

# Inclusive governance

The Commonwealth People's Forum (CPF) is a biennial event held prior to the Commonwealth Heads of Government Meeting. CPF 2018 took place on 16-18 April in London and was jointly organised by the Government of the United Kingdom and the Commonwealth Foundation. CPF 2018 critically explored policy based actions under the theme of 'Inclusive Governance: The Challenge for a Contemporary Commonwealth'. It provided an innovative opportunity for civil society organisations to share knowledge and learn from each other as well as to interact with governance institutions on key policy issues. The CPF 2018 series elaborates on the issues covered in the London Declaration on Inclusive Governance for a Renewed Commonwealth.

## Introduction

The overarching theme of 'inclusive governance' framed discussions at CPF 2018. Panelists and delegates were asked to explore how inclusive governance can tackle injustice in the Commonwealth.

**[The Commonwealth's] history places a unique imperative on the association and its members to chart a path built on inclusivity'**

The sessions also explored the role inclusive governance can play in renewing the Commonwealth by identifying: lessons learnt; obstacles to inclusivity; and the steps necessary to achieve it.

Inclusive governance is embedded in Sustainable Development Goal 16 (SDG 16): to 'Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all

levels'.

Across 21 sessions, CPF 2018 highlighted ways for individuals, communities, civil society, and governments to work together and build inclusive policies and institutions at the local, national, and international level. This brief offers an overview of that discourse.

For a more detailed analysis of some of the issues and strategies discussed at CPF 2018 and covered in this brief, readers should refer to the [Commonwealth insights: inclusive governance series](#).

### I. Exploring exclusion in the Commonwealth

Focussing on the lived experiences of marginalised communities, participants explored the practice of exclusion and the institutional changes needed in Commonwealth states to ensure it is challenged. The sessions revealed that exclusion is widespread and typically

manifests itself in institutional frameworks and practices.

## **Education**

In many Commonwealth countries, limited and inequitable access to education has entrenched the exclusion of sections of society. This is often due to poor facilities and teaching quality, unevenly distributed resources, inadequate infrastructure, language barriers, and prohibitive education costs. Institutional, policy, and curriculum reforms are needed to strengthen inclusive education, coupled with wider use of free, open education resources in local languages and socially and culturally appropriate technology-enabled learning.

## **Indigenous people**

The right to self-determination for indigenous people is routinely compromised in the Commonwealth. Indigenous peoples have been constitutionally excluded and face acute difficulties in acquiring jobs and education and starting businesses and are also often denied the right to shelter and judicial process. A new Commonwealth agenda focused on constitutional reform must recognise indigenous peoples' land and territories, and provide them with the full benefits of citizenship, including human rights protections.

## **Disability**

Persons with disabilities (PwDs) face institutional discrimination and are frequently prevented from accessing justice in many Commonwealth countries. Women and girls with disabilities are particularly disadvantaged. The law must ensure equal access to justice for all as set out in the 2030 Agenda for Sustainable Development and the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Several policy changes are required. These include: the right to fair trial; removing discriminatory laws and practices preventing participation in proceedings; and ensuring provision of procedural accommodations and the right to

an effective remedy. Training of all judicial actors, and the collection and disaggregation of data concerning access to justice for PwDs is also necessary.

## **Legal reform**

Legislation relating to sexual orientation, gender identity, and mental health perpetuates exclusion in many Commonwealth countries. Much remains to be done to repeal discriminatory laws. The legal reform journeys of the Seychelles and Belize show that achieving progress requires acknowledging historical and institutional constraints specific to each context. Litigation, provisions in constitutional law, and substantial political will, were key instruments in achieving progress. Civil society played a central role in fostering change through a multitude of strategies, including education of politicians, legislators, and citizens.

## **Migration**

Migration has been an integral feature of the Commonwealth and of human development since time immemorial. The intersections between migration, class, race and ethnicity, and current discourses that dehumanise migrants, were discussed in a session entitled reimagining migration. Societies and governments, both in countries from which people originate and in countries to which they move, can play a critical role in humanising migrants and the migration process; in recognising that self-betterment is a universal aspiration; and, that migrating often requires significant personal and familial sacrifice. Legal frameworks are needed that recognise migrants and ensure their protection.

## **Gender and peace**

Women bear the heaviest burden of war through sexual violence and displacement, yet they are rarely in positions of authority in peace processes, and their voices are routinely ignored. Leading women peace negotiators from Colombia, Northern Ireland, the Philippines and Uganda, who have

overcome overt discrimination and exclusion, discussed their experiences at CPF 2018. Women's inclusion at the negotiation table is a right and there must be gender balance in negotiating teams. Local and national women's groups should be supported to work together to establish common negotiating agendas. The media, which has often played a key role in reinforcing patriarchal attitudes and messages, must be routinely challenged.

## II. Politics of hope – taking on injustice in the Commonwealth

CPF 2018 agreed that dissenting voices are critical for challenging the status quo and that the ability to express dissenting opinions is a core aspect of democratic values and inclusive governance. These reminded participants that much is possible even in a world permeated by injustice in myriad forms.

Participants discussed how to work towards more just economies and a reformed world order to challenge unequal power structures that have remained, in some cases, unchanged since colonialism. Multi-faceted responses, built on a people-first agenda that support and promote the fulfilment of human needs and that challenges corporate power were discussed. Civil society's ability to marshal grassroots engagement is critical to demand and envision change, while also mobilising new forms of social media that enfranchise young people.

A panel on climate justice identified that the burden of adaptation is currently on the countries and regions least responsible for climate change. Fulfilling the promise 'to leave no one behind' requires resisting a narrative of climate change adaptation that privileges a fraction of the global population. Climate justice must involve affected communities in decision-making and ensure access to legal support and recourse regarding relocation and forced migration. Inclusive and participatory forms of governance are central to a climate just

future.

Does the digital age help or hinder the creation of just societies? Participants considered what kind of social and regulatory environment enables digital advocacy, and how civil society can respond to emerging technological issues such as net neutrality, big data, robotics, and artificial intelligence. 'Data justice' requires transparent and substantive accountability from technology companies; and the development and implementation of processes to strengthen the protection of the human rights of communities most at risk from digital technologies.

The Commonwealth Charter states that for effective governance, the judicial, executive and legislative branches of government should be separate and independent. However, in many countries of the Commonwealth, the principle of the separation of powers is under threat or is yet to be realised.

## III. Imperatives for a renewed Commonwealth

To advance the CPF 2018 declaration, six intersecting issues have been identified by civil society for a renewed Commonwealth.

### 1) Education for inclusive governance - building and supporting new initiatives

Participants at CPF 2018 emphasised the critical role education and awareness has to play in ensuring inclusion and justice for marginalised groups including women, indigenous peoples, and Persons with disabilities. Education that is better targeted, deploys new tools, and addresses diverse audiences and stakeholders, is needed to identify and address discrimination across the Commonwealth, and to help establish good practice and institutional change that can strengthen inclusive governance.

## 2) Achieving equitable access to services

Equitable access to critical services for sustainable development – such as health and education - cannot be achieved without appropriate financing and qualitative improvement in the workforce. To improve inclusion in education provision, policy and institutional reforms are required. Inclusion of persons with disabilities is particularly important. Regarding health, renewed emphasis is needed to provide equitable access to all and requires government funding commitments of between 3 – 7% of GDP. [Universal health care](#) needs to be guaranteed by states, whether financed publicly or in partnership with the private sector, and should prioritise social need, with innovative best practices shared across geographies.

## 3) More effectively harnessing the digital age for inclusive governance

There is a promising yet poorly defined opportunity to harness the digital age in favor of inclusive governance. However, new threats that can deepen and entrench exclusion must also be understood. Community and country case studies from around the Commonwealth could improve the understanding of the opportunities and risks that exist. Participants identified the potential benefits of a new programme of work that makes use of Pan-Commonwealth experience to produce overarching guidelines and good practices for digital technology.

## 4) Recognising and addressing gender discrimination and its intersectionality

The institutional and informal power structures that disadvantage and discriminate against women were examined. An awareness of gender, and how it intersects with other layers of exclusion such as class, race, or disability, is important. Women bear the heaviest burden during times of crisis - war, climate change - but are least likely to participate in decision-making when it comes to finding solutions. Within the Commonwealth, patriarchal dynamics

are often perpetuated in the media and must continue to be systematically challenged.

## 5) Developing a new Commonwealth agenda to reverse systemic discrimination of indigenous peoples

Discrimination, exclusion, and the denial of constitutional and human rights of indigenous peoples has been a perennial challenge within the Commonwealth. A new Commonwealth agenda can be developed, that systematically reverses this.

## 6) Strengthening the Commonwealth's role in advocacy for inclusive governance

CPF 2018 agreed that the Commonwealth offers a unique opportunity for progress. Its history places a unique imperative on the association and its members to chart a path built on inclusivity. Within the Commonwealth, strengthened collaboration is needed to challenge and overcome discrimination. The Commonwealth must serve as an example of consensual international collaboration and good practice, and should advocate this approach at every opportunity. A concerted programme can support this approach and must make use of increased resources, Ministerial meetings and other high-level fora, and the sharing of good practices.



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Commonwealth People's Forum, April 2018

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