

Opinions

October 2012

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Daisy Cooper

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First published 2012

ISBN: 978-0-9573548-0-7

Published by and available from the Commonwealth Advisory Bureau (CA/B)

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A five-point plan to make the Commonwealth Foundation's re-launch transformational

Daisy Cooper, Director, Commonwealth Advisory Bureau

Next month, a little-known London-based intergovernmental organisation with a core budget of £3m, will re-launch. In this *Opinion*, Daisy Cooper argues that the Commonwealth Foundation needs more than a re-launch, it needs a complete overhaul. She outlines how the Commonwealth People's Forum is completely out of touch with the global development agenda and the Commonwealth's own priorities, how the Foundation's Civil Society Advisory Committee has no legitimacy, and how over the years the organisation has let its mandate drift to such an extent that it cannot demonstrate either a clear focus or any impact from its work. She explains how some of the recent proposals to reform the organisation were ill-conceived, and sets out a five-point plan which could help the Foundation transform itself into a significant actor on the international stage.

Background to the re-launch

The Commonwealth Foundation is a small but important part of the Commonwealth family. Known as the Commonwealth Secretariat's 'sister' organisation, it shares the Commonwealth Secretariat's offices at Marlborough House in London. The Foundation was established in March 1966, following a decision by Commonwealth Head of Governments at their meeting in London in 1965, with the broad aim of "increasing interchanges between Commonwealth organisations in professional fields throughout the Commonwealth."¹ It operated as a charity under English law until 1983 when it was reconstituted as an international organisation. (At the Lusaka Summit in 1979, Commonwealth Heads of Government widened the Foundation's mandate,² thereby extending its operations beyond purely charitable functions.)

Shortly after assuming office in April 2011, the interim Director Danny Sriskandarajah (on loan from the Royal Commonwealth Society) proposed a re-launch. This was to draw a line under a turbulent year for the organisation³ but also an attempt to capitalise on plans in the UK to mark the Diamond Jubilee of Queen Elizabeth II, who is also Head of the Commonwealth, as well as the work of the Eminent Persons Group (EPG) established by leaders in 2009 to make proposals for reinvigorating the Commonwealth association as a whole.

Two ideas for a wholesale change in the Foundation's status and mandate were mooted. The first: to fold the Foundation into what has become "The Queen Elizabeth Diamond Jubilee Trust" – essentially a time-limited pot of money to deliver projects across the Commonwealth using six themes, each to represent one decade of the

Queen's reign. The second, simultaneously: to merge the Foundation (an intergovernmental organisation), with the Royal Commonwealth Society (an international education charity, registered in the UK with 81 self-governing branches and societies) and a handful of small and struggling UK-based Commonwealth organisations, some of which rely almost exclusively on grants from the Foundation simply to survive. This would have become a "Commonwealth Peoples Centre." The Centre's work would have reflected the amalgamation of these organisations' activities: "youth and educational initiatives", "exchanges and partnerships", and "connecting schools around the Commonwealth."⁴ Nothing strategic, nothing distinct, just a muddle of assets, staff and activities. As one senior Commonwealth official observed at the time, "it's sad when you see lost dogs looking for a home, but it's even sadder when you see a home looking for lost dogs."

Both ideas were ill-conceived and roundly criticised by Commonwealth individuals and organisations at a civil society consultation. Critics pointed out that from their perspective, the Commonwealth Foundation's comparative advantage was its status as an intergovernmental organisation, and that they valued the Foundation's ability to be an important and influential interlocutor between governments and civil society. Many of the projects envisaged under the new proposals could be taken forward by civil society organisations in the Commonwealth (such as the Royal Commonwealth Society, BUILD, or the Commonwealth Youth Exchange Council). It was not clear why the Foundation – as an intergovernmental body – would be the best agent for running NGO activities like school linkage programmes,

or poetry competitions. The proposed re-naming of the Foundation to include the word "Jubilee" was of particular concern. There was unanimous agreement amongst the CSO representatives that this would be a disastrous move. It was highlighted that the word Jubilee would be an explicit reference to the Queen, to the UK, and to the past (60 years). It would not suggest let alone embody, the idea of a pan-Commonwealth people's organisation of the future. Reportedly, the Secretary-General also strongly opposed the rebranding of the Commonwealth Foundation in this way, and this was conveyed to a meeting of the Foundation's Board of Governors.⁵

It was with much relief then, that at their Perth Summit in 2011, Commonwealth Heads of Government rightly agreed

To promote the future of the Commonwealth through the strong and important voice of its people by... re-launching the Commonwealth Foundation in 2012 while retaining its fundamental intergovernmental nature and maintaining its accountability to member states, with a revised mandate and Memorandum of Understanding so that it can more effectively deliver the objectives of strengthening and mobilising civil society in support of Commonwealth principles and priorities.

Now that the Foundation's intergovernmental status is protected, there is a much bigger challenge facing the new Director, Vijay Krishnarayan, and his team: the Foundation doesn't just need a re-launch, it needs a complete overhaul. Here is a five-point plan on how this could be achieved.

1. Set a new strategic direction

For at least the last six years, the Foundation has had a "programmatic model" with programmes of research in areas such as culture and environment. This should never have been allowed to happen: the Foundation has never had the resources, expertise nor mandate to conduct original research, or to effectively disseminate the research of others. Moving ahead, the Foundation should capitalise on leaders' decision to retain the Foundation's status as an intergovernmental organisation: the Foundation remains unique in that it is paid for and owned by governments, but has a

mandate to strengthen civil society in those member countries. The Foundation should therefore re-position itself as a facilitator and interlocutor between national governments and civil society. Its strategic objectives should be:

1. to support governments to create space for civil society;
2. to strengthen and professionalise the civil society sector through capacity building; and,
3. to act as a trusted interlocutor at times of acute tension between the two sectors.

Indeed, CA/B called for this re-focusing in its submission to the UK Parliament's Foreign Affairs Committee inquiry on the future of the Commonwealth,⁶ as well as in its submission to the Commonwealth Foundation's consultation on its own future (gathering input for its re-launch).⁷

The Foundation should build the capacity of governments to empower and engage civil society by, for example, helping governments to review the legal and regulatory frameworks that govern the NGO sector, and civil society more broadly, as well as to help establish and train civil society liaison units with the knowledge and skills to effectively engage with civil society. The Foundation should at the same time build the capacity of domestic civil society organisations, including in the area of governance, in turn building the confidence of governments and citizens in the sector. Crucially however, the Foundation should also become more of a political actor: not to speak out – that is the SG's job – but to play a 'good offices' role between governments and civil society, particularly at times of acute tension between the two sectors.

From the Arab Springs to the Occupy movement, national and international protests are sweeping across the globe. Recent analysis from Oxfam, CIVICUS,⁸ the International Centre for Not-for-Profit Law⁹ and others shows that, at the same time, there is an increasing crackdown on civil society, from restrictions on funding, red tape, and vague regulatory powers to violent suppression and a shutting down of communications technology.

There are lots of partners that the Foundation could work with. The UN has Special Rapporteurs on 'the

promotion and protection of the right to freedom of opinion and expression' (Mr Frank La Rue) and (since 2010) 'the rights to freedom of peaceful assembly and of association' (Mr Maina Kiai). From 2009–2011 the Community of Democracies, a global intergovernmental coalition of 24 democratic countries, ran a "Working Group on Enabling and Protecting Civil Society" to monitor and respond to developments concerning civil society legislation around the world, and in June 2011, 14 of its member governments jointly pledged USD \$4m in financial support for the "Lifeline: Embattled NGO Assistance Fund" to help civil society activists confronting crackdowns. The Commonwealth Foundation's advantage (as well as its major challenge) is that its mandate is to strengthen civil society in the countries that pay the Foundation's bills; hence it needs to strengthen the capacity of civil society and the capacity of national governments to embrace civil society, with a view to enabling the two sectors to build a stronger relationship together.

The Commonwealth Foundation Director should seek much closer collaboration with the Commonwealth Secretary-General and his good offices. He should insist that the Terms of Reference for each of the SG's Special Envoys include an assessment of the democratic space for civil society and the adequacy of mechanisms for dialogue between government and civil society. He should also secure a right to present evidence to the Commonwealth Ministerial Action Group (CMAG): a group of nine Foreign Ministers which monitors countries at risk of breaching, or which have already breached, fundamental Commonwealth principles. This would help CMAG fulfil its new mandate to explicitly consider the systematic denial of political space, such as through detention of political leaders or restriction of freedom of association, assembly or expression, and the significant restrictions on the media or civil society that prevent them from playing their legitimate role.¹⁰

Two of the EPG's recommendations directed at the Foundation sought to create major new initiatives: a Commonwealth Cultural Festival at the time of every Commonwealth Games, funded by private sponsorship and contributions (and where appropriate, governments) and the creation of a Commonwealth Youth Corps. If the Commonwealth Foundation is to focus on a new mandate, along the lines I have suggested, then these two initiatives could instead be usefully taken up by the

Royal Commonwealth Society. In many respects, as an international educational charity, the RCS would be a more suitable home, and – given its need to secure a more sustainable funding model - it would certainly benefit from the funds that would be raised through corporate sponsorship.

2. Demonstrate impact

The Foundation's inability to demonstrate the results or impact of its work has been a longstanding concern of its member governments and its civil society stakeholders. A quick glance at the Foundation's 2011 Annual Report shows that the organisation currently has nothing more to boast about than a list of activities: "We coordinated the 2011 Commonwealth Civil Society Statement"; "We published a series of country-specific toolkits"; "We announced the winners of the 25th Commonwealth Writers' Prize"; "We gave over a million pounds in grants" etc (emphasis added).¹¹

Instead, each of the three strategic objectives set out above should be underpinned by a set of results and indicators against which the Foundation should be regularly assessed and report progress to its governors and stakeholders. Those results could include: "civil society organisations raise more money from improved tax laws"; "civil society organisations identify changes in government policy or behaviour as a result of Foundation assistance"; "increased levels of trust by government and civil society in each other's sectors"; "an increase in the number of governments that are rated by domestic civil society as having effective consultative processes and/or liaison arrangements" etc.

The Grant Programme – which accounts for around £1m of the Foundation's £3m budget – claims to provide small but "catalytic" assistance to CSOs. But, once again, there is no evidence to support this claim. The Foundation should commission an independent evaluation of the impact of these grants over the last four years, including their 'catalytic' effect. Moving forward, the Foundation should simplify the grant-application process so that it is commensurate with the small sums of money which it disperses. Whilst the Foundation rightly boasts about its responsiveness, the physical length of the application forms in relation to the tiny sums of money available simply deters many organisations from applying at all.

Moreover, the core funding which arguably serves the sole purpose of keeping between around five and six Commonwealth organisations alive, should be phased out. In the era of 'results-based management' it simply cannot be justified. In the interim, this funding could be provided either as 'seed funding' (where each instalment of money must be linked to a demonstrable improvement in terms of institutional growth or performance), and/or be provided as 'match funding', requiring these organisations to use the offer of funding from the Foundation to leverage the same amount of investment from another source. The Foundation should reward good, not bad behaviour. And for its own reputation, it should be seeking to build relationships with growing not dying organisations.

3. 'Fit for purpose' governance

One of the reasons offered as to why the Foundation should drop its intergovernmental status, was that the governance arrangements – one full Board meeting of all 46 governors and three smaller Executive Committee meetings every year – were excessive for an organisation with a core budget of only £3m. After all, the Commonwealth Secretariat has the same number of meetings for its budget of £46m. The interim Director was right to identify cumbersome governance as a problem, but changing the Foundation's status was not the answer. Governance arrangements must be commensurate with the size and needs of the organisation and its members.

On this issue of governance, member governments should also now pull back from the micro-management which they felt was necessary during the transition period, and they should certainly not be involved in approving individual grants to CSOs (as per the recent efforts of some member governments)! Instead, the Board should play a more strategic and high-level role and structure its meetings and governance arrangements accordingly.

Equally pressing is the need to reform the Foundation's Civil Society Advisory Committee (CSAC) whose status, role and responsibilities have been a cause of confusion and consternation to civil society for many years. Any citizen of a Commonwealth country working in civil society can apply to become a member of the CSAC. Members are chosen by the Foundation's management,

which seeks to appoint a group that is representative of the Commonwealth's regions, gender, age, as well as of the size and type of civil society organisations. Foundation management often refers to CSAC as the Foundation's 'eyes and ears' on civil society issues around the Commonwealth.

There are two problems with this model. The first is that by the very nature of the self-nomination process, very few of these individuals are equipped to advise the Foundation on the challenges facing civil society in a whole geographic region, or in a particular 'type' of civil society organisation. Can an individual running a small community-based women's rights organisation in Tonga talk authoritatively about the challenges facing a large trade union in Australia, just because they are from the same region? No. Can a CEO of a multi-million advocacy and vaccination NGO talk authoritatively about the challenges facing CEOs of Commonwealth professional associations of lawyers, judges, or nurses, just because they have the same job title? Clearly not. The second problem is that CSAC has not just been used to advise the Foundation, it has also been referred to and used as civil society "representatives"; with responsibility for writing and presenting civil society statements to Commonwealth Foreign Ministers and Heads of Government "on behalf of Commonwealth civil society"; choosing the themes for debate at the Commonwealth People's Forum; and for "representing the views of civil society" as full members of the Foundation's governing board. For years, CSAC has been allowed – indeed encouraged – to perform these functions without any requirement whatsoever to consult with, or provide feedback to, the organisations which it is supposed to represent.

A much more satisfactory arrangement would of course be for CSAC members to be elected by different constituencies of accredited civil society organisations: Commonwealth organisations (generally speaking, those with the word 'Commonwealth' in their title); international NGOs (such as Amnesty International, Oxfam etc); advocacy organisations; service delivery organisations; national/umbrella organisations; and CSO capacity-building organisations, for example. The ability to elect representatives to speak on behalf of a constituency of organisations would provide an actual benefit to being accredited – something that is sorely lacking at the moment – and provide an appropriate accountability framework.

At the same time, the Foundation needs to retain its 'eyes and ears' around the Commonwealth, but those most suited to that role are 'umbrella organisations': national and regional associations that provide support to the civil society sector. The whole purpose of these organisations is to keep a watching brief over civil society development in a particular country or region: the Foundation should draw on their knowledge and expertise as and when it needs to.

4. Overhaul the Commonwealth People's Forum and consultative mechanisms for Ministerial Meetings

The Commonwealth Peoples Forum (CPF) is the Commonwealth's largest civil society gathering, but it is small and ineffective, and needs to be completely overhauled. The CPF takes place in the three days immediately preceding the Commonwealth Heads of Government Meeting (CHOGM), which itself takes place in a different Commonwealth country every two years. The cost and time involved in travelling to far-flung locations are prohibitive for many; and for many more it simply isn't worthwhile.

The CPF at the Perth CHOGM is a classic example. There was no dedicated discussion of the recommendations in the Eminent Persons Group report (which had been widely leaked, and which were widely available for discussion). There was no dedicated discussion about whether and how Commonwealth countries should decriminalise homosexual acts, despite a major pan-Commonwealth campaign calling for just that. There was no civil society discussion about developments in Zimbabwe, in spite of the oft-quoted saying: 'The Zimbabwean government may have left the Commonwealth, but the Zimbabwean people are still part of the Commonwealth family.' And barely a whisper about the Arab Spring or the Occupy movement – despite a major Occupy protest a few streets away! Instead, the CPF was a series of stale debates; indeed I recognised a presentation on climate change as having been dusted off from the 2005 CPF in Malta.

The resulting 'Commonwealth civil society statement to Heads of Government' appeared to have no legitimacy whatsoever: six regional consultations each lasting one or two days, had in fact – by the statement's own admission – involved only around 250 individuals.¹²

And the idea that 250 self-selected individuals can write a statement, present it to Commonwealth leaders, and genuinely expect those leaders to agree to recommendations on the spot – without prior consultation, without any sustained campaign that galvanises mass public support, and without even any costings – is simply delusional. The CPF statements are far too easy for governments to dismiss. Not least because so many civil society representatives themselves feel that a sufficient measure of success is how many Ministers turn up to the civil society meeting with Foreign Ministers, and whether those Ministers 'look engaged'. From a 'results-based management' perspective, it wasn't clear what the CPF was trying to achieve, let alone whether it had achieved it or even whether the activities were the right ones to secure that result.

Simply put, the Commonwealth Foundation must provide more direction for the CPF. In line with the strategic objectives I have suggested, the CPF should be an international gathering of civil society committed to increasing the democratic space for civil society. With this singular focus on increasing the democratic space for civil society, civil society could maintain pressure on governments between CHOGMs and use each CPF as an advocacy point for an ongoing agenda. Individual campaigns – whether on gay rights, sustainable fisheries or the rule of law – could be discussed under this banner. This would hopefully put an end to the absurd practice of civil society coming up with a new shopping list of demands every two years, as described above.

It should use the CPF to identify capacity-building needs in different countries and regions; and it should provide training sessions for CSOs – beginner, intermediate and advanced – on CSO governance, fundraising, succession planning and online influence, as well as an "Introduction to the Commonwealth" session for newcomers. If the cost of travel, accommodation and other conference expenses are going to be worth it, the CPF must be a hive of vibrant civic activity with debates, workshops and training on offer all day long – rather than the current drone of interminable presentations punctuated by lengthy and lethargy-inducing coffee breaks. To attract a higher quality of participants, the CPF must draw an impressive line-up of speakers. There could be online sessions for those who can't

attend, and “caucusing” days for CPF delegates to meet government delegations, as well as the delegates at the Business Forum and the Youth Forum – which take place at the same time, but in hotels a few miles apart.

5. Articulate and drive forward an ambitious agenda for growth

Even with all of the changes above, the fact remains that the Foundation has a tiny core budget of just £3m. This budget has declined in real terms since it was established. In 1966, with just 22 members, the Foundation’s budget was £250,000, the equivalent of £3.63m today. The Foundation’s projected 2011/12 budget – now paid by 46 countries (Singapore withdrew earlier this year) – is just shy of £3.2m.¹³ If the budget had increased at the rate of inflation and with each new member, one could reasonably expect it to be around £5m today. This would still be modest in nominal terms, but would be two-thirds bigger than the current budget.

There are two ways of increasing the resources at its disposal. The first – specifically to build the capacity of national and local government to engage with civil society – would be to encourage member governments to apply to the Commonwealth Fund for Technical Cooperation (CFTC), administered by the Commonwealth Secretariat, for a technical expert to review government laws, processes and institutions (such as reviewing tax law, simplifying or accelerating registration process, creating a liaison unit in government, improving access to information) for the benefit of civil society. The Foundation could enter into an informal arrangement with the Secretariat, where the Foundation would have a formal role in helping the project managers in the Secretariat to identify a technical expert with the right skills and experience, and to play an active role in negotiating the terms of reference with the government concerned, including soliciting and coordinating input from local civil society. The Foundation could advance its own goals and encourage the legitimate use of CFTC monies by governments, at no extra cost to its member states.

At the same time, the Foundation should be looking to build up its own resources to build the capacity of civil society organisations. Increasingly, intergovernmental organisations are increasing their budgets, not through increased assessed contributions, but through extra-

budgetary resources. It should seek to develop multi-year, multi-million fixed-term contracts with donors for specific projects or programmes of work, or launch an appeal to start a new fund to create and protect the democratic space for civil society. If the Foundation is to exploit its unique position as an intergovernmental organisation at the nexus of government and civil society, and demonstrate significant results from doing so, then it must be ambitious in its fundraising goals.

Most Commonwealth organisations – intergovernmental or nongovernmental – are guilty of ‘thinking small’ – raising and spending £5,000 or £10,000 here or there. But the Commonwealth’s largest donor governments – UK, Canada and Australia – regularly sign multi-million pound contracts with small but effective organisations. And, just last year, India pledged \$5 billion to African countries to help them achieve the Millennium Development Goals (MDGs), \$700m of which will be dedicated to building government institutions and establishing training programmes. As the largest democracy in the Commonwealth and in the world, it would not be unreasonable for India to pledge \$5–10m, perhaps over a period of around five years, to enable the Foundation to build the capacity of civil society in Africa to work with their governments towards the MDGs and their successors.

Conclusion

The Commonwealth Secretary-General has repeatedly said that 2012 would be ‘transformational’ for the Commonwealth but ten months in, many of the most important EPG recommendations for reform have either been dropped or caveated into ‘meaninglessness’ (after a year-long process of watering-down by government officials). The Commonwealth association and its supporters are crying out for a success story. The Foundation needs to lift its sights and its game. It must develop a story about where it has come from, where it is now, and where it is heading. It must be a story that enthuses and inspires and that sets out goals that are far-reaching yet realistic. Demonstrating the impact of its work and ensuring financial probity are necessary, but not sufficient. The Foundation must earn members’ trust, and their respect. And it must tread a tight political line: encouraging and celebrating the achievements of member governments when they move a step closer to embracing civil society, whilst also recognising that

every government has room for improvement. This five-point plan shows how, with strategic re-positioning and ambition, the Foundation has an opportunity to carve out a truly unique position in multilateral architecture, drive forward an exciting agenda of expansion and growth, and make a real difference to the lives of Commonwealth citizens. Many Commonwealth governments issue warm words about civil society whilst at the same time repressing activists with brutality and intimidation. A well-resourced Foundation should play its part in helping to stem this tide. The Commonwealth's commitment to democracy and development mean nothing without a democratic space for civil society – the Foundation must make this its central cause.

References

- 1 Agreed Memorandum on the Commonwealth Foundation 1965.
- 2 The 1979 Lusaka Commonwealth Heads of Government Meeting Communiqué, paragraph 60, widened the Foundation's remit to embrace cooperative projects with a greater range of non-governmental organisations in areas including "culture, information, social welfare and rural development". Also, as reported on p.3 in "The Commonwealth Foundation: Aims and Achievements 1966–1984", the Foundation's newly formed Board of Governors approved the Foundation's support to trade union education and training projects.
- 3 Widely reported allegations were made against the former Director who, under pressure from the Board of Governors, left by mutual agreement. It is important to note however that in later judicial processes, the Director and the Foundation were basically exonerated.
- 4 Commonwealth Foundation power-point presentation, at a civil society consultation on 5 August 2011.
- 5 Commonwealth Foundation Board of Governors meeting on 19 September 2011.
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