



Independent Forum of Commonwealth Organisations

Submission to the Committee of the Whole
Commonwealth Heads of Government Meeting (CHOGM)

July 2024



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The Independent Forum of Commonwealth Organisations (IFCO) brings together the vast majority of the Commonwealth's Accredited Organisations working with several Associated Organisations. This submission is made by IFCO, in consultation with its membership, with a view to enhancing communication, cooperation and collaboration between Commonwealth Organisations and Commonwealth member states. We look forward to engaging further in the months ahead as the Commonwealth prepares for the Samoa CHOGM and the appointment of a new Secretary General.

1. Respecting and revitalising the Commonwealth's commitment to civil society

- 1.1 Commonwealth civil society is a fundamental element of the Commonwealth *aiga*¹ that is at the heart of the Samoa CHOGM 2024. Accredited Organisations (AOs) are key civil society elements within the Commonwealth, representing formally recognised civil society voices.
- 1.2 The Commonwealth Charter (Article 16) recognises "the important role that civil society plays in our communities and countries as partners in promoting and supporting Commonwealth values and principles, including the freedom of association and peaceful assembly, and in achieving development goals." In addition, a vibrant, active civil society – and respect for this by governments – is vital for all four themes of the Samoa 2024 Commonwealth Heads of Government Meeting (CHOGM).
- 1.3 Civil society is recognised as the 'Third Pillar' of the Commonwealth, though this is often not acknowledged in Commonwealth decision-making. It is, however, reflected in the existence of the Commonwealth Foundation, an intergovernmental arm of the Commonwealth system with a mandate to advance the needs and interests of the Commonwealth's 2.5 billion citizens, alongside the significant role of the Commonwealth of Learning. As an intergovernmental entity, the Foundation does not, of course *represent* Commonwealth civil society. In this sense, it is necessary to acknowledge the essential differences between the purpose and function of the Foundation on the one hand, and the network of Commonwealth Accredited Organisations on the other.
- 1.4 The vital role of Accredited Organisations has been recognised in recent Commonwealth reports. In 2018 the High-Level Group on Governance Arrangements recommended moving from a transactional to a partnership relationship between the Secretariat and AOs². The significance of

¹ "The fa'asamoa, or Samoan way of life, exemplifies collective responsibility, encapsulating values such as respect, dignity, love, protection, and service. This ethos aligns with the principles of the Commonwealth Charter, uniting the Commonwealth *aiga* (family) of 56 nations" <https://thecommonwealth.org/news/samoa-announces-theme-2024-commonwealth-heads-government-meeting>

² Second Report of the High Level Group on the Governance Arrangements of the Commonwealth Secretariat (2018) https://www.ifco.online/_files/ugd/e2b645_f030ba7ad261491d928aa806500e0806.pdf (ifco.online)

accredited organisations was also identified in revised governance arrangements in 2022³. In 2023 the Secretary General said, 'Accredited Organisations are a key pillar of the Commonwealth as they all share a resolve to advancing the values and principles enshrined in the Commonwealth Charter ... Accredited Organisations play a vital and cherished role in our collective endeavour to build a more peaceful, inclusive and sustainable Commonwealth'⁴.

2. The challenge of shrinking democratic space

- 2.1 In recent years, civil society organisations as well as other institutions have drawn attention to the shrinking space for civil society, resulting from growing authoritarianism and political repression, legal and regulatory restrictions, digital surveillance and cyber security threats, and the spread of populism, exacerbated by armed conflict, economic instability and the climate emergency⁵. The erosion of democracy, including in traditionally strong democracies within the Commonwealth, is deeply concerning. Once vibrant civic spaces are now shrinking, marked by increasing restrictions on freedoms of expression, assembly, and association. Particularly affected are those who often face discrimination on grounds related to age, gender, sex, disability, sexual orientation, race, ethnic origin, religious beliefs, or economic or other status.
- 2.2 Civil society organisations across the Commonwealth are facing reduced access to funding, a situation that is being compounded by laws and regulations that impact the ability of non-governmental organisations to receive funds. These laws often impose stringent registration requirements, limit foreign funding, increase government oversight and impose severe penalties for non-compliance. Threats, harassment, arbitrary arrests, and physical violence against activists and human rights defenders in addition to online repression and cyber-attacks contribute to a growing climate of fear and silence. Meanwhile, populism and authoritarianism are often displayed in attacks on minorities, such as LGBTI+ communities (where the Commonwealth currently has a worse record than the global community more generally), attacks on religious groups and violence against women and girls. While digital technologies have been used to strengthen aspects of Commonwealth society, the benefits are spread unevenly. It is a matter of concern that these same technologies are being used to repress freedoms.

³ Further Revised Agreed Memorandum of Governance Arrangements incorporating the decisions of Commonwealth Foreign Ministers of 26 September 2019 (2022) notably paragraphs 5 and 6:

"5. The Secretariat has an important role in ensuring the most effective possible coordination of Commonwealth activity, which is conducted by Commonwealth member countries, by the Secretariat itself, by the Commonwealth Foundation and the Commonwealth of Learning, and by accredited Commonwealth organisations.

"6. The Secretariat should work to improve collaboration and partnership with other Commonwealth organisations (both intergovernmental and accredited). It should take careful note of the High Level Group's findings on collaboration and partnership with accredited organisations and it should address those findings through thorough implementation, and regular review, of its Partnerships Strategy. Commonwealth organisations should have regular access to the Secretariat and to the Board of Governors and vice versa. The Secretariat should, where appropriate, involve relevant Commonwealth organisations at an early stage in its strategic planning processes, and in the preparation of Commonwealth Ministerial meetings. It should actively partner with Commonwealth organisations and member countries to encourage collaboration in pursuit of particular Commonwealth priorities. It should increase the opportunities for collaboration by collating and disseminating online information about the activities of Commonwealth organisations and member countries, and through the provision of space in Marlborough House, where possible."

⁴ The Contribution of Commonwealth-Accredited Organisations to Advancing the Commonwealth Charter - An Independent Study (2023) Commonwealth Secretariat, October 2023

<https://thecommonwealth.org/news/new-report-reveals-vital-role-accredited-organisations-commonwealth>

⁵ Civicus (2024) State of Civil Society Report 2024: <https://www.civicus.org/index.php/state-of-civil-society-report-2024>

3. The fundamental role of accredited organisations within the Commonwealth

3.1 In the face of the COVID-19 pandemic, civil society organisations across the Commonwealth, including Accredited Organisations, generally demonstrated remarkable resilience and adaptability. Faced with restricted movement and social distancing, they embraced virtual platforms to continue their vital work. They leveraged online tools to advocate for vulnerable populations, deliver essential services remotely, and foster solidarity across communities. This agility ensured the continuity of critical services and empowered communities to navigate the crisis. The pandemic highlighted the essential role of civil society organisations in building a more robust and responsive society, prepared to face future challenges.

3.2 AOs have played a central and sometimes leading role in a number of Commonwealth initiatives – from organising major convenings, to building and supporting networks, to developing Commonwealth policy on a wide range of issues (from media freedom to environmental protection and from sustainable urbanisation to the rights of disabled persons). AOs have the networks, connections and influence to support Commonwealth governments and communities in the difficult but essential task of implementing policies in ways that make a difference to people’s lives.

3.3 AOs can also be a source of expertise and continuity. AOs have made specific, substantive contributions to the Commonwealth over many years, including:

- Bringing people together through networks of civil society organisations and amplifying the voices of marginalised or vulnerable populations within Commonwealth spaces, including on labour rights, modern slavery, gender equality, freedom of expression, and the rights of disabled persons, older persons, and LGBTI+ communities.
- Organising Commonwealth wide groups of professionals into thematic clusters to develop policy and guidance on Commonwealth priorities, including health, education, children, sustainable urbanisation, media, law, culture.
- Having a central or leading role in developing Commonwealth policy on a wide range of issues, including:
 - the Latimer House Principles
 - the Kigali Declaration on Child Care and Protection Reform
 - the Kigali Declaration on Sustainable Urbanisation
 - the Blue Charter Initiative
 - the Commonwealth Principles on Freedom of Expression and the Role of the Media in Good Governance
 - the Commonwealth Charter for Young Carers
 - the Commonwealth Declaration on Inclusion of Disabled Persons
 - the Commonwealth Center for Digital Health
- Working with Commonwealth governments and civil society to reform specific national laws to be compliant with international human rights frameworks and standards, for example on mental health.

3.4 The reality of severe resource constraints in Commonwealth institutions makes the importance of building partnerships with AOs in delivering Commonwealth objectives more important than ever.

4. Proposals for action by CHOGM

Commonwealth Accredited Organisations, as represented by IFCO, make the following proposals to the Committee of the Whole for consideration and inclusion in the CHOGM 2024 Communiqué:

- 4.1 **Nothing about us without us:** relevant civil society organisations must be involved in decisions taken by Commonwealth institutions or bodies which affect civil society. For example, the Commonwealth committee to monitor implementation of the proposed Disability Inclusion Action Plan must be drawn from representative bodies of disabled people or people with disabilities, and not selected by the Commonwealth Secretariat or governments.
- 4.2 **Amplifying the voice of Commonwealth civil society:** AOs have an important role to play in bringing the issues and concerns of the people of the Commonwealth into spaces where policies and decisions that affect their lives are being discussed. This includes Commonwealth Ministerial meetings. While there are some good practices for participation by civil society bodies in Commonwealth Ministerial meetings, the overall picture is uneven, with some meetings held at short notice, and with varying levels of opportunity for civil society engagement. A code of practice should be developed – with active involvement by AOs – to promote AO involvement in such meetings and ensure that their contribution lives up to the commitments of Article 16 of the Commonwealth Charter.
- 4.3 **Promoting the Commonwealth Charter:** CHOGM must affirm that membership of the Commonwealth depends on adherence to the provisions of the Charter. Member states must respect, protect and fulfil human rights as set out in the Commonwealth Charter and international human rights law and standards. This includes recognising the role of civil society, freedom of association and peaceful assembly (Article 16). The Commonwealth Ministerial Action Group (CMAG) should be enabled to receive and act on submissions from relevant Commonwealth AOs on matters relevant to the Commonwealth Charter and Harare Principles, including situations where civil society rights are infringed.
- 4.4 **Ensuring greater transparency when engaging with AOs:** the working relationship between the Commonwealth intergovernmental system, most especially the Secretariat and Accredited Organisations, including communications, must be improved. Information on the composition of and any changes to the Commonwealth Board of Governors and its Committees should be made public and communicated to AOs. The accreditation system must be clear and accessible. The process should be made public, including the criteria used to determine accreditation and reaccreditation, the composition of the Accreditation/Reaccreditation Committees and committee decisions; AOs should participate in meetings of those committees, to assist informed decision making.
- 4.5 **Strengthening engagement between the Commonwealth Secretariat and AOs:** the relationship between Accredited Organisations and the Commonwealth inter-governmental organisations should be strengthened to reflect contemporary best practice in governance and engagement, noting the High Level Group recommendations and recognising that civil society is a crucial third pillar in the Charter. Some specific examples include:
 - Reshaping the six-monthly meetings between the Secretary General and AOs based on a collaboratively agreed agenda with a focus on strengthening partnership working on Commonwealth priorities, involving Secretariat staff;
 - Giving sufficient notice of key meetings and deadlines, including timely distribution of relevant papers, so that AO staff and volunteer leaders can participate effectively;
 - Publishing a co-produced report for each CHOGM on the contribution of civil society to the achievement of Commonwealth priorities, drawing on the annual reports already submitted by AOs;

- Exploring infrastructure resourcing, including the capacity of the Partnerships Office, to enable AOs to play a more coordinated, creative and effective role in Commonwealth dialogues;
- Ensuring that AO pages on the website are up-to-date and provide space for news from AOs;
- Exploring options for joint projects between the Secretariat and AOs, on Commonwealth priorities, including joint applications for external funding;
- Recognising the Independent Forum of Commonwealth Organisations (IFCO) as the chosen formal channel of coordination and representation of AOs, (without excluding those who choose not to work through IFCO).

4.6 Strengthening engagement between the Commonwealth Foundation, the Commonwealth of Learning and AOs: AOs welcome a stronger working relationship with the Foundation and COL. This includes continuing to consult with relevant AOs on the Foundation’s strategic planning process and the implementation of programmatic initiatives, as well as enhanced operational cooperation with both organisations in advancing issues of common concern.

4.7 Supporting greater inclusion and participation: AOs are working to ensure they are representative of Commonwealth diversity, fully reflecting the breadth and depth of the Commonwealth and its people. However, greater inclusion requires increased levels of funding and support for wider participation, and a recognition of the reality of the lack of capacity and resources of some AO’s, especially those relying on volunteers. Independent civil society organisations must be assisted to fulfil their role as the Third Pillar of the Commonwealth. Commonwealth meetings and events are increasingly held in hybrid format (both in-person and virtual) which is increasing civil society access from across the Commonwealth. The Commonwealth should assist AOs to be represented at Commonwealth level by excluded and marginalised groups such as people with disabilities, disabled people, women, LGBTI+ communities, and older and younger people, especially from less developed countries.

4.8 Promoting legal reforms to protect and expand civic space: The Commonwealth should support legal and policy reforms that protect and expand civic space. This includes ensuring the development and implementation of laws and creation of environments which respect freedom of expression, association, and peaceful assembly. States should express commitment and dedication to action, such as taking concrete and meaningful steps to implement the Principles on Freedom of Expression and the Role of the Media in Good Governance, and further bilateral discussions between the Commonwealth Secretariat and identified states.

4.9 Systematic process of monitoring and evaluation: Systems to monitor and evaluate the achievement of Commonwealth priorities need to be developed. This necessarily includes the collection of relevant data on progress in implementing priorities at national and international levels⁶.

See, for example, recommendations from UNSIDS3 and UNSIDS4:

⁶ United Nations (2014) SIDS Accelerated Modalities of Action (SAMOA) Pathway A/RES/69/15, 15 December 2014, Section, including a Section 'Data and statistics', p.28, paras 112-115.

United Nations (2024) Antigua and Barbuda Agenda for SIDS (ABAS): A Renewed Declaration for Resilient Prosperity, A/CONF.223/2024/L.1, International Conference on Small Island Developing States (4th: 2024: St. John’s) 30 May 2024 <https://digitallibrary.un.org/record/4048076?ln=en&v=pdf>. This conference launched a Small Island Developing States Centre of Excellence in Antigua and Barbuda to include a SIDS data hub.



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