developing a working post-colonial Commonwealth in the 1950s, and later insisted that the Commonwealth impose a strict sanctions regime against apartheid South Africa (even when Britain did not support the idea), many have argued that the Commonwealth should follow General MacArthur's views on retirement and be allowed to fade away. One of Canada's former Ministers for External Affairs, Barbara McDougall — who was a strong advocate of the sanctions regime — argued in 1997 that the Commonwealth too often lacked the political spine necessary to design and implement policies of effective pressure. To survive, she wrote, the Commonwealth 'must re-energise and establish a new moral purpose'.<sup>4</sup>

Subsequent events have proved McDougall's criticisms too harsh. Commonwealth pressure not only contributed to change in South Africa, but the

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<sup>3</sup> The Organisation of the Islamic Conference (OIC), based in Saudi Arabia, also has a non-regional base. It did not, however, evolve out of former colonial links or shared language as the Commonwealth and the *Francophonie* have. Rather its main objective is the promotion of solidarity among nations of Islamic faith.

<sup>4</sup> McDougall B, 'Why keep the Commonwealth?', *Globe and Mail* (Toronto), 14 November 1997.

suspension of Nigeria from the organisation in 1995 signalled to democratic forces in that country that time was on their side. Of course, many would have wanted *more spectacular action*. But as a political instrument the Commonwealth is located at the softer end of international diplomacy, and is not equipped to act like a hard political-security mechanism. Nor, and this is important, should it be expected to do.

I acknowledge that the Commonwealth has an image problem. The idea that the Commonwealth is a vestigial remnant of past empire, while inaccurate, is one that surfaces often enough to have become an issue that Commonwealth leaders will have to address. The recent Ford and Katwala (1999) report published by the UK-based Foreign Policy Centre, for instance, argues that Commonwealth events are too London-centric, and that this in turn, has a negative bearing on the organisation's image and Britain's role in it.<sup>5</sup>

While it is certainly true that the Secretariat is based in London, a cursory examination of activities organised by the Commonwealth for the month of August 1999 shows that an essential part of its work actually takes place far from Britain. Workshops, seminars and a training course will be held in Harare, Arusha, Delhi, Yaounde, and Trinidad and Tobago.<sup>6</sup> These events may not make newspaper headlines, but the fact that they will touch on such varied topics as public enterprise restructuring and privatisation, women's affairs, post-compulsory education, human rights, training of laboratory technicians, and examination reform for science in Africa demonstrates what the working-level Commonwealth is about: the sharing of common values, knowledge transfer and institution-building. These are precisely the things that strengthen civil society and government institutions, and make nations progress.

However, because the image issue will not disappear easily, Commonwealth leaders will have to be clear about their purpose, and also ensure that the wider organisation is able to reach new generations in all regions of the Commonwealth. This calls for a better outreach strategy which does not rely exclusively on the Internet (which tends to favour those who have access to advanced technology), but can touch people living in widely differing conditions.

### ***Commonwealth cohesion: Threatened by regionalism?***

The activities described above constitute but a small part of a larger mandate, which is currently being questioned. Again, the basic issue seems to be that the Commonwealth is not perceived to be at the forefront of political matters, and

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<sup>5</sup> Ford K & S Katwala, *Making the Commonwealth Matter*. London: Foreign Policy Centre, April 1999.

<sup>6</sup> Commonwealth Secretariat, *Calendar of Commonwealth Conferences, Meetings and Workshops 1999 (June)-2001*, London, June 1999.



that its voice often seems lost in the cacophony created by other international institutions. Like other institutions, the Commonwealth cannot escape larger international forces which have a direct impact on its membership, and this, more than loss of interest in a common heritage, constitutes a key factor in how Commonwealth members will define the organisation's wider role.

A former director of the Policy Planning Staff at the State Department, Alan Romberg, described a number of new realities that now dominate the international agenda:

- the Cold War has been replaced by a struggle between the forces of integration and disintegration;
- we have moved from an era of constant threat to an era of constant change in which the principal challenge is often how to sustain key relationships; and
- as a consequence of globalisation, national well-being is being influenced by new positive and negative flows; flows of information, telecommunications and commerce, but also of crime, weapons, and drugs.

To this, I would add a fourth trend, as discussed earlier:

- greater access to information and information technology is increasing public pressure and participation in foreign policy-making; this is putting new demands on governments to become more responsive and accountable.

In such circumstances the collective challenge for democratic states is to collectively attempt to control forces they cannot handle individually, while remaining open and accountable to their domestic constituencies. The Commonwealth may not always have the means of control over these forces, but because of the degree to which these forces affect all Commonwealth countries, the organisation will no doubt be challenged from within to respond to them in one way or another. Here, of course, I note that the overarching theme chosen for the 1999 CHOGM in Durban is development in a globalising world.

As pointed out earlier, regional integration is having a profound political and economic effect on the Commonwealth's membership and is challenging the organisation's place in an environment where co-operation frameworks increasingly compete for attention and resources.

In the SADC region increased regional co-operation is employing tremendous political and bureaucratic energy which, as a consequence, is not being deployed on Commonwealth matters. The same is true in Pacific Asia, where East Asian countries are now deeply focused on regional matters as a result of the 'Asian flu' of 1997 and 1998.

Canada, of course, is no stranger to this phenomenon. Having signed the North American Free Trade Agreement (NAFTA) in 1994 with the United States and Mexico, it is now in a situation where the management of the North American relationship is a constant political preoccupation domestically. Moreover, the trilateral relationship is now complemented by a wider trilateral initiative seeking to explore new areas of potential co-operation. For students of

integration and neo-functionalism, this is very fertile ground for study.

Finally, Britain, the historical epicentre of the Commonwealth, is similarly absorbed by its place in the European Union (EU), increasingly so as the demands on policy-making in the EU framework grow larger. What explains this change of heart? First, the arrival of the Blair government on the political scene with its more favourable outlook toward European integration. Second, the introduction of the euro-currency in January 1999, which will gradually force a convergence of economic policy within EU countries. Finally, residual security crises in Europe, like Kosovo, which Europe is increasingly willing (though not always able) to handle through common institutions, if only to demonstrate that Europe can be a political as well as an economic power.

For those worried about the continued existence of the Commonwealth, I would argue that the legitimacy of the organisation is not under threat. Indeed, the very fact that South Africa sees it as a framework through which globalisation can be usefully addressed is a vote of confidence. The fact is that the Commonwealth adds real value to its membership, and it gives its member countries access to a wider network than most could develop without the organisation. Moreover, the Commonwealth remains an important symbol of common identity and heritage for its members, and it is well known how powerful symbols can be in international affairs.

In Canada, for example, a recent survey (July 1999) of Canadian public opinion on international organisations sponsored by DFAIT showed that 66% of respondents were familiar with the Commonwealth; this was the second highest mark after the UN; North Atlantic Treaty Organisation (NATO) came in third place. Moreover, the Commonwealth was ranked by Canadians as being in the top four organisations in terms of the priority it should be given. This shows that, even without the benefit of televised cricket, the Commonwealth remains important to Canadians and is still considered an important part of their heritage.

In Australia, although there is a heated debate about the role of the monarchy and the traditional links with Britain, the Constitutional Convention of 1998 (composed of politicians, community organisations, and ordinary citizens), which examined the future constitutional status of the country, voted to retain membership in the Commonwealth even if the country became a republic after the November 1999 referendum.<sup>7</sup>

For island states of the Caribbean or the Pacific, links to the Commonwealth are still seen as a central feature of national identity and national well-being. The special needs of small states have been recognised by other Commonwealth countries and constitute an issue they will continue to address.

There are a number of important factors that will have an impact on the

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<sup>7</sup> Should the republican side win in the referendum, some argue that Australia, as a republic, would have to reapply for membership.

Commonwealth of the 21<sup>st</sup> century. This should not be read as a self-fulfilling prophecy, however. Similar forces have been at play for a long time. The fact that the Commonwealth has grown and developed is certainly an indication that it is flexible enough to adapt to changing international realities.

### **New roles for the Commonwealth: Looking towards the future**

In thinking about the political role of the Commonwealth, a number of basic facts come to mind. First, as noted earlier, the Commonwealth spans the continents; it is not composed of states necessarily contiguous to each other. Second, the organisation is not constituted as a hard security body. Third, on major issues the organisation's decision-making culture is based on consensus and diplomacy of the personal kind, rather than on highly institutionalised and formalised contacts. Finally, though some Commonwealth members can bring considerable resources to bear to help fulfil the organisation's objectives, the financial resources of the Commonwealth as an institution remain relatively modest (around UK£28 million, including the Commonwealth Fund for Technical Co-operation). Unless continental drift reverses its current course, the first of these factors will not change. The three other factors are also unlikely to change.

These factors highlight the general context in which the Commonwealth plays its political role. Over the decades, members have learned to deal with these basic constraints, and its capacity to adapt is one of the unheralded successes of the wider Commonwealth. For a host of international institutions, dealing with change has been more painful and considerably more problematic.

### ***The evolution of the Commonwealth's political role in the 1990s***

In the 1990s, Commonwealth members have consolidated the political work of the organisation under an agenda driven by a number of key values: democracy, good governance and human rights. Though it took some time for these values to 'gel' into a programme, both the Commonwealth experience in South Africa and the larger international debates of the late 1980s and early 1990s informed this transition.

Without going too far into well-rehearsed territory, the two key documents for understanding the organisation's contemporary political role are the Harare Declaration (1991) and the Millbrook Action Programme (1995). With the Harare Declaration, members agreed to work collectively to promote democracy, good governance, and fundamental human values, individually and collectively. Added to the Secretariat's traditional 'good offices' function, the Harare Declaration launched a broad discussion of how the organisation could perform a range of functions falling under the general heading of good governance, conflict prevention and peace-building.

Whether the Commonwealth actually performs those roles depends to a large extent on political willingness to use it as a framework, and on the opportunities that present themselves in particular cases. There has been no shortage of the latter over the last decade, and the Commonwealth has provided assistance or adopted common positions in a number of cases, most of them in Africa. Similarly, the Secretary-General's good offices functions have been put to good use. Over the decade the Commonwealth has carved out a special niche for itself in the field of electoral observation and in the promotion of good electoral practices. Indeed, it fielded an important electoral assistance and observation mission in order to assist the Independent Electoral Commission (IEC) of South Africa in carrying out the historic election of April 1994.

The Millbrook Action Programme (1995), adopted by Commonwealth ministers at the 1995 CHOGM in New Zealand, built on the Harare Declaration and authorised increased Commonwealth action to promote democracy, development and consensus-building. Among other things, the Millbrook Programme established the Commonwealth Ministerial Action Group (CMAG), with membership from all regions, to investigate 'serious and persistent' violations of the Harare Declaration.<sup>8</sup> In light of the situation in Nigeria, this was originally interpreted as a mandate to restore democratic civilian rule where it had been overthrown by military coups. CMAG was an extremely important development because it allowed the Commonwealth to express its political will and respond to violations of Harare principles occurring between CHOGM summits.

Between 1995 and 1999, CMAG has focused its attention on the situations caused by unlawful military regimes in Sierra Leone, The Gambia and Nigeria. Nigeria in particular has been the primary focus of CMAG concern since its inception, which coincided with the suspension of Nigeria's Commonwealth membership by the heads of government in Auckland. With the election of President Obasanjo in May 1999 — assisted and observed by a Commonwealth team — sanctions have been lifted. Sierra Leone has also been the object of Commonwealth concern over the last few years as a result of the tragic civil war in that country. There CMAG has worked with the UN to try to bring about a modicum of peace and a return to civilian rule. Though the situation there remains far from satisfactory — Sierra Leone will clearly need international assistance for some time — basic Commonwealth objectives as defined in the CMAG work plan have been met.

This is basically the point we are at today. With the return of civilian rule in Nigeria, The Gambia, and Sierra Leone, CMAG's role needs to be re-examined. That process, in fact, is now under way in preparation for the CHOGM Summit

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<sup>8</sup> CMAG originally comprised Britain, Canada, Ghana, Jamaica, Malaysia, New Zealand, South Africa, and Zimbabwe. South Africa remained in the group until 1997, when it voluntarily withdrew in order to promote rotationality. It was replaced by Botswana.

in Durban. The Commonwealth Secretariat has produced a report outlining possible future roles for CMAG, and in September 1999, in New York, CMAG Ministers will meet to consider the options before them.

### ***Millbrook and beyond***

We can certainly speculate as to what lies ahead for the Commonwealth's political mandate, especially as there is now a general sense that after having 'dealt' with Nigeria the Commonwealth now finds itself without a clear political role. In reality, there is much to be done; important aspects of the Millbrook programme have been only minimally fulfilled.

It is likely that Commonwealth members will want to go in the same general direction that CHOGM took in Harare and Auckland. What is new is that they may want to expand the mandate of CMAG. This would constitute a strenuous work programme for the Commonwealth, particularly in those areas where compliance with Harare principles is problematic.

Having got the values right, and then having developed new mechanics of political action, the challenge for CHOGM will be to flesh out processes through which the Harare Declaration and the Millbrook Programme can be more fully implemented. Again, resources and institutional limitations will remain important considerations, and some issues will require tactful political handling. But essentially, the way forward after Nigeria might well consist in a process of constructive engagement to continue the implementation of Commonwealth principles, and following through with Commonwealth engagement where positive developments have taken place.

Among other things, this is likely to involve a deeper involvement of civil society in Commonwealth activity (for example, community groups, media and professional associations), if not the strengthening of civil society itself. With its decentralised structure and the numerous Commonwealth professional unions, the wider Commonwealth is well placed to facilitate this. Civil society, after all, is not something directed through proclamation; it can play its role through people-to-people contact at the grassroots level.

In trying to think of new ways to advance the Harare Principles, a good argument can be made that on some issues, freedom of the media for example, peer review mechanisms could play a useful role, as they might in some issues arising out of the negative effects of globalisation (like drug trafficking and corruption). On certain issues these mechanisms would make more sense if states were contiguous, but it is also a fact that drugs and other illicit substances, and money obtained from their commerce, flow in all directions with attendant consequences for crime, corruption, and the weakening of institutions.

For the past few years, Canada has been discussing the international human

security agenda with its partners.<sup>9</sup> Essentially, the human security agenda expresses the basic concern that the security of individuals should be as important as that of the state. It has a concrete work agenda that touches on a broad range of issues ranging from landmines to international criminal justice, and from child soldiers to the traffic in human beings.

Among the issues many Commonwealth countries recognise as a threat to their security and that of their citizens is the question of the proliferation of small arms, their illicit trafficking, and their role in most of today's internal conflicts. The proliferation of small arms is an impersonal issue with very personal consequences. It is also an extremely complex problem unlikely to be effectively addressed through only one central institution. It is now on the agenda of many bodies (for instance, UN, EU, OAS, OAU) but there is a need for more concerted approaches. There is some support for discussing this issue in the framework of the Commonwealth, not necessarily with a view to developing hard instruments, but rather with the goal of developing common approaches. The Commonwealth's track record of assistance in developing and reinforcing the rule of law may be put to good use in this respect. Also, the workshop/'best practice' approach the Commonwealth utilises for its many activities could perhaps be adapted to help tackle this problem with relevant officials, institutions and associations.

As discussed earlier, there is currently a debate concerning the future of CMAG. A number of issues will need to be discussed or clarified in order to ensure that CMAG remains effective and retains the legitimacy it currently enjoys. With respect to its mandate, it seems obvious that the more narrow interpretation adopted in New Zealand in 1995 leaves CMAG sitting on the benches waiting for mischief to occur. The mandate could be reinterpreted without performing major surgery on the Millbrook Programme in a way that makes clear that not only coups but also major breakdowns of democratic principles could be subject to CMAG review. What this means, essentially, is that the Commonwealth should be concerned about the maintenance of basic democratic principles where they are under threat.

Second, some thought will no doubt be given to CMAG membership, which has essentially remained the same since 1995. The composition of the body needs to remain as legitimate and representative as possible vis-à-vis the wider Commonwealth. This, in turn, might involve some discussion of rotationality.

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<sup>9</sup> South Africa is an observer in the so-called Lysoen Group. The Lysoen partnership was originally a joint Norway-Canada initiative (started in 1998) designed to promote the broad human security agenda internationally. Now Canada, Norway, Austria, Chile, Ireland, Jordan, the Netherlands, Slovenia, Switzerland and Thailand (with South Africa as observer) meet to discuss and promote different aspects of the Human Security agenda. More information on this is currently available on the Internet (see <http://www.dfait-maeci.gc.ca/foreign/p/HumanSecurity/menu-e.htm>).

Finally, there needs to be a well-understood division of labour between CMAG and the Commonwealth Secretariat in order to avoid duplication of effort and enhance effectiveness of overall political action.

### **Onwards to CHOGM**

Within the limit of what is possible, the combination of traditional good offices functions of the Commonwealth, new instruments adopted in the 1990s, and enhanced interface between new principles and the mechanics of political action will give the organisation and its membership the means to deal with new issues as they arise. We should not expect the Commonwealth to become what it is not, however. The organisation does not compete with the UN or with regional organisations; nor should it be expected to. Its favourite tools will remain moral suasion, quiet diplomacy and peer pressure. The voice of CMAG helps to make the Commonwealth's stand clear on given issues. However, there is a need to find a new consensus on the CMAG mandate in order to allow it to fulfil the vision of Harare and Millbrook.

Though I have concentrated in my paper on the political role of the Commonwealth, I am acutely aware there are other important areas where co-operation can, and should, be enhanced. The competition for priorities between political and developmental/trade issues is a real one, particularly at a time when many smaller states feel marginalised by globalisation, or otherwise suffer from its more negative consequences. To a large extent, the message is one and the same, whether at the UN, the OECD, the IMF or the World Bank. The decision of the G-7 earlier in 1999 to start to deal more seriously with debt reduction through the HPIC initiative is a step in the right direction. The message is getting through, slowly.

The challenge for the Commonwealth is not simply to deal with the institutional and political mechanics of action, however. Many of the important decisions of the Commonwealth will continue to be made around the dinner table rather than around the conference table. The challenge for the Commonwealth is to develop a robust adaptive strategy to deal with the larger question of the Commonwealth's place in world affairs at a time when there are questions as to whether or not it can carve out a distinctive niche for itself. This, perhaps more than any shorter term issue, is the larger political challenge for Commonwealth members. Part of our strategy should be based on a greater ability to reach out to citizens and, of course, to ensure the maintenance and projection of key values. But it will also require that Commonwealth leaders develop a clear vision for the organisation's future and tighten those bonds that have meaning for people as we enter the next century.

## Financial Flows and Emerging Markets: A Role for the Commonwealth?

*Phillip Clayton*<sup>1</sup>

### Is there a role?

At first glance, the topic seems to be a non-starter. After all, as far as business people are concerned, what is the Commonwealth? Until recently, the only things in common between the nations making up the grouping were the English language; acceptance of the British Queen as Commonwealth head; and some form of rule at some time by Britain or one of its erstwhile colonies. Now, with the acceptance of Mozambique into the fold, even English and former colonial status have gone by the board. What does New Zealand have in common with Namibia; Australia with Antigua; the United Kingdom with Uganda? Large nations jostle with micro-states; wealthy countries combine with dirt-poor nations; post-industrial societies are in the same grouping as others that have hardly left the Stone Age.

These criticisms are not new; nor do they amount to a rejection of the question posed in the title. The Commonwealth is uniquely placed to be able to do work behind the scenes, and in the case of aiding financial flows, such work could be very valuable.

Financial flows move to where the long-term economic outlook is good; where capital is likely to make good returns over the short and long terms. In 1960, there was a country that the US State Department felt would need food aid for a decade, and financial assistance until the end of the century. That country is now a member of the Organisation for Economic Co-operation and Development (OECD) — the rich man's club; it has been an exporter of capital; and, although the last few years have been difficult and there are significant structural problems to overcome, the economic outlook is good. I am talking about South Korea.

In 1960, South Korea had an economy four-fifths the size of another's. That other country was hopeful of a rosy economic future: it was blessed with a rich store of minerals, and its agricultural potential was good. Its population was relatively well educated. Yet, by the end of the century, its economy is around a fiftieth the size of South Korea's. I am talking about Ghana. Until a decade or so ago, investment bankers were not welcome in Accra — nor would they have wanted to come. Now the situation is different, and the economic outlook for

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Ghana has improved.

There are a number of responses one could make to this unfair comparison: *Ghana stuck with commodities, South Korea industrialised. Ghana had the misfortune of focusing on political activities rather than economics; also, the choice of socialism was economically unsound. Although Ghana's growth record has been good since its focus changed to more market-friendly economics, it will still take, at current rates of progress, until the 2020s before per capita incomes reach those last seen in the 1960s.*

Besides India, most of the world's poorer nations with significant populations are situated in Africa; and many of these are members of the Commonwealth. Hence the main thrust of this paper will deal with that continent.

*Africa is a profitable region in which to invest: in the period 1983–97, there was only one year (1986) when the rate of return on US investments in Africa was below 10%. From 1990 onwards, it has averaged 29%, higher than any other region. This suggests significant lost opportunities (or, in some cases, the need for a higher return to compensate for non-financial hassles with regard to investing in Africa).*

Although sub-Saharan Africa contains a tenth of the globe's population, its contribution to GDP is a paltry one percent. Despite sub-Saharan Africa having a good rate of return on foreign investment — President Clinton last year indicated it was around 30% — *the region has been unable to attract much in the way of foreign direct investment (FDI) in recent years. This is despite a significant shift in economic policy across the continent. Much of the inward investment that has occurred has been location-specific: into oil in Angola and Equatorial Guinea; gold in Tanzania; and fishing in Namibia. Africa has been bypassed on the whole because of footloose investment, such as into manufacturing or services. There are a few counter-examples to this broad statement: Namibia has attracted some motor component investment; Mauritius has built up a textile industry and now is moving towards offshore financial services and higher value-added electronics.*

### **What can be done to improve investment flows**

In the film, 'Field of Dreams', a farmer built a baseball diamond in consequence of a vision. He built it in his corn field so that the greats of baseball would come and play there. He built; they came. Attracting capital flows is the same: build the field, and the funds will come. My banking group has done deals with cotton in Karapakistan in Uzbekistan — even the country is hard to place on the map for many — and the local delicacy offered while negotiating the deal was goats' eyes. The same for Africa: build the baseball diamond, and they will come; create the right conditions, and they will eat the eyes. The challenge for the Commonwealth could be *how best to create the conditions for building a 'baseball diamond'.*

What does this mean? A role for the Commonwealth would include assisting

recipient nations in:

- educating key decision-makers on the importance of sound and consistent economic policies;
- working on rooting out corruption;
- improving the legislative framework within which financial services are offered; and
- tightening regulatory frameworks within which financial firms operate.

As far as the rest of the world is concerned, the Commonwealth can also assist in changing negative attitudes towards investment in the poorer Commonwealth nations.

### **The importance of sound and consistent economic policies**

Reputations take a long time to build up — but can be destroyed in a very short time. Thus it perhaps is not surprising, but disappointing, that Africa has been unable to attract more than one percent of global FDI flows in recent years. The bad policies and hostility to investors that were the hallmark from the 1960s to the 1980s have left a lasting impression.

Moreover, in many countries, those who were committed to autarkic policies are still in positions of authority. It is said that in Tanzania, for example, less than a dozen key officials are really committed to market-oriented open economic policies. Top bureaucrats will not only lose influence in any shift; but training in socialist-bloc countries has left a lasting impression. Hence although the Dar-es-Salaam Stock Exchange has been opened, foreign participation remains proscribed.

Economic policies as enunciated may be good; however, there may be inconsistencies in other facets of government policy. For example, Zimbabwe's most important investment since independence — Broken Hill Properties' (BHP) Hartley Platinum Mine project — eventually saw the Australian company pulling out, with losses in excess of US\$250 million. Although geological problems played a part in the decision to disinvest, difficulties encountered in obtaining work permits for key personnel were also a factor. South Africa has a policy of encouraging exports; yet the company praised by President Mbeki for being the most important single exporter cannot easily obtain a work permit for the expatriate chief executive of its South African subsidiary.

Consistency of policy over time is also crucial. Investment decisions are for the long term; investors do not like rapid changes in policy. This, unfortunately, is a lesson that is not fully accepted by politicians in Africa — and indeed in many parts of the world. Changes in import duties, foreign exchange regimes and so on, often to the detriment of foreign investors (who are treading on the toes of politically influential local capitalists), do not go down well.

### **Working on rooting out corruption**

A South African investor in east Africa found that the rules regarding payment of customs duty were changed to when the goods arrived at, as opposed to leaving, the bonded warehouse, and the rate had been increased. Why? Because the company was competing too vigorously with a local firm that was owned by powerful politicians. This did not create a good impression. Other investors in a southern African country have been told which local partners to take on — and at what price — and on refusal found that their forex transactions attracted far more scrutiny than any other firms in the industry. Such irksome interference — including more blatant requests for payments — is a more serious impediment in small, slowly growing economies than in larger, more dynamic ones.

Corruption is not just an African or developing country problem. Obviously it takes two to tango, as the recent revelations of bribes paid by firms from the North for Lesotho Highland Water Project contracts indicate. Some tax regimes in Europe allow bribes as legitimate tax deductions. Nonetheless, corruption is a large hidden tax, and investment — and therefore growth — is less than would otherwise be the case.

Unfortunately, in poor and small economies, corruption is far more serious as a share of GDP than it would be in larger ones. Moreover, in young democracies, civil society is less developed and less able to check corruption — thus greedy individuals are more able to get away with it. The Goldenberg scandal in Kenya — which allegedly involved payments equal to one-tenth of annual GDP — has still not been satisfactorily resolved in the courts, despite intense pressure from donors.

### **Improving the legislative framework for financial services**

Financial services are best provided in an atmosphere of utmost trust, and in a secure and certain regulatory framework. Such a framework is often lacking. For example, in the early 1990s, it was often found that banking laws were out of date, or, even worse, investors were given, not the latest, but repealed legislation when investigating investment by the banking authorities.

This situation is changing: regulatory authorities have been set up, capital market legislation has in many cases been updated, and banking laws are now largely up-to-date. Foreign exchange regulations are now far more permissive (in fact, South Africa now lags much of the region). There are, nonetheless, irksome problems still remaining. For example, for reasons of national security and/or protection of monopolies, banks are often not allowed to use satellite telephony to connect their branches in order to expedite real time transactions. This has affected Barclays and the Standard Bank Investment Corporation (Stanbic) in Kenya, for example.

More serious, though, are situations where regulations or legal frameworks

inhibit the provision of financial services. Foreign exchange controls are notable examples. Many African countries do not have good case law, regulations or legal frameworks for the provision of leasing services, for example. Legal liability could accrue to the lessor, not the lessee, as is the case in Zambia, or law reports are missing, or no cases have occurred to fill lacunae in the law. Here simple changes in the law would help, although good enforcement agencies to enable attachment of goods would also be of use.

### **Tightening the financial regulatory frameworks**

In the 1990s, much good work has been done to improve the regulatory framework within which financial companies operate. Nonetheless, for reasons that may have to do with a lack of experience — or partiality — the regulations are in some cases implemented in a less than thorough and coherent fashion. For example, in Tanzania at the time of the collapse of the Meridien BIAO empire, the central bank governor indicated that the local subsidiary was sound. However, within two weeks, this had failed, on account of a non-performing loan to a fellow subsidiary in the Caribbean, rather than because of local problems (though such an eventuality should have been foreseen). This created a loss of confidence in the local banking system. In a belated move, the authorities then attempted to restrict inter-group loans, failing to distinguish between sound and soundly run companies and less financially secure institutions. This would have had a significant impact on the operations of banks focusing on international finance.

Politically well-connected firms can often flout regulations in a fairly brazen fashion, expatriate banks are punished for pushing (but not breaking) regulations. Stanbic's subsidiary in Kenya was fined for its interpretation of reserve requirement regulations, only to find within six months that its interpretation was being supported by the monetary authorities. Stanbic's crime? Not clearing the interpretation beforehand, rather than the interpretation itself.

Lack of application of clear, unambiguous regulations is a problem elsewhere, as is the punishment of foreign firms rather than local institutions, as Credit Suisse First Boston has found to its cost in Japan. Nonetheless, this is yet another hazard for dynamic global firms willing to dip their toes in the water of small African financial markets.

### **Changing negative attitudes in the developed world**

Africa has not had a good press — perhaps deservedly so — since the 1970s. However, the outlook improved in the 1990s, what with economic reforms and talk of an African renaissance. Such talk may have proved premature, owing to the conflicts that have sprung up around Africa in the last year or so, but

nonetheless the sound and fury that is reported overshadows much of the improvement that is occurring.

For example, the per capita incomes of people living in sub-Saharan Africa have been rising since the mid-1990s, a change that appears to be stable. This reverses a long-term secular decline. Moreover, more countries are experiencing better growth in the region than was the case in the early 1990s, suggesting that the benefits of reform are becoming entrenched. Sub-Saharan Africa could become the fastest growing region in the early part of the new century. This is an assertion that would have been greeted with hoots of derision in the late 1980s.

Much of the negative attitude is a reflection of prejudices (perhaps correct a decade ago) of what doing business in Africa is about. Fifteen years ago Mozambique had regulations of Byzantine complexity governing the setting up of a business; now it requires only five bureaucratic steps. Although corruption may still be a problem, the opening up of economies and societies has made it more difficult to practise (and more easy to report on).

There are still problems in doing business in Africa. Nonetheless, in reality, many of them are less severe than many observers feel.

Actors in the developed world — and this includes the Commonwealth Secretariat and the broader organisation — can do much to advise and encourage citizens of developing countries to make their states more welcoming to inward investment. At the same time, the Commonwealth can do a good marketing job to change perceptions within the developed world towards the poorer states in the organisation, where such a move is warranted by developments on the ground.

### **Conclusion: Playing on the newly constructed field**

The focus of this paper is how best to mobilise savings — both domestic and foreign — for better growth in emerging markets, in order to improve the lot of the poor. Africa's growth performance in the last few years has improved; from a position of decades of decline in per capita incomes, the average African is becoming (painfully slowly) more wealthy. This statement hides more than it reveals, but nonetheless it is a positive development. Furthermore, the good performance is spreading: more countries are experiencing better per capita growth.

Investment bankers are able to help in mobilising savings efficiently and effectively. The Stanbic banking group has been involved in a number of the Initial Price Offerings (IPOs), especially in southern Africa. It has helped to finance the planned buyout of a state-owned firm by an indigenous firm in Tanzania. Its services, and those of its competitors, include the structuring of privatisations, how and where to raise debt capital, and so on.

To conclude this economic discussion: African countries are starting to do

many things right after the lost decades following independence. Impatience is understandable, but more work is required and a good track record needs to be built up before the rewards of better inward investment occur. FDI is important as a component for the prize: lifting the standard of living of most Africans, including the two-fifths of those living in sub-Saharan Africa who live on less than US\$1 per day.

Africa has a wealth of expertise in many fields, including banking. Unfortunately, many of its most skilled sons and daughters are in New York, London and Paris. An improvement in the economic climate, political freedom and living conditions will, over the next decade, assist in reversing this flow of the African diaspora. Anyway, for those who do not come back, they create a reservoir of goodwill for the continent, and good links with developed financial centres, that may serve African countries well in the 21<sup>st</sup> century.

Building the baseball diamond is backbreaking work. Some ask why it is necessary. But doing it — in our context creating the right conditions for economic growth — will prepare the ground for the flow of funds to Africa. Investment funds could come from richer Commonwealth countries, such as the UK, Canada, Australia and New Zealand. Africa can, and must, grow into the next century.

# **Human Rights, Democracy and the Commonwealth: Can the Commonwealth be a Force?**

*Shadrack Gutto*<sup>1</sup>

## **Introductory remarks**

I intend to reflect on human rights, democracy and the Commonwealth by focusing on three main issues:

- the meaning, significance and relationship between human rights and democracy;
- the contradictory global pressures that minimise the efficacy of governments to be effective roleplayers in the promotion and protection of human rights; and, lastly,
- some views on what I consider to be the minimalist role that the Commonwealth has so far played in the areas of human rights and democracy.

I will conclude by pointing out that the Commonwealth has the potential to promote greater commitment by its members to human rights and democratic practices, as well as to provide a united front in confronting the global forces that are threatening the realisation of human rights and the deepening of democracy.

## **The meaning, significance and relationship between human rights and democracy**

Today it would be almost unthinkable to find any government that will openly declare that it does not give a damn about democracy and human rights. It is also difficult to conceive of any government that will openly say that it is democratic but cares very little about human rights, and vice versa. This is as it should be.

The reality on the ground is a different matter. Few governments really invest sufficient human and material resources in promoting and protecting human rights. Human rights have grown out of the womb of civil liberties. To this end human rights incorporate civil liberties and political rights. But human rights have grown far beyond civil liberties and political rights. At regional and international levels, the standards and norms of human rights cover all aspects of life: economic, social, cultural, civil and political. As the 1993 Vienna World Conference on Human Rights declared, all of the areas of rights and the corresponding responsibilities must be treated 'globally in a fair and equal

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manner, on the same footing, and with the same emphasis'.<sup>2</sup> The United Nations High Commissioner for Human Rights recently put it this way: 'Bread and ballots: Human rights aren't divisible'.<sup>3</sup>

Two fundamental characteristics of human rights which do not manifest themselves prominently in traditional civil liberties are:

- the obligation on the state to spend resources on the promotion and protection of the same; and
- the application of those rights to private spheres of life and to inter-personal relationships.

*It is because of these characteristics of human rights that the conservative revolution that calls for less state involvement in rights issues, is a threat to human rights and democracy.*

Democracy has also grown beyond the elementary, although necessary and significant, staging of regular free and fair elections. Real democracy as opposed to paper democracy requires that society has a well-resourced, properly staffed and independent judiciary. It requires that the concept of representation be enriched to ensure participation by all the diverse interests and groups in society, at all levels of government. Transparency and accountability are essential components of a modern democratic system. And democracy implies the eradication of poverty and the narrowing of the gaps between the various social classes in society. The exact structures and models of governments that are truly democratic may, and do, differ, but the essential core values and the effect on people's lives should not differ considerably.

It should be obvious then that human rights and democratic systems and values do overlap.

### **Global pressures that threaten democracy and human rights**

If it is true that modern democracy and a mature human rights culture demand transformed and different positive roles for the state, how is it that the powerful states, and the global financial and trading institutions which they control, are demanding that governments in underdeveloped countries should cut their spending on primary and higher education, health, housing, welfare, roads and communication? The states that are engaged in bodies that develop and adopt new human rights and democracy standards<sup>4</sup> are the very same ones that have strong voices in institutions that demand the opposite of what it takes to realise

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<sup>2</sup> Vienna Declaration and Programme of Action (1993), UN DOC A/Conf 157/23.

<sup>3</sup> Robinson M in *International Herald Tribune*, 9 December 1998.

<sup>4</sup> The most recent of these is the UNESCO Declaration of Human Rights and Responsibilities, adopted by the High-Level Group, Valencia, Spain, 3-5 December 1998.



those new human rights and democratic standards! On the one side are the International Monetary Fund (IMF), the World Bank, the G-7, the World Trade Organisation (WTO), the European Union (EU) and others, and on the other side are the UN and its plethora of agencies (minus the Security Council), human rights non-governmental organisations (NGOs), activists on environmental issues, and others.

As a student of human rights and democracy, I find these contradictory moralities and pressures to be a threat to the advancement of human rights and real democracy.

Where and how does the Commonwealth fit into all this?

### **The Commonwealth and human rights and democracy**

I have not carried out a thorough study of the Commonwealth in terms of its involvement in the promotion and protection of human rights and democratic practices amongst its members and globally. The impression I have is that the Commonwealth has so far been only marginally involved.

I know that at the level of the judiciary, there have been a few colloquia where experiences in handling human rights cases have been exchanged.<sup>5</sup> Such interactions do make a difference to some of the judges who participate, and should be encouraged. The reality is that they are few and far between. There is also the Commonwealth Judicial Education Institute in Canada. I doubt if its curriculum is sufficiently infused with studies in democracy and comprehensive human rights. No wonder then that many courts in Commonwealth countries are viewed and experienced by those who appear before them as violators and not as protectors of human rights and democratic values.<sup>6</sup>

In crisis situations where democracy is overturned and denial and massive violations of human rights occur, the Commonwealth has been slow to react positively and resolutely. The current situation in Sierra Leone, a Commonwealth member, is a good example. The Commonwealth can only point to the exceptions in its generally established reputation as a weak participant in matters of human rights and democracy. I know of two examples. The establishment of the Commonwealth Ministerial Action Group (CMAG) in reaction to the Nigerian crisis in 1995 is one such a case. The other was way back in the 1980s

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<sup>5</sup> See, for example, *Developing Human Rights Jurisprudence: the Domestic Application of International Human Rights Norms*, Judicial Colloquium in Bangalore, 24–26 February 1988, Commonwealth Secretariat, London, 1988.

<sup>6</sup> Lobulu B, 'Lawyers and judges: Protectors or violators of human rights?' in Ankumah & E Kwakwa (eds), *The Legal Profession and the Protection of Human Rights in Africa*. Accra & Maastricht: Africa Legal Aid, 1999, p.31.

when the Eminent Persons Group was sent to the then apartheid South Africa.<sup>7</sup>

Without a clear formal charter or declaration of principles on human rights and democracy, with clearly spelt out sanctions for those who go astray, these isolated interventions remain just that.

More recently, the Commonwealth has been actively participating in monitoring and observing elections in a few countries. This is important, since the conduct of genuinely free and fair elections is one of the preconditions and criteria of democracy. However, it is not enough to participate in elections on the days of the election and then issue some deliberately vague endorsements of the results. Contributing to the training of electoral officers and representatives of political groupings, providing ballot boxes and papers, supporting the voter registration processes and other such critical activities should also be of primary concern to, and a focus of, the Commonwealth.

### **Concluding remarks**

Finally and most importantly, the powerful members of the Commonwealth with real voices in the global financial and trade institutions need to confront their contradictory roles as promoters and underminers of democracy and human rights. The Commonwealth has the potential to become more involved in promoting greater commitment by its members to human rights and democratic practices, as well as in providing a united front in confronting the global forces that are threatening the realisation of human rights and the deepening of democracy. The Commonwealth's responses to the challenges of human rights and democracy need to be proactive and predictable. At the very minimum this calls for a Commonwealth Human Rights and Democracy Charter, complete with some indication of enforcement.

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<sup>7</sup> See, *Mission to South Africa: The Commonwealth Report*. Harmondsworth: Penguin Books, 1986.

## **South Africa and the Commonwealth: Assessing the Challenges Ahead**

*Abdul S Minty<sup>1</sup>*

**A**t this historic juncture we find ourselves part of a family of peoples who share a common commitment to peace, non-racism, democracy and sustainable economic development. Shared beliefs and not just common heritage underpin the modern Commonwealth of 54 members across the globe, comprising a family of nations numbering 1.8 billion people — a quarter of the world's population.

I need to declare, at the outset, a personal interest. Since 1960, I was involved, on behalf of the British Anti-Apartheid Movement, in lobbying the Commonwealth and was able to attend every Summit, except two, until our democratic transformation in 1994. Thereafter I participated, as part of the South African delegation, in the New Zealand Summit. Now we are preparing for the historic first South African Summit in Durban in November this year.

To understand the strength of the value system that binds so many people together and that has made the Commonwealth the relevant actor in world affairs that it is and may continue to be, we need first to reflect on the environment in which the Commonwealth paradigm was forged. It is only by retracing the evolution of our current value system that we will be able to understand the ongoing challenges posed by the promotion of human rights, democratic governance and people-centred sustainable development.

### **The evolution of a culture of non-racism and respect for human rights**

I have vivid memories of the first Commonwealth meeting we lobbied after the Sharpeville massacre in March 1960. It must be recalled that the values of non-racism, non-sexism and democracy that we all cherish today were not, at that time, a defining feature of international relations. It was at the May 1960 Summit that the issue of apartheid dominated the meeting and South Africa's Minister of External Relations, Eric Louw, was compelled to discuss the racial situation in South Africa 'informally' in view of the traditional practice that the Commonwealth did not discuss the 'internal affairs of member countries'.

When Mr Louw also gave notice of apartheid South Africa's intention to become a republic, the meeting decided that in that event, should South Africa wish to remain a member of the Commonwealth, it should 'ask for the consent

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of other Commonwealth governments’.

The 1960 summit also emphasised that the Commonwealth was a ‘multiracial association’ and expressed the need to ensure good relations ‘between all members and peoples of the Commonwealth’.

In the meantime, an all-white referendum determined that South Africa would become a republic. Of course the majority (the so-called ‘non-white’ population) was not consulted. There are many who do not know that Nelson Mandela organised national protests against this decision, not because of support for the monarchy, but on principle, since the majority population had not been consulted. He then went underground until his arrest and imprisonment.

The South African Prime Minister at the time, Dr Hendrik Verwoerd, then attended the March 1961 Commonwealth Summit, and applied to remain a member of the Commonwealth. The Summit was virtually a single issue meeting — should apartheid South Africa remain a member of the Commonwealth?

The Anti-Apartheid Movement had mobilised public opinion as well as Commonwealth members in support of the liberation movement’s call for the exclusion of South Africa. The Summit meeting venue was the focus of a 72-hour vigil with prominent personalities from all walks of life participating in shifts. The majority of member states criticised the apartheid system. When it became clear to Dr Verwoerd that most of the Commonwealth was determined to act collectively against apartheid, he decided to withdraw the application.

South Africa was thus excluded from the Commonwealth in March 1961, on the eve of the first anniversary of the Sharpeville massacre.

This was the first major blow to apartheid South Africa, and, taken together with its suspension from the Olympic Games, marked the time when the process of isolating the apartheid system began in earnest. With the establishment of the Organisation of African Unity in 1963, further action was taken in the Commonwealth and the UN, and by 1964 the demand for an arms embargo and economic sanctions had gained increasing support.

Thus, from then onwards, the Commonwealth began to define itself around a shared commitment to oppose racism and to support human rights. In 1964 the heads of government agreed that the Commonwealth had a special role to play in the search for solutions to inter-racial problems.

The next major crisis for the Commonwealth, this time threatening its very survival, came in 1971 at the Singapore Summit, over the question of British arms sales to South Africa. The Commonwealth survived, but on the basis of a new Declaration of Commonwealth Principles adopted by all the Heads. This Declaration is an eloquent expression of commitment to act against racism and in favour of human dignity and democracy.

The Commonwealth became a major force, not only in relation to racial policies in apartheid South Africa, but also in focusing attention on South Africa’s illegal occupation of Namibia, South Africa’s support for the Smith regime in

Zimbabwe (then Rhodesia), and the threat Pretoria's military machine posed to the region as a whole.

I do not intend to dwell on the long record of the Commonwealth on these issues but instead wish to emphasise some of its major achievements. Undoubtedly, for the people of South Africa, the Commonwealth never left them. Indeed, since 1960 and continuing to this day, well after the democratic elections in 1994, the Commonwealth has been engaged in a variety of programmes to assist the people of South Africa, including educational programmes, violence monitoring and election assistance and observation. There have also been substantial capacity building programmes and technical projects.

It would be true to say that it was at the Lusaka Summit in 1979 that the basis was laid for establishing democracy and independence in Zimbabwe. The Commonwealth also played a major role, not only in promoting the isolation of the apartheid system, but in advocating and enforcing economic, financial, military and other sanctions that contributed to the peaceful transformation in South Africa. These achievements are all the more remarkable when one takes into account that it acts on the basis of consensus among all members. In view of Britain's opposition to several measures, it made advances by stating in its decisions, 'with the exception of Britain'.

Initially the principle of non-interference in domestic affairs was raised by some and represented an insurmountable obstacle to taking collective action. However, the 'winds of change' that British Prime Minister Harold MacMillan referred to, swept not only across Africa, but transformed the Commonwealth and indeed influenced international relations.

Thus it is important not only to consider how the Commonwealth acted to help bring freedom and democracy to Zimbabwe, Namibia and South Africa, but also how that engagement served to transform the Commonwealth and the nature of international relations.

In order to understand the Commonwealth, we need to examine how it was transformed on 27 April 1949 — 50 years ago and now coinciding with our National Day — when it was decided that Commonwealth members could be republics and that all members would collectively recognise the British Queen as Head of the Commonwealth. This helped to transform it from the British Commonwealth to the modern Commonwealth, and in 1965 a further step was taken by establishing an independent Secretariat in London.

With the independence of Namibia in 1990 and the impending changes in South Africa, the 1991 Summit in Zimbabwe adopted the Harare Declaration, which, together with the 1971 Declaration of Principles, now represents the core values of the Commonwealth.

The Harare Declaration signalled the intention of the Commonwealth to take action against undemocratic regimes. At the New Zealand Summit in 1995, the Commonwealth Ministerial Action Group (CMAG) was established as a direct

result of the Nigerian situation. CMAG has worked on the situations created by military regimes in Nigeria, The Gambia and Sierra Leone, and democratic reforms have been undertaken in all countries. Nigeria, suspended from membership at the New Zealand Summit, has re-joined the Commonwealth, and it will be an honour for South Africa and the Commonwealth to welcome it to the Durban Summit in November.

### **The road ahead**

When we reflect on the evolution of the Commonwealth and take account of its core principles and values, we can clearly see that we have made dramatic progress since the Heads of Government meeting in 1960.

We now mark 50 years of the modern Commonwealth, and on the eve of the new millennium, we need to prepare for the challenges of the next century. What then should be the role and the responsibilities of the Commonwealth?

With regard to acting to promote democracy, the Summit will have the report of CMAG to consider which will presumably make proposals regarding its future responsibilities in the context of the Harare Declaration.

We must pay tribute to the Commonwealth's role in assisting countries to build capacity and to strengthen democratic institutions in order to promote democratic human rights and good governance at local and national levels. The Commonwealth is truly an association of people in that it probably has the largest and most active network of professional groups and other non-governmental organisations of any of the international groupings.

The major challenges ahead relate not only to human rights and democracy, but also to human and economic development.

The forces of globalisation are profoundly altering the nature of the international political economy, presenting us with a unique set of tasks and opportunities.

The process of globalisation affects societies differently, and whilst many will benefit enormously from the improved communications, better access to information and expanding global market, others will become marginalised. The rich are best placed to take advantage of the opportunities offered by globalisation, whilst the poor in developed and developing states alike, are often forced to watch from the sidelines.

The challenge the Commonwealth faces is to play a constructive role in shaping the process of globalisation, for example by increasing the developing world's access to the global market and relieving its debt burden. Many of the world's poorest peoples work in the agricultural sector and suffer from the protectionist policies of the largest consumer markets. If the tariff and non-tariff barriers to agricultural trade were lowered, these farmers would be able to sell their crops, meat and livestock at very competitive prices, and they too would

become winners in an era of globalisation.

The problems resulting from the dominance of the market and, particularly, with the advent of modern technology and the Internet, which has resulted in the massive growth of financial markets, make it imperative to examine whether measures can be taken to monitor financial flows across countries.

Representing as it does the full spectrum of economic development — from highly developed to least developed — the Commonwealth is uniquely placed to mould the process of globalisation to the benefit of all its peoples. At the 1997 Edinburgh Summit, an economic declaration was adopted to promote shared prosperity. A trade and investment access facility was set up to assist developing countries adjust to globalisation.

A second initiative taken at Edinburgh was the creation of the Commonwealth Business Council to formalise and strengthen links between the government and business sectors. The Business Council will meet in Johannesburg a week before the Durban Heads of Government Meeting, to discuss ways in which globalisation can be made to work towards the objective of enhancing the social development of all the Commonwealth peoples.

## Conclusion

The Commonwealth is unique in many ways. All members use one language, and this facilitates communication. Heads traditionally meet alone during the retreat at every Summit, enabling them to exchange views and share concerns in a relaxed informal atmosphere.

The Commonwealth has many small states as members, and the association has always acted in concert to help meet some of their needs.

The members not only originate from different parts of the globe, but they are also at different stages of economic development. The Commonwealth includes some of the least developed countries as well as members of the G-8. It is therefore a unique association of 54 members that can influence the global community regarding the major challenges facing humanity in the next century.

For this reason the special theme for the next Summit is *People-centred Development: The Challenge of Globalisation*. Government leaders as well as members of civil society will gather at the Durban Summit, and at associated events, to consider the new challenges before us. The strong civil society presence is indicative of the fact that the Commonwealth is essentially a free association of peoples united by a common value system.

# The Commonwealth: Contributing to Civility on the Eve of the Citizen Century

John Stremlau<sup>1</sup>

The Commonwealth is not growing old, but growing up. It will remain loosely knit, and defined more by shared values than common interests. But the organisation is surprisingly well suited to help define, deliberate, and develop the international norms, institutions and political will that will enable peace and prosperity to prevail, both within and between Commonwealth members. And it can inspire others.

*People-centred Development: The Challenge of Globalisation*, the title of the 1999 Commonwealth Summit in Durban, suggests a tacit acceptance of the proposition that states are too small to deal with the world's biggest problems, yet too big to handle many of the most urgent ones. Without formal structures or treaties, the Commonwealth allows member governments to explore their changing roles and relations. The very term 'commonwealth' implies a political unit based on the proposition that supreme authority is vested not in states but in the people they serve. Keeping the commonwealth name, rather than lowering standards to the anodyne title of a 'G-54,' as is sometimes suggested, says to the world that these diverse and disparate states share a special voluntary commitment to respect the will of their peoples and to resolve all differences by peaceful political means.

Not all Commonwealth members abide by the standards they have set for themselves. Furthermore, many live in neighbourhoods where such standards are flagrantly ignored and abused. And while respect for human rights and democratic values is generally on the rise around the world, so too are disparities of income and violent sectarian conflict. Until the day supranational organisations and transnational civil society can facilitate more peaceful and equitable governance, a true global village will remain a very distant dream. Therefore, the Commonwealth stands as a necessary reminder of humanity's better instincts and purposes. Reaffirming rather than revising the Commonwealth's main mission and programmes is an essential task for the Durban Summit.

## Making the world safe for diversity

The principle of inherent equality is not unique to democracies or to the Commonwealth. It lies at the heart of all the world's major religions, even though radical fundamentalism and the political exploitation of local religious and ethnic

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differences frequently ignite sectarian conflict. Among secular intergovernmental organisations the Commonwealth is noteworthy for its effort to build international co-operation, primarily on the basis of shared voluntary commitments to the proposition that all people are created equal. And it has an important role to play in promoting basic human rights and democratic values for conflict prevention and as the foundation for tackling the more intractable problems of poverty and injustice at all levels of human interaction: global, regional, national and local.

The global geopolitical transformation that began unexpectedly with the collapse of the Soviet bloc barely 10 years ago is still in its formative stages. Familiar assumptions about distribution of power within and between states can no longer be taken for granted. Assessing the reliability of friends and the resolve of adversaries becomes much more difficult, complicating the prospects of striking mutually beneficial agreements among countries with diverse needs, capabilities and national identities. Under these circumstances, the Commonwealth's role of building co-operation on the basis of shared values may be the best and only way to launch a new process of reconciling conflicting interests without violence and with greater fairness and equity.

Since the collapse of the Soviet Union, the world's major powers have lost their strategic and conceptual bearings, leaving the majority of smaller states equally adrift in calculating their prospects for meeting urgent needs and longer-term national aspirations. The rise of high-tech forces for global integration has brought unprecedented wealth to the few, and new economic growth and opportunity to many, but has left the one-sixth of humanity that must exist on less than US\$1 a day more hopeless than ever. Meanwhile, rising demands for self-determination among restive ethnic and other groups have unleashed outbreaks of mass violence, mostly in poor countries, which have killed some four million people — 90% of them unarmed civilians — since 1989. New political frameworks are urgently needed to manage cultural diversity, especially to satisfy the restiveness of some 250 ethnic minorities — the majority within the Commonwealth or near Commonwealth members — which comprise more than 900 million people world-wide. This is prompting a fundamental shift in world politics, from protecting the security of sovereign states to ensuring the safety of people within them.

For the foreseeable future governments must assume greater, not less, responsibility in promoting and protecting the well-being of people. This was the clear message from Shadrack Gutto with regard to human rights; from Philip Clayton, who called for better governance to create conditions conducive to foreign investment; from David Hallett's comments on meeting threats to the environment; and from Charles van der Donckt's essay on peace and security.

The UN system that emerged out of the First and Second World Wars, the two worst political disasters in history, has no doubt contributed to avoiding a third world war, which was its founding purpose. It also helped facilitate the

largely peaceful fourfold increase in number of sovereign states and bring to an end the age of empires. The UN is better suited, however, to the vital but narrow task of preserving peace among states, than helping to ensure that peace and prosperity prevail within them. For while peace now prevails among the major powers that once were enemies, substantial reform of the collective security provisions of the United Nations Charter is needed if conflicts within states that threaten regional security and are undermining the global order are to be prevented and peacefully resolved. The Bretton Woods institutions, which were intended to prevent another global depression, now also seem ill-suited to dealing with the more complex and intractable problems of poverty and economic disparities. And the third and weakest pillar, the provisions outlined in the Universal Declaration of Human Rights, which seeks to discourage the abuses that result in refugees and deadly violence, needs to be substantially strengthened.

The Commonwealth thus faces a new strategic challenge: how to intervene effectively to help governments deal with increasing economic globalisation amid demands for greater political self-determination. The Commonwealth's lack of binding treaties, its modest administrative structures, its absence of enforcement mechanisms, and its rules of consensus are at once its greatest weakness and its saving strength.

Politically, the organisation retains the flexibility to advocate, innovate, and even activate new approaches to problem-solving that lie well beyond the reach of others. What gives the Commonwealth new authority and legitimacy, regardless of its institutional weaknesses, are shared commitments to human rights and democratic values. These must be more actively promoted for the sake of international peace, security, and sustainable development.

### **Pertinent precedents**

Racial injustice in South Africa, as several contributors to this volume remind us, *compelled the international community to forego its traditional reluctance to declare the denial of human rights within a sovereign state a threat to international peace and security.* No one suggests that the Commonwealth's historic role in this regard, beginning in 1961, was decisive in overturning apartheid, but it was a significant positive force.

Indeed, Nelson Mandela reportedly regards the 1985 Commonwealth meeting in Bermuda as a turning point in the struggle. In retrospect, the decision to create an Eminent Persons' Group (EPG) turned out to be a politically influential act that led to direct talks between Mandela and the National Party government. The EPG also introduced the four-part political framework calling for the release of all political prisoners, the unbanning of the African National Congress (ANC), the suppression of violence on both sides, and an all-parties negotiating process. However, the Commonwealth lacked the capacity and resolve to gain quick

acceptance of the formula, and thus had to wait until local conditions ripened sufficiently for its voluntary acceptance four years later.

The Commonwealth was also the first multilateral organisation to surmount the obstacles of sovereignty in an effort to resolve Africa's deadliest conflict, the 1967–70 Nigerian civil war, now often referred to as the first modern complex humanitarian emergency. Governments were unwilling to offend Nigeria by allowing the Organisation of African Unity (OAU) or UN to intervene. The Commonwealth, however, succeeded in bringing both sides to the conference table. Despite lengthy efforts by then Secretary-General Arnold Smith during May–August 1968, the basis for a political compromise could not be established. And the Commonwealth lacked the incentives or sanctions to enforce one. It did, however, end up playing an important political role in exposing the case for and against secession, pressing for moderation in how Nigeria's federal government prosecuted the war, and helping to insulate the conflict from what might be considered more destructive forms of foreign intervention.

Nearly 20 years later, the Commonwealth again sought to play a moderating influence in Nigeria's internal affairs. Repression, rather than secession, was the issue in the mid-1990s. Dictator Sani Abacha's government offended world opinion with increasingly blatant human rights abuses. His most brazen act, the summary execution of internationally renowned poet Ken Saro Wiwa, along with eight other Ogoni activists, occurred at the very moment that Commonwealth heads of government were holding their 1995 Summit in Auckland, New Zealand. When subsequent Commonwealth appeals for moderation brought no positive response from Abacha, the 1997 summit in Edinburgh decided to suspend Nigeria from the Commonwealth. Human rights activists had called for stronger measures. But as Richard Bourne notes, the summit's consensus to censure one of their own members for egregious domestic human rights policies marks another significant breach of traditional sovereign norms.

These examples are worth recalling on the eve of the 1999 Summit, because the Commonwealth's comparative advantage as a multilateral forum is likely to remain in the area of promoting human rights and good governance at a time when such values are increasingly accepted as critical to peace-building and sustainable development.

### **Primacy of politics**

Criticism of the Commonwealth as outdated and ineffective is bound to persist, especially in the media and among anonymous grumbling government officials. The former do not like covering these gatherings because there are rarely any dramatic developments or hard news to impress editors. And the bureaucrats are unhappy because the main event of the three-day summit is the two-day retreat that heads of state and government spend alone in informal discussions, with only spouses and one aide allowed. Lower-ranking officials must cool their heels and

wonder what surprise decisions, if any, they will have to figure out how to implement.

Political progress is bound to be slow. Most Commonwealth leaders, after all, are now democratically elected and must weigh both the domestic political and foreign policy consequences of any new commitments to Commonwealth initiatives. Moreover, the principle — or at least the appearance — of consensus predominates. With regard to those deadly conflicts of direct concern to Commonwealth members, calculating the risks and benefits of intervention is always highly problematic. Most mass violence is today essentially domestic in origin. Pathologies of conflict are varied, volatile and non-linear. Knowing when conflicts are ripe for prevention or resolution, and mustering international resources in time and on a scale likely to be effective, can be daunting. Then there are the complex side-effects of any intervention, many unintended. Experienced politicians know that in such circumstances the most likely outcome may be the one no one has thought of. Before acting, therefore, most leaders have to be persuaded that there really is no better alternative, including giving the responsibility for intervention to some other body.

Little wonder, therefore, that the Commonwealth seems not to accomplish very much. Yet to the Commonwealth's credit, as in the cases of South Africa and Nigeria, it was the first multilateral group to take a stand or become involved in the fate of these countries. Moreover, there are other, less publicised, efforts at conflict prevention and resolution, such as dispatching an envoy to broker a compromise that avoids a potentially violent attempt at secession (as when Zanzibar recently nearly seceded from Tanzania). The public and press do not see these successes because prevention, after all, is a non-event. Counter-factual analysis, even when done responsibly, rarely quiets critics.

Peace is only one of two Commonwealth goals. The other is poverty reduction. Here too, rhetoric can easily outrun the resolve and capacity to act. Compared to the billions available to the World Bank and IMF, or the resources of regional and bilateral donors, the R280 million Commonwealth budget is very small. These funds do, however, allow the Commonwealth Secretariat and subsidiary bodies to provide a surprisingly wide range of essential educational, technical and advisory services. Supported by modern information technology, transport and communications, this assistance can, as Richard Bourne's paper shows, significantly benefit low-income countries, because it can give significant leverage to its many low-income and most vulnerable members.

### **Adding value in Durban**

At Durban, the Commonwealth must reassess what it does best, which activities to drop or avoid, and which items to add to its already crowded agenda. Several specific suggestions for improving the work of the Commonwealth and its Secretariat surface in the preceding papers. Richard Bourne and Charles van der

Donckt are especially concerned that the Durban Summit address ways to revitalise and redefine the role of the Commonwealth Ministerial Advisory Group (CMAG), in the aftermath of Nigeria's return to democracy and recent developments in Sierra Leone and The Gambia. More generally, the conference proceedings point to four broad areas where the Durban deliberations could advance the Commonwealth's basic mission:

- direct services provided to members, particularly the poorer ones and those — notably Sierra Leone — recovering from deadly conflict;
- conflict prevention, including the early warning and response functions;
- lobbying for Commonwealth collective and special interests in regional and global fora with regard to major non-Commonwealth countries; and
- generating new or improved concepts, principles, or other proposals for improving regional and global order and fairness in the post-Cold War era.

### **Niche services**

Limited funds and administrative capabilities mean that Commonwealth assistance will remain primarily technical and aimed at developing essential human capital. The Commonwealth, as a political body of like-minded states, has a comparative advantage in providing members with timely policy research, analysis, and training. Contributions to the democratic transformation of South Africa are among its proudest examples: observer missions to the 1992–93 all-party negotiations, election monitoring, consultants to public service development, programmes to assist justice, safety and security, budgeting, communications, public service regulations, legislative drafting, improving provincial government, local government, gender equality and the strengthening of democratic structures in other ways.

Bringing together representatives of Commonwealth members which have common or shared concerns with regard to particular regional or international policy issues, is another function. This convening power of the Commonwealth presumably includes relevant non-governmental organisations and even representatives from the private sector when appropriate. The Commonwealth already has significant educational capabilities, including the sponsoring of students. But linking this to changing policy needs, particularly those of poor countries, requires constant attention and flexibility in the light of specific members' needs.

One broad area that ought to be reviewed and promoted at every Summit is the growing gap in the capacity of rich and poor countries to develop and apply modern science and technology. Assistance in developing better science and technology policy, rather than learn research, is a critical niche where the Commonwealth Secretariat can concentrate its efforts. Small countries are at a huge disadvantage in preparing for, and engaging in, complex multilateral

bargaining processes that require an understanding of science and technology. Whether at the World Trade Organisation or at various conferences on climate change, environmental degradation, communications, crime and corruption, public health, controlling weapons of mass destruction, and other issues, poor countries are so overstretched that representatives often lack adequate instructions, or even a minimal understanding of key issues, to protect and advance the national interest. And political leaders naturally want advice from their own nationals, who they know and can trust, before reaching any formal multilateral agreements.

*Regular Commonwealth surveys of member country needs for science and technology* can help the recruitment and development of critical expertise. For major multilateral conferences involving many Commonwealth members, a calendar of timely short courses to prepare negotiators should be maintained. At too many multilateral gatherings poor countries are viewed as obstacles to overcome rather than voices to be heard. Informing these voices with sufficient knowledge about the scientific and technological aspects of dealing with North-South problems will be an essential aid to striking bargains that can be sold to constituencies in both the South and the North. Establishing a Commonwealth Institute of Science and Technology Policy could be a cost-effective instrument for helping the officials of poorer countries to stay abreast of developments that could impact on their national well-being. Ensuring that all Commonwealth countries are better prepared, even on issues where members have conflicting interests, is essential for the conclusion of fair and sustainable bargains. Obviously seeking to inform and develop common negotiating positions among like-minded Commonwealth members can also improve their success.

## Prevention

With most post-Cold War conflicts occurring within countries, the Commonwealth's early experiences in South Africa and Nigeria are reminders that it enjoys special access and can sometimes help to open political space within *its most troubled members*. Any deliberations about the future of the CMAG, or how to make better use of the good offices of the Secretariat, will surely focus on how to prevent intra-state conflicts. As noted, the Commonwealth, by virtue of its more people-centred approach to peace and poverty reduction, may be better positioned to initiate action than treaty-based organisations which are more constrained by the prerogatives of sovereignty.

Early warning is not usually the problem; rather, it is the absence of political resolve to take early action to prevent bad situations from turning deadly. The paradox of prevention has become painfully obvious: governments are most reluctant to undertake — much less accept — intervention in the early stages of a crisis, when such action would be far cheaper and the payoff far higher. The Commonwealth should play an increasingly important role by promoting respect

for basic human rights, conflict prevention and by coming up with innovative ways to gain access to local antagonists.

The Durban Commonwealth Summit follows an historic OAU Summit in Algiers, at which member governments agreed to oppose future military takeovers, and to work to reverse those which have recently occurred. Presidents Mbeki of South Africa and Obasanjo of Nigeria have addressed the linkage of human rights abuse and authoritarian government to the many deadly conflicts that plague Africa. President Mbeki has continued publicly to raise the issue of a need to find new ways to intervene sooner when a country appears to be in trouble, in order to open sufficient political space before factional conflicts turn violent. He has challenged representatives of South Africa's and Nigeria's civil society to come up with new ideas and approaches that would permit earlier and more effective intervention to prevent conflicts within countries for government to debate.

Consensus within the Commonwealth on such politically sensitive issues as international accountability for domestic behaviour is unlikely. For the incoming Chair of the Commonwealth to point to these needs suggests that over the next two years the Secretariat will be encouraged to press ahead with the exploration of new ways and means for conflict prevention. President Mbeki's leadership may also help to galvanise a consensus to explore ways to improve the early warning and response capabilities of the CMAG.

The Commonwealth's capacity to deter and restrain governments that are showing abusive tendencies toward their own people or their neighbours requires deft diplomacy. Over the years it has developed several tools for preventing and resolving conflict that, given the group's non-formal nature, are significant and could be strengthened and sharpened. Special envoys of the Secretary-General have unobtrusively offered timely good offices to antagonists within, as well as between, states. The more rewards and penalties that these representatives can offer or threaten, the more effective their interventions are likely to be. Closer co-ordination of such missions with the regional organisations, the UN, donor agencies, and member governments that may not be willing or able to intervene but are also increasingly concerned about the proliferation of internal conflicts, may be able to help. If an envoy can paint credible pictures of alternative futures to the contending factions, including the prospects for aid and co-operation or of sanctions and isolation, then he/she can play a more active role in promoting a political settlement.

Another area where the Commonwealth can contribute to conflict early warning and response is in bolstering its already significant support for freedom of the press and for assisting the development of responsible media. One suggestion that might be discussed at Durban is whether to set up a 'peer review' process to respond to complaints of biased or restricted media. This is obviously a politically sensitive subject but the emergence of 'hate radio' and other manipulations of mass media to foment ethnic nationalism is now recognised as

one of the surest early warnings of a state in trouble. These must be quickly addressed by counter broadcasts and other means, if the offending agents cannot be silenced. Commonwealth work in this area could become an important regional and international resource of benefit to non-member countries as well.

Human rights reports and other surveys of the domestic behaviour of governments are also becoming more widely recognised and accepted instruments of prevention. Most are compiled by non-governmental organisations, although the US now routinely publishes such judgements and the World Bank and other international organisations are becoming more open about their concerns over quality of governance within states. The accuracy and motivations of many of these surveys are often challenged, particularly by countries that have been criticised. Because the Commonwealth comprises members who share important human rights and democratic values it can speak with special authority on these issues. The nature, scope and frequency of surveys linked to the group's core values delineate clearly an area where the Commonwealth can make an increasingly important contribution at very low cost.

One issue already under debate is whether a Commonwealth Human Rights Commissioner should be appointed. Critics argue that this would duplicate or even conflict with the work of the UN's High Commissioner. Given the latter's very limited resources in the face of often overwhelming needs, there would appear to be plenty of work to go around. The UN's capacity to help refugees, on the other hand, is so much larger that any Commonwealth contribution would be likely to add little real value. But the Commonwealth might do more for internally displaced people (IDPs), who have been forced to flee their homes and are at extreme risk, but do not qualify for international protection because they have not actually left their country of origin. At present the UN Secretary-General has only one part-time representative (Dr Francis Deng, a Sudanese) available to report on the plight of IDPs, provided he is invited by the affected state. More Commonwealth countries are hosts to refugees than are generators of IDPs, although Nigeria's recent return to democracy has been followed by rising ethnic conflict and the internal flight of people. A Commonwealth initiative to ease the plight of these people might be welcomed by the new government.

The Commonwealth could also consider emulating the Commissioner for Minority Rights of the Organisation for Security and Co-operation in Europe (OSCE). The OSCE is not as geographically dispersed, but contains virtually the same number of members, and the current commissioner, Max van der Stoep, has been able to achieve much good in pushing for restraint and political compromise in difficult minority issues within member states. He operates on a tiny budget of around US\$1 million, augmented by contributions from private foundations.



## **Advocacy**

Lobbying is another Commonwealth function that could become much more important in the future. Summit communiqués, Commonwealth publications, and its extensive website all aim to influence opinion and events within member countries and beyond. There are, moreover, several global political and economic issues where a concerted lobbying effort could well serve vital concerns of its members.

The Commonwealth is already engaged in advocating debt reduction for the poor countries at the annual meetings of the World Bank and IMF. Finding other ways to redress the harsher effects of globalisation on the world's most vulnerable people will likely be high on the Durban agenda, as noted in Richard Bourne's paper and during Abdul Minty's presentation on South Africa's concerns. There is also a growing need to explore ways to moderate the rapid and often highly disruptive flow of global capital — the so-called 'hot money' that can subvert the economies of even countries with otherwise sound fiscal and monetary policies. Reaching consensus on how to ameliorate these forces or expand debt relief without unduly hurting gold-producing developing countries such as South Africa and Ghana will always be difficult. Sustained advocacy for debt relief, however, will be one of the key indicators of the group's continuing relevance.

A second issue on which Commonwealth lobbying could serve the interest of the vast majority of its members is UN reform, especially restructuring the Security Council. This is as much an internal as an external challenge for the group, because Britain is one of the five permanent members. Unless the current Security Council can be substantially restructured, the UN will continue to lose authority and effectiveness. Breaking down the resistance of the P-5 to making the UN more democratic will be extremely difficult. Getting Britain to change its policy on the Security Council may require the same kind of sustained pressure as was mustered by the other Commonwealth members to overcome London's reluctance to impose sanctions on apartheid South Africa. And it may take as long. A good reason for not moving the Commonwealth Secretariat from London is that it provides a focus for members to harass the British government over a UN policy that, in the long term, is untenable.

A related but possibly more politically palatable challenge for the Commonwealth is to lobby for a change in US policy toward the UN. Most members of the Commonwealth have enjoyed long and close ties to the US. But Washington's increasing tendency to 'go it alone' and to oppose or not support a growing list of important multilateral programmes, such as the banning of landmines, the International Criminal Court, various environmental, human rights, peacekeeping and other initiatives is causing widespread concern and resentment. The US, which currently owes about US\$1.3 billion to the UN — a sum equal to the UN's core annual budget — could lose its vote in the General Assembly early next year if this delinquency continues. South African leaders know the inner

workings of American politics as well as any nation, having spent years lobbying for opposition to apartheid. On the eve of another US presidential election, a joint Commonwealth critique of the deleterious effects of US policy toward the UN and other key multilateral institutions could have a positive impact on American public debate. Surveys repeatedly show that the UN is much more popular with the public than with the conservative members of Congress who want the US to dictate the terms of UN reform. The Commonwealth might even consider undertaking a concerted lobbying effort in Washington to promote US support for multilateralism.

The Durban Summit will be held against the backdrop of the extraordinary North Atlantic Treaty Organisation (NATO) intervention in the former Yugoslavia. For the first time, NATO used military force for ostensibly humanitarian/human rights reasons, and will now spend tens of billions of dollars securing peace and reconstructing the war-ravaged countries of the Balkans. The disparities between the number of seriously affected people in the Balkans and the per capita investments the world's richest countries are prepared to make, compared to their neglect of the many more Africans who live in as bad or worse conditions, is scandalous. The principle that most captures the essence of Commonwealth ideals, after all, is the inherent equality of people everywhere. The treatment of Sierra Leone, a Commonwealth member, is bound to be compared unfavourably with the Western help lavished on Kosovo. Depending on how NATO and Commonwealth members Britain and Canada respond to these concerns, the Durban Summit could produce a strategy for pressing NATO countries substantially to increase their support for African people in peril and for regional peace initiatives.

A second major international crisis with implications for the Commonwealth, erupted in the aftermath of the UN-supervised August 1999 referendum in which nearly 80% of East Timorese voted for independence after 24 years of repressive Indonesian rule. This may prove to be more significant for regional and global order than the recent Balkan wars. Indonesia, after all, is the world's fourth most populous country, with a population as diverse and nearly five times the size of South Africa. Violence by pro-unity militia in East Timor appeared to be explicitly designed to render the new state ungovernable, even uninhabitable, perhaps as a warning to other potential secessionists. But this is no guarantee against escalating violence in Indonesia and elsewhere in Asia. Australia and other Commonwealth members have now been drawn into peace operations and as hosts for refugees, and will have to provide substantial relief and reconstruction funds. Restive minorities in some Commonwealth countries might also now be tempted to press their own claims to self-determination.

The Durban Summit should recall that the warning signs of trouble in Indonesia were evident throughout the 30-year autocratic rule of General Suharto. A combination of Cold War politics, traditional sovereign protections, and a growing economy protected the dictator, despite the killing of some 200,000 in

East Timor. Failures to accommodate Timorese aspirations, or to develop more resilient national democratic structures, have put Indonesians, Timorese and other Asians at risk.

Preventing and resolving factional fighting within states will tax the political ingenuity and resources of the UN for generations. Global rules of politics, not just economics, are in urgent need of reform. The Commonwealth's interest in a more people-centred approach to national and regional security should be seen in this light and deserves the broad public and international support.

The Commonwealth is often overlooked as a generator of ideas about how to improve the principles and practices of international co-operation in dealing with difficult international problems. These can apply to specific situations or can provide a more general guide to 'best practices'. Strategically, the Commonwealth, more than any other multilateral group, is seized with what British philosopher Sir Isaiah Berlin called the greatest challenge of the 21<sup>st</sup> century: building the political frameworks to manage cultural diversity, without which no decent society is possible.

### **Commonwealth contributions to the UN's Millennium Assembly**

The Durban Summit takes place on the eve of next year's special UN Millennium Assembly. UN Secretary-General Kofi Annan is inviting contributions from all UN members on how to improve the capabilities and effectiveness of an organisation that was created nearly 60 years ago to meet very different challenges to international peace and security. Since his election in 1997, Annan has been increasingly outspoken in support of human rights and democratic values as the foundation for preventing outbreaks of mass violence within states, which can all too easily undermine security among states. Reaching a new consensus on whether, when and how to give greater support to the safety of people without compromising the sovereignty of states, will be a long and politically difficult struggle. It has only just begun. Even within the more people-centred Commonwealth a new consensus about the rights and responsibilities of states to promote and defend human rights at home and abroad often seems more rhetorical than real.

The Commonwealth could help focus global attention by developing and projecting the people-centred theme of the Durban Summit as appropriate to next year's Millennium Assembly, declaring that the 20<sup>th</sup> century of national liberation should be followed by the 'Citizen Century'. By 2100 the Commonwealth ideal that all states 'be founded on law and united by compact or tacit agreement of the people for the common good' should be a reality. This mission should be supported and when necessary enforced by a United Nations which has been democratically reformed in ways that also reflect this Commonwealth ideal.

The Durban deliberations should seek ways to support Annan's efforts to

redefine and revitalise the UN's mission of conflict prevention. He has been signalling for months that he wants next year's Millennium Assembly to be a 'people-centred' rather than a 'state-centred' debate about the future of the world body. And he has the horrors of Somalia, Rwanda, the Balkans, Angola, Liberia, Sierra Leone, and now East Timor — to mention only a few of many post-Cold War deadly domestic political disasters — to remind members of their failure to match missions and mandates when using the UN ostensibly to protect their collective interests. In each of these cases, the abuse of human rights and denial of democratic processes have been precursors to deadly conflict.

The Commonwealth's historic 1991 Harare Summit's promotion of human rights foreshadowed Kofi Annan's equally important pronouncements on the centrality of human rights and good governance to prevent conflict at the 1997 Harare OAU Summit. At a minimum, the Commonwealth should channel its considerable intellectual energies and collective political influence to help Annan develop the UN's capacity to take preventive action.

Multilateral efforts to prevent deadly conflict gave birth to modern concepts and principles of sovereignty in the mid-17<sup>th</sup> century. After every major war the survivors have sought to devise better ways to achieve a new balance of power in order to prevent another war from arising. No such global gathering has followed the collapse of the Cold War balance of power, perhaps because it was so unexpected and so peaceful, but the need for substantial improvements in preventing mass violence, particularly within states, remains our most pressing global need.

First steps on this long and difficult pathway to peace could include several Commonwealth sub-groups required to come up with UN reform proposals that might help launch the Citizen Century. Building UN capacity to help advance several initiatives already under way to ban landmines, prosecute war criminals, restrict the use of child soldiers, deal with the plight of millions of internally displaced people, and to strengthen several key people-centred UN specialised agencies, could begin next year. Because the Commonwealth accounts for nearly 30% of UN members and has a fair representation of the larger body's cultural and economic diversity, it could become a much more formidable lobby if there is political resolve.

The Commonwealth leaders in Durban might also usefully recall that when the Soviet Union was collapsing, Western Europe and the US agreed to try to hold successor regimes to a broad set of 14 basic principles that called for respect for human rights, the rule of law, peaceful settlement of disputes, freedom of the press and religion among other core democratic values. The strategic purpose was to signal that the West cared less about who ruled or where territorial boundaries were drawn, but much more about how this was done. The West lacked the resolve to stick to these principles in the case of the former Yugoslavia, and is paying a high price for the bloody results in Bosnia, Kosovo and elsewhere, although it is a price that pales in comparison to that paid by the

victims of ethnic nationalism. There is no copyright on the specific principles which were subsequently adopted by the non-governmental African Leadership Forum at its 1991 Kampala meeting that was chaired by the then retired general, and now democratically elected president of Nigeria, Olusegun Obasanjo. Although some members might resist, a debate about reaffirming these or similar principles as a guide for international recognition and support for states and nations in transition would be a worthy topic for the Durban Summit.

### **Concluding comments**

This concluding essay does not address many of the valued and valuable services that the Commonwealth provides to its members, particularly the economically disadvantaged. These are well documented elsewhere in this volume, along with numerous suggestions for expanding and improving them. These surely warrant the strong general backing of the heads of state and government in Durban. Most depend on the operational support from members of the Commonwealth Secretariat for their success. The intent of this concluding essay was to draw attention to the wider challenge that faces the Commonwealth, and to suggest elements of a new strategy for meeting this challenge.

The 19<sup>th</sup> century English statesman, Lord Palmerston, coined the dictum that countries have no permanent friends, only permanent interests. The Commonwealth, which is often characterised as a 'group of friends' or 'affinity group', offers important possibilities for extending the idea of permanent friendships and permanent interests along North-South lines. Building the foundations for perpetual peace requires great vision, patience and a willingness to engage in the hard work of diplomacy.

The thesis that democracies do not go to war against each other cannot really be tested as yet in a Commonwealth context; definitions of what constitutes a working democracy remain fraught with ambiguity, and current tensions between Commonwealth members Pakistan and India render such debates academic. And many other members must deal with the hard realities that result from having autocratic neighbours, regardless of their own domestic dispositions.

But, the most remarkable and reassuring attribute of the Commonwealth is its celebration of diversity and its commitment to overcoming the evils of factionalism through democratic means. No democracy, by definition, is perfect, but all are perfectible. Helping to create political environments at all levels of human society that are more conducive to ensuring that supreme authority ultimately resides with people and not some self-appointed authority with the power to rule but not the legitimacy, is the Commonwealth's singular challenge.

The Durban Summit should issue a strong reaffirmation of the Commonwealth's basic values, with fresh commitments to work for their advancement among the 54 members and in the wider international community. Picking up on some of the suggestions offered in this volume could help to clarify

and advance the post-Cold War search for a more people-centred, peaceful and fair global order. Holding the 1999 Summit in Durban is propitious. No state, after all, has done more to overcome the evils of factionalism and exemplifies Commonwealth ideals more concretely than democratic South Africa. The world has reached one of those rare hinge points in history. Democratic South Africa is well-suited to nudge the Commonwealth coalition and perhaps even the United Nations in a more democratic direction.

## The Harare Commonwealth Declaration, 1991<sup>1</sup>

1. The Heads of Government of the countries of the Commonwealth, meeting in Harare, reaffirm their confidence in the Commonwealth as a voluntary association of sovereign independent states, each responsible for its own policies, consulting and co-operating in the interests of their peoples and in the promotion of international understanding and world peace.
2. Members of the Commonwealth include people of many different races and origins, encompass every state of economic development, and comprise a rich variety of cultures, traditions and institutions.
3. *The special strength of the Commonwealth lies in the combination of the diversity of its members with their shared inheritance in language, culture and the rule of law. The Commonwealth way is to seek consensus through consultation and the sharing of experience. It is uniquely placed to serve as a model and as a catalyst for new forms of friendship and co-operation to all in the spirit of the Charter of the United Nations.*
4. Its members also share a commitment to certain fundamental principles. These were set out in a Declaration of Commonwealth Principles agreed by our predecessors at their Meeting in Singapore in 1971. Those principles have stood the test of time, and we reaffirm our full and continuing commitment to them today. In particular, no less today than 20 years ago:
  - we believe that international peace and order, global economic development and the rule of international law are essential to the security and prosperity of mankind;
  - we believe in the liberty of the individual under the law, in equal rights for all citizens regardless of gender, race, colour, creed or political belief, and in the individual's inalienable right to participate by means of free and democratic political processes in framing the society in which he or she lives;
  - we recognise racial prejudice and intolerance as a dangerous sickness and a threat to healthy development, and racial discrimination as an unmitigated evil;
  - we oppose all forms of racial oppression, and we are committed to the principles of human dignity and equality;
  - we recognise the importance and urgency of economic and social development to satisfy the basic needs and aspirations of the vast majority of the peoples of the world, and seek the progressive removal of the wide disparities in living standards amongst our members.

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<sup>1</sup> Issued by Heads of Government in Harare, Zimbabwe.

5. In Harare, our purpose has been to apply those principles in the contemporary situation as the Commonwealth prepares to face the challenges of the 1990s and beyond.
6. Internationally, the world is no longer locked in the iron grip of the Cold War. Totalitarianism is giving way to democracy and justice in many parts of the world. Decolonisation is largely complete. Significant changes are at last under way in South Africa. These changes, so desirable and heartening in themselves, present the world and the Commonwealth with new tasks and challenges.
7. In the last twenty years, several Commonwealth countries have made significant progress in economic and social development. There is increasing recognition that commitment to market principles and openness to international trade and investment can promote economic progress and improve living standards. Many Commonwealth countries are poor and face acute problems, including excessive population growth, crushing poverty, debt burdens and environmental degradation. More than half our member states are particularly vulnerable because of their very small societies.
8. Only sound and sustainable development can offer these millions the prospect of betterment. Achieving this will require a flow of public and private resources from the developed to the developing world, and domestic and international regimes conducive to the realisation of these goals. Development facilitates the task of tackling a range of problems which affect the whole global community such as environmental degradation, the problems of migration and refugees, the fight against communicable diseases, and drug production and trafficking.
9. Having reaffirmed the principles to which the Commonwealth is committed, and reviewed the problems and challenges which the world, and the Commonwealth as part of it, face, we pledge the Commonwealth and our countries to work with renewed vigour, concentrating especially in the following areas:
  - the protection and promotion of the fundamental political values of the Commonwealth;
  - democracy, democratic processes and institutions which reflect national circumstances, the rule of law and the independence of the judiciary, just and honest government;
  - fundamental human rights, including equal rights and opportunities for all citizens regardless of race, colour, creed or political belief;
  - equality for women, so that they may exercise their full and equal rights;
  - provision of universal access to education for the population of our countries;
  - continuing action to bring about the end of apartheid and the establishment of a free, democratic, non-racial and prosperous South Africa;
  - the promotion of sustainable development and the alleviation of poverty in



the countries of the Commonwealth through:

- ▶ a stable international economic framework within which growth can be achieved;
  - ▶ sound economic management recognising the central role of the market economy;
  - ▶ effective population policies and programmes;
  - ▶ sound management of technological change;
- the freest possible flow of multilateral trade on terms fair and equitable to all, taking account of the special requirements of developing countries;
  - an adequate flow of resources from the developed to developing countries, and action to alleviate the debt burdens of developing countries most in need;
  - the development of human resources, in particular through education, training, health, culture, sport and programmes for strengthening family and community support, paying special attention to the needs of women, youth and children;
  - effective and increasing programmes of bilateral and multilateral co-operation aimed at raising living standards;
  - extending the benefits of development within a framework of respect for human rights;
  - the protection of the environment through respect for the principles of sustainable development which we enunciated at Langkawi;
  - action to combat drug trafficking and abuse and communicable diseases;
  - help for small Commonwealth states in tackling their particular economic and security problems;
  - support of the United Nations and other international institutions in the world's search for peace, disarmament and effective arms control; and in the promotion of international consensus on major global political, economic and social issues.
10. To give weight and effectiveness to our commitments we intend to focus and improve Commonwealth co-operation in these areas. This would include strengthening the capacity of the Commonwealth to respond to requests from members for assistance in entrenching the practices of democracy, accountable administration and the rule of law.
11. We call on all the intergovernmental institutions of the Commonwealth to seize the opportunities presented by these challenges. We pledge ourselves to assist them to develop programmes which harness our shared historical, professional, cultural and linguistic heritage and which complement the work of other international and regional organisations.

12. We invite the Commonwealth Parliamentary Association and non-governmental Commonwealth organisations to play their full part in promoting these objectives, in a spirit of co-operation and mutual support.
13. In reaffirming the principles of the Commonwealth and in committing ourselves to pursue them in policy and action in response to the challenges of the 1990s, in areas where we believe that the Commonwealth has a distinctive contribution to offer, we the Heads of Government express our determination to renew and enhance the value and importance of the Commonwealth as an institution which can and should strengthen and enrich the lives not only of its own members and their peoples but also of the wider community of peoples of which they are a part.

20 October 1991

# **The Millbrook Commonwealth Action Programme on the Harare Declaration, 1995<sup>1</sup>**

1. At Harare in 1991, we pledged to work for the protection and promotion of the fundamental political values of the association, namely democracy, democratic processes and institutions which reflect national circumstances, fundamental human rights, the rule of law and the independence of the judiciary, and just and honest government. We agreed at the same time to *work for the promotion of socio-economic development, recognising its high priority for most Commonwealth countries.* During our Retreat at Millbrook, we decided to adopt a Commonwealth Action Programme to fulfill more effectively the commitments contained in the Harare Commonwealth Declaration. This Programme is in three parts:
  - (i) advancing Commonwealth fundamental political values;
  - (ii) promoting sustainable development; and
  - (iii) facilitating consensus building.

## **I Advancing Commonwealth Fundamental Political Values**

### **A. *Measures in Support of Processes and Institutions for the Practice of the Harare Principles***

2. The Secretariat should enhance its capacity to provide advice, training and other forms of technical assistance to governments in promoting the Commonwealth's fundamental political values, including:
  - (i) assistance in creating and building the capacity of requisite institutions;
  - (ii) assistance in constitutional and legal matters, including selecting models and initiating programmes of democratisation;
  - (iii) assistance in the electoral field, including the establishment or strengthening of independent electoral machinery, civic and voter education, the preparation of Codes of Conduct, and assistance with voter registration;
  - (iv) observation of elections, including by-elections or local elections where appropriate, at the request of the member governments concerned;
  - (v) strengthening the rule of law and promoting the independence of the judiciary through the promotion of exchanges among, and training of, the judiciary;
  - (vi) support for good government, particularly in the area of public service

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<sup>1</sup> Issued by Heads of Government at Millbrook, New Zealand.

reform; and

- (vii) other activities, in collaboration with the Commonwealth Parliamentary Association and other bodies, to strengthen the democratic culture and effective parliamentary practices.

### **B. Measures in Response to Violations of the Harare Principles**

3. Where a member country is perceived to be clearly in violation of the Harare Commonwealth Declaration, and particularly in the event of an unconstitutional overthrow of a democratically elected government, appropriate steps should be taken to express the collective concern of Commonwealth countries and to encourage the restoration of democracy within a reasonable time frame. These include:
  - (i) immediate public expression by the Secretary-General of the Commonwealth's collective disapproval of any such infringement of the Harare principles;
  - (ii) early contact by the Secretary-General with the *de facto* government, followed by continued good offices and appropriate technical assistance to facilitate an early restoration of democracy;
  - (iii) encouraging bilateral demarches by member countries, especially those within the region, both to express disapproval and to support early restoration of democracy;
  - (iv) appointment of an envoy or a group of eminent Commonwealth representatives where, following the Secretary-General's contacts with the authorities concerned, such a mission is deemed beneficial in reinforcing the Commonwealth's good offices role;
  - (v) stipulation of up to two years as the time frame for the restoration of democracy where the institutions are not in place to permit the holding of elections within, say, a maximum of six months;
  - (vi) pending restoration of democracy, exclusion of the government concerned from participation at ministerial-level meetings of the Commonwealth, including CHOGMs;
  - (vii) suspension of participation at all Commonwealth meetings and of Commonwealth technical assistance if acceptable progress is not recorded by the government concerned after a period of two years; and
  - (viii) consideration of appropriate further bilateral and multilateral measures by all member states (e.g. limitation of government-to-government contacts; people-to-people measures; trade restrictions; and, in exceptional cases, suspension from the association), to reinforce the need for change in the event that the government concerned chooses to leave the Commonwealth and/or persists in violating the principles of the Harare Commonwealth Declaration even after two years.

### **C. Mechanism for Implementation of Measures**

4. We have decided to establish a Commonwealth Ministerial Action Group on the Harare Declaration in order to deal with serious or persistent violations of the principles contained in that Declaration. The Group will be convened by the Secretary-General and will comprise the Foreign Ministers of eight countries, supplemented as appropriate by one or two additional ministerial representatives from the region concerned. It will be the Group's task to assess the nature of the infringement and recommend measures for collective Commonwealth action aimed at the speedy restoration of democracy and constitutional rule.
5. The composition, terms of reference and operation of the Group will be reviewed by us every two years.

## **II Promoting Sustainable Development**

6. We reaffirmed our view that the Commonwealth should continue to be a source of help in promoting development and literacy and in eradicating poverty, particularly as these bear on women and children. With a view to enhancing its capacity in this area, we agreed on the following steps:
  - (i) to strengthen the Secretariat's capacity for undertaking developmental work through support for its various Funds and especially by restoring the resources of the CFTC to their 1991/92 level in real terms; and to provide adequate resources to the Commonwealth of Learning and to the Commonwealth Foundation;
  - (ii) to support a greater flow of investment to developing member countries through such schemes as the Commonwealth Private Investment Initiative;
  - (iii) to work for continued progress in assisting countries with unsustainable debt burdens and to promote enhanced multilateral concessional financial flows to developing countries; in particular, to support new and innovative mechanisms for relief on multilateral debt, such as the one proposed by the British Chancellor of the Exchequer at the 1994 Commonwealth Finance Ministers Meeting in Malta, and reiterated subsequently;
  - (iv) to support the Secretariat in facilitating the adoption by more Commonwealth countries of successful self-help schemes, with non-governmental agencies and others acting as catalytic agents, for mobilising the energies of people in alleviating poverty;
  - (v) to support the efforts of small island developing states to mitigate the effects on their development of environmental change, natural disasters and the changing international trading system; and
  - (vi) to combat the spread of HIV/AIDS, which threatens large parts of the younger population of many countries, recognising that the effective

exploitation of economic opportunities requires a healthy and educated population; and to provide further resources to renew the core funding of the Southern African Network of AIDS Organisations (SANASO), along with increased funding for UNICEF initiatives in Southern Africa.

### **III Facilitating Consensus Building**

7. We were convinced that the Commonwealth, with its global reach and unique experience of consensus building, was in a position to assist the wider international community in building bridges across traditional international divides of opinion on particular issues. We therefore agreed that there was scope for the association to play a greater role in the search for consensus on global issues, through:
- (i) use of their government's membership of various regional organisations and attendance at other international gatherings to advance consensual positions agreed within the Commonwealth;
  - (ii) use, where appropriate, of special missions to advance Commonwealth consensual positions and promote wider consensus on issues of major international concern; and
  - (iii) use of formal and informal Commonwealth consultations in the wings of meetings of international institutions with a view to achieving consensus on major concerns.

12 November 1995

## Select Glossary

AEC	African Economic Community
ANC	African National Congress
BHP	Broken Hill Properties
CABI	Commonwealth Agricultural Bureau International
CDC	Commonwealth Development Corporation
CFTC	Commonwealth Fund for Technical Co-operation
CHOGM	Commonwealth Heads of Government Meeting
CHRI	Commonwealth Human Rights Initiative
CMAG	Commonwealth Ministerial Action Group
CoL	Commonwealth of Learning
COMAFIN	Commonwealth Africa Investment Fund
COMESA	<i>Common Market for Eastern and Southern Africa</i>
COMMACT	Commonwealth Association for Local Action and Economic Development
CPII	Commonwealth Private Investment Initiative
CPLP	<i>Comunidade dos Países de Língua Portuguesa</i> (Community of Portuguese-Speaking Nations)
CSD	Commission on Sustainable Development
DFAIT	Department of Foreign Affairs and International Trade (Canada)
DRC	Democratic Republic of Congo
ECOWAS	Economic Community of West African States
EPG	Eminent Persons' Group
EU	European Union
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
GM	Genetically modified
G-54	Group of Fifty-four Commonwealth States
G-7	Group of Seven Industrialised Nations
IDP	Internally displaced people
IEC	Independent Electoral Commission
IGAD	Inter-Governmental Authority on Development
IOR-ARC	Indian Ocean Rim Association for Regional Co-operation

IPO	Initial Price Offering
LDC	Less-developed countries
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental organisation
OAU	Organisation of African Unity
OECD	Organisation for Economic Co-operation and Development
OIC	Organisation of the Islamic Conference
OSCE	<i>Organisation for Security and Co-operation in Europe</i>
SADC	Southern African Development Community
SADCC	Southern African Development Co-ordination Conference
SaIIA	South African Institute of International Affairs
SANASO	Southern African Network of AIDS Organisations
SCMB	Standard Corporate and Merchant Bank
UK	United Kingdom
UN	United Nations
UNICEF	United Nations Children's Fund
WEOG	Western European and Others Group
WTO	World Trade Organisation



The Commonwealth has a number of strengths, among them the very fact that its varied membership, commonalities and trans-regional nature prevent it from becoming a vehicle for any narrow interest or fleetingly fashionable ideology. Nevertheless, a number of presaging questions arise about its utility, purpose and priorities in a world where imperial linkages appear increasingly anachronistic and a plethora of international organisations compete for the scarce resources and finite energy of international opinion leaders, officials and politicians. This book examines a number of questions, including:

- ◆ Is this institutional structure, with Queen Elizabeth II as the Head and London as the administrative epicentre, appropriate for the maximum involvement and development of Commonwealth members?
- ◆ By what means can the Commonwealth contribute uniquely to the solution of international concerns such as trans-national crime, or the protection of human rights and promotion of democracy?
- ◆ What are the appropriate roles for the Commonwealth in trade and investment, conflict resolution and the representation of small states?
- ◆ What does a non-regional organisation like the Commonwealth offer which cannot be provided by other inter-governmental organisations, such as the UN, WTO,

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