

## **Membership of the Commonwealth: Note for the Committee chaired by the Hon P J Patterson**

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1 A decade after Commonwealth Heads formalised rules on governmental membership of the Commonwealth at Edinburgh in 1997, it is good to see that Heads are again reviewing this question in the light of changes in the international situation. The Commonwealth Policy Studies Unit ( CPSU ) published on this topic in its briefing prior to the Valletta CHOGM ( see article by Victoria te Velde Ashworth at [www.cpsu.org.uk](http://www.cpsu.org.uk) ) and I wrote an article calling for reform of membership subscriptions in the summer 2005 issue of the Commonwealth Human Rights Initiative Newsletter, New Delhi ( [www.humanrightsinitiative.org](http://www.humanrightsinitiative.org) ).

2 This Note: reconsiders the rules adopted in 1997; comments on the concept of “membership of the Commonwealth”; suggests that overhaul of financial arrangements should precede the admission of new members; and welcomes new categories of membership.

3 The 1997 rules It is time to drop the requirement that a successful applicant state should have had a previous constitutional connection with an existing member ( normally via the former British Empire ); this is now an outdated limitation. However the commitment to the Harare Principles should be retained and strengthened, and the existing norms and conventions – with their crucial avoidance of interpreters at Commonwealth meetings -- may in practice mean that only English-speaking countries are eligible.

4 The 1997 rules did not provide for verification that an applicant already complies with the Harare Principles. This weakness should be rectified. The obvious inter-governmental body to satisfy itself, and publicise its opinion, is the Commonwealth Ministerial Action Group on the Harare Declaration. Credible Commonwealth bodies, such as the Commonwealth Human Rights Initiative, the Commonwealth Parliamentary Association and the Commonwealth Lawyers Association, might also be funded to carry out an audit.

5 The Commonwealth has been redefined in the last decade as an association of peoples as well as governments. It follows that governments should make more effort to inform electorates of the costs and benefits of Commonwealth membership prior to application, that public debate should be encouraged, and that applications should require parliamentary approval.

6 Membership of the Commonwealth The Committee chaired by the Hon P J Patterson should define precisely what “membership of the Commonwealth” now implies. The situation is currently unsatisfactory. Whereas 53 states subscribe to the Commonwealth Secretariat and have the right to attend Heads’ and Ministerial meetings, only 45 subscribe and belong to the Commonwealth Foundation, the Commonwealth interlocutor with civil society. While it is acceptable that certain intergovernmental arrangements remain voluntary – such as the Commonwealth Fund for Technical Cooperation and the Commonwealth of Learning – joining the

Foundation should now be mandatory for governments which wish to support an association of peoples as well as states. In discussing possible membership with their voters, governments should also bring to their attention their potential access to more than 60 Commonwealth non-governmental bodies; under current rules for “accreditation to the Commonwealth” such bodies have to prove membership in as many states as possible.

7 Financial overhaul It is completely unacceptable that the Commonwealth Secretariat assessed budget should be capped, and existing members’ contributions are assessed downwards if new members join. As the Secretariat paper for the Valletta CHOGM stated, “This implies that the Secretariat has to service the needs and expectations of a larger membership with static resources” – an untenable position. Current subscriptions bear no relation to: the tasks laid on the Secretariat by Heads; gnp, growth rates, population of individual countries and the fact that payments to the Secretariat have to be paid in a single currency, sterling, in an era of floating exchange rates. In a mutual association there is no longer justification for the UK, Canada, Australia and New Zealand paying 61 per cent of the budget, or that India pays scarcely a tenth of the UK subscription, or that Singapore pays so much less than New Zealand.

8 Financial overhaul is so urgent that no member should be admitted to the Commonwealth until new arrangements are agreed, which should cover the Commonwealth Secretariat and Foundation on the same basis. It is proposed that, after consultation with Ministers of Finance, the Secretariat should invite a small group of experts, in public finance and the finance of international organisations, to make recommendations which can be published as an appendix to the Patterson Report. There are serious technical issues to be resolved and there may be a case for payments in a notional weighted “Commonwealth currency” rather than sterling. Heads should not make decisions in Kampala on membership without corresponding agreement on finance. Subscriptions should be reviewed at ten yearly intervals.

9 Subject to the financial matters raised above, and to proper publicity for the costs and benefits in Commonwealth membership, the Commonwealth should be willing to introduce a category of “associate membership”. This would fit countries which could not fulfil all requirements of full membership, in particular those which do not have full sovereignty, or use the English language, or share common traditions of justice, administration and so on. Any costs in servicing associate members should be met by them. “Observer” agreements with other multilateral, regional and specialist bodies could be made on a case by case basis.

10 Hitherto the application procedures have been informal, and no new members have actually joined since the rules were formalised at Edinburgh in 1997. The Commonwealth can no longer allow a process in which the people of an applicant state play no part, and are kept out of knowledge by their governments. It will be necessary for the Commonwealth to be satisfied not only on compliance with the Harare Principles as set out in 1997, but that there is public support and awareness for what full membership entails. This suggests that a small visiting team from CMAG, the Secretariat and Foundation, should ascertain the commitment to an application. Where appropriate the Secretary-General, after consulting the Chairperson-in-Office, should recommend admission to all Heads.