

1 March 2010
Kamalesh Sharma, Commonwealth Secretary-General
UN Human Rights Council – High Level Segment
Geneva, Switzerland

Mr President, Madame Pillay, distinguished delegates, I am honoured to be invited to address you today on behalf of the Commonwealth of Nations.

Three months ago, we numbered 53: now, with Rwanda our newest member, we are 54: we represent over a quarter of the world's countries, and a third of its population.

Our members account for one-fifth of the seats in this Council today ... and all are united by their shared perspective and commitment to fundamental values.

Let me quote these precious words from our guiding *Affirmation on Commonwealth Values and Principles*, agreed by our Heads of Government in November last year:

We solemnly reiterate our...
commitment to the Universal Declaration of Human Rights and human rights covenants and instruments;
and recall our belief that equality and respect for protection and promotion of civil, political, economic, social and cultural rights for all without discrimination on any grounds, including the right to development, are foundations of peaceful, just and stable societies, and that these rights are universal, indivisible, interdependent and interrelated, and cannot be implemented selectively.

A long sentence, undoubtedly – but a lifetime's work.
We know full well that there can be sobering distinctions between rhetoric and reality.
But these words are most certainly the foundation upon which our reality is built.

We applaud the work of this Council in its four years to date.
Much was and is expected of it, as the principal world body on human rights, which - at its inception - signalled both a chastened and a revived global commitment to make real the human rights promises made to humanity by our predecessors.

Its genesis was a fitting tribute to *all* human rights defenders, to *all* victims of violations, and to humanity at large: it sent a clear message that the time for meaningful action had come.

I believe that this Council is committed to moving towards being a representative, effective, credible and accountable institution, in keeping with the vision for a reinvigorated United Nations.

I also convey our great respect for the work of the UN High Commissioner for Human Rights, with whom, tomorrow, I shall sign a Joint Declaration to enhance cooperation and partnership between our two organisations on human rights.

Because it is 'partnership' – based on respect for others – which will determine how well we all, collectively and individually, live out our stated aims to protect and to promote human rights.

Partnership not just between parties such as this Council, the High Commissioner and the Commonwealth, but also between others – between governments and NGOs ... indeed, between governments and peoples. I say this because all parties should be striving together – if working separately, then sometimes from very different perspectives and points of strength – towards the same goal, of upholding the values we espouse.

And here I draw your attention to one important partnership dear to this Council – on the issue of Universal Periodic Review, that most important of exercises in honest and self-critical assessment.

112 countries have gone through UPR so far, of which 27 are from the Commonwealth.

These 27 were all aided by the Commonwealth Secretariat in that process, financially supported by the governments of New Zealand and the United Kingdom.

Just last September, we held a seminar in Malawi for seven of the Commonwealth countries coming up for review this year.

Furthermore, we are here to support the new and renewed commitments that governments make *because* of the UPR process.

For instance, one of our Caribbean members committed itself in December 2008 to ratify the two core UN Covenants, and duly did so, awaiting our help in the implementation. And one of our African members pledged to set up a National Human Rights Commission, and we in the Commonwealth will offer practical help in that task.

Many of you will also be familiar with other aspects of the Commonwealth's human rights work.

For instance, I have mentioned how we give practical support to the ratification of those UN conventions.

You will have come across the human rights training we have given to police services, from some 40 countries.

We also convene a network of nearly 40 National Human Rights Institutions and ombudsmen: sometimes building their capacity; sometimes even bringing them into very being, in places such as Bangladesh, Cameroon, The Maldives and Seychelles.

An NHRI sends a message of hope, commitment and solidarity to all citizens: it embodies the fact that the State exists for the citizen, and not the other way around.

It is the *National* Human Rights Institution, and not any *inter*-national body, which is best placed to entrench human rights and the rule of law.

So, a small Commonwealth human rights team has large reach, and large impact.

A great deal of our other Commonwealth work, too, reinforces the centrality of human rights.

I am thinking of our work to empower women, for too long the most vulnerable and exploited people in our societies.

I also include our Commonwealth youth programmes, for the people who will inherit this Commonwealth and this century.

And likewise I refer to the solid, unglamorous work to build up those *other* institutions of democracy – beyond the human rights bodies themselves, ... in election commissions, and parliaments, and national and local administrations ... – which all, in the long term, yield the benefits of societies which treasure values and rights.

Yet the question must of course be asked: how does the Commonwealth fare as an organisation which espouses and advances human rights?

The Commonwealth recognises that no one, or no country, is perfect.

All are journeying, and the Commonwealth pledges itself towards journeying with its members, on the rugged, winding, uphill paths towards the goals of democracy, development and diversity for which we aim.

Where the Commonwealth has to take a stand as a group, it does so.

Many of you will know that we have a Commonwealth Ministerial Action Group (or CMAG) – a rotating group of nine Foreign Ministers, the focus of peer review and guardianship of the Commonwealth's values and principles – which has taken stands on what we term the 'serious or persistent violation' of those values and principles, where democratic constitutions have been rescinded.

In this context, it is with great sadness that I mention the country which – last September – was fully suspended by the Commonwealth, through CMAG.

Many of you will know that this decision against Fiji Islands was taken primarily because of unconstitutionality – first, in the form of the military overthrow of a democratically elected government, and second, in the form of an abrogation of the constitution.

But CMAG also took into account, I quote, 'the ongoing violation of human rights including freedom of speech and assembly, arbitrary detention of opponents of the military regime, and the undermining of the independence of the judiciary and legal system'.

We have heard the same human rights concerns echoed in this very Council, just last month.

Yet such regrettable action to criticise and sanction is rare, and not – in fact – in the nature of an association which seeks to affirm and to help.

We as a Commonwealth seek to advance our defence of human rights, and we, as a peer group, seek to support each other, and where necessary sensitise each other, in that process.

This makes us an organisation given more to engagement than to pronouncement.

We recognise that as independent member states, the bulk of our membership is only a few decades old.

The task of nation- and institution-building will always be a painstaking one, and living up to the high standards we have embraced will sometimes be beset with lapses.

But the Commonwealth seeks to be a strategic partner of member states as they advance in this huge task.

That is why we see greater value in raising a helping hand, than in raising a wagging finger.

I sometimes give the analogy that the Commonwealth is more of a coach, engaged by the team, than a referee on the sidelines armed with a whistle and a red card.

For this reason we are ready to work with the 14 of our members which have yet to ratify the two 1966 UN Covenants, on Civil and Political Rights, and Social and Economic Rights – or subsequent Conventions, for instance against Torture, or Racism, or Discrimination against Women.

The reasons for this are often simple and practical, in that the actual *requirements* of ratifying, implementing, or reporting on the Covenants are simply difficult for some smaller or poorer states with little capacity.

What matters is that we have offered our practical support, in helping our members to meet those obligations.

So a good and sympathetic coach helps correct imperfections, and seeks to enhance what is innately or potentially good.

But the will to improve cannot be imposed.

The most durable routes to dealing with abuses and making progress in human rights come not from without, but from within.

This is the secret of sustainability; and these are the rewards of endeavour.

Human rights are both the simplest of absolutes and the loftiest of ideals.

They are as universal as they are indivisible.

The very words sound a clarion call: the right to vote; the right to a fair trial; the right to choose; the right to eat and drink; the right to read and write and speak; the right to dignity; the right to life.

Yet amongst absolutes, there is always room for humanity.

The Commonwealth will be true to its core values; and the Commonwealth will continue to do all in its power to partner its members in protecting and promoting human rights at every level of their societies.

We reaffirm our promise today to work with this Human Rights Council, and with all our members.

Thank you. **ENDS**