

Research Briefing

By Philip Loft

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The Commonwealth and Human Rights



Summary

- 1 Commonwealth principles
- 2 Thematic challenges
- 3 Country challenges
- 4 Tools to monitor and intervene
- 5 Further reading on the Commonwealth

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Secretary-General Patricia Scotland at the Formal opening of CHOGM from [Commonwealth Secretariat, CC BY-NC 2.0](#)

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Summary

The Commonwealth is an international association of [56 countries](#) (29% of the UN’s membership), with a population of over 2.5 billion (around 32% of the global population), and a collective GDP estimated to be US\$ 13 trillion in 2020.

The UK has [significant historic](#) and [trading links](#) with the Commonwealth. All but four of its members (Rwanda, Mozambique, Togo and Gabon) were formerly part of the British empire, and in 2020 the Commonwealth accounted for nearly 9% of the UK’s total trade—around the same as the UK’s trade with Germany.

This Briefing sets out the work of the Commonwealth to promote human rights and the challenges it faces. Section 5 provides further reading on the Commonwealth more broadly. Other Library papers describe [how the Commonwealth works as an association](#), its [work on climate change](#), and [trade with the UK](#).

Commonwealth principles

The 1971 Singapore and 1991 Harare Declarations by Commonwealth heads of government set out the Commonwealth’s commitment to democracy, human rights, and the rule of law.

The 1971 declaration sets out 12 principles [that Commonwealth states must abide by](#) (PDF). These include respecting the equality of all citizens and the recognition of racial prejudice and discrimination as an “evil of society.” The 1991 Declaration went further, in committing the Commonwealth to strengthen its ability to [promote and protect democracy in Commonwealth countries](#) (PDF).

In 1995, the Millbrook Commonwealth Action Programme saw the Commonwealth establish the Commonwealth Ministerial Action Group (CMAG) to tackle persistent violations of Commonwealth principles. Nigeria [became the first country to be suspended](#) (PDF) from the Commonwealth in 1995 for violating these principles.

Democracy in Commonwealth countries

The UK Government has raised concerns for political rights in several states. Five Commonwealth countries—Bangladesh, Nigeria, Pakistan, Rwanda, and Tanzania—are human rights priority countries for the Foreign, Commonwealth and Development Office (FCDO). In 2021, it [cited concerns for freedom of assembly and speech](#) in each.

Women and girls

The Commonwealth also works to [promote women's economic empowerment and leadership](#), and to end violence against women and girls. Progress on these varies widely across the organisation. For example, at September 2020, only [70% of girls in the Commonwealth attended school](#) (PDF) and in 2018, only [20% of parliamentarians across the Commonwealth were female](#) (PDF).

LGBT+ rights

Most Commonwealth states—[36 of the 56](#)—[criminalise same-sex acts between consenting adults \(as of November 2020\)](#). Many of these laws were introduced in the colonial era. UK Prime Minister, Theresa May, [acknowledged and apologised for these laws](#) in 2018. Since 2020, two further member-states have said they will decriminalise consensual same-sex relationships: [Antigua and Barbuda](#) and [Singapore](#).

The UK has subsequently announced funding [to support legislative reform in Commonwealth states](#).

Freedom of religion or belief (FoRB)

The UK has also raised concerns about FoRB across the Commonwealth. In 2019, 26 Commonwealth states [had blasphemy laws](#). The UK Government has raised concerns directly with governments including [India](#) and [Pakistan](#) and hosted [international conferences on FoRB](#), with the most recent in July 2022.

Modern slavery

The Commonwealth Human Rights Initiative (CHRI) [estimates around 16 million people in the Commonwealth are in modern slavery](#) (1 in 150 people).

Through the Commonwealth Parliamentary Association, the UK has provided support to Commonwealth countries [to reform their legislation to address modern slavery](#). In 2022, Commonwealth Leaders pledged to [eliminate modern slavery and child labour](#).

Suspending Commonwealth members

In the event of a country's decline in human or democratic rights, the first step is for the Commonwealth Secretary General to seek to engage with the member state to address any decline.

If this is unsuccessful, CMAG then meets to consider the issue. Measures it can consider include collective action or statements on the part of the Commonwealth, suspension of membership, or expulsion. [CMAG have recommended seven suspensions](#) (PDF), concentrated in 1995 to 2000 and 2006 to 2009, against Nigeria, Sierra Leone, Pakistan, and Fiji. All have returned to the Commonwealth.

1 Commonwealth principles

The 1971 Singapore and 1991 Harare Declarations by Commonwealth heads of government marked a new emphasis in the Commonwealth on human rights and democracy among its membership.

The two declarations were a reaction to the continuation of White minority rule in Rhodesia (now Zimbabwe) from 1961 to 1980, and Apartheid in South Africa to 1994.

New Commonwealth members must demonstrate they abide by these principles prior to joining, and the Commonwealth Ministerial Action Group (CMAG), established in 1995, ensures compliance with the declarations among Commonwealth states (see page 19 for more on the CMAG).

1.1 Singapore Declaration, 1971

The 1971 declaration sets out 12 principles [that Commonwealth states must abide by](#) (PDF). On human rights, this includes:

- Respecting the liberty of the individual and ensuring equality of rights for all citizens, regardless of their race, religion or belief, and politics;
- The recognition of racial prejudice and discrimination as an “evil of society” and that no country should provide assistance to any regimes practicing it;
- Accepting the Commonwealth as an international organisation working to promote tolerance, address injustice and secure development.¹

1.2 Harare Declaration, 1991

The 1991 Declaration reiterated the principles of the 1971 declaration, but added commitments for the Commonwealth to use its offices to work with “renewed vigour” to advance fundamental principles such as democracy and human rights:

To give weight and effectiveness to our commitments we intend to focus and improve Commonwealth cooperation in these areas. This would include strengthening the capacity of the Commonwealth to respond to requests from

¹ The Commonwealth, [Singapore Declaration of principles](#) (PDF), January 1971

members for assistance in entrenching the practices of democracy, accountable administration and the rule of law.²

1.3 Enforcing rights: The 1995 programme

With South Africa re-joining the Commonwealth in 1994 following the end of Apartheid, the Commonwealth sought to create a mechanism to help Commonwealth states implement these principles and encourage reform in those member countries with poor human rights records.

In 1995, the Millbrook Commonwealth Action Programme outlined a strategy to advance fundamental political values. At its core, this was:

- Using the Commonwealth Secretariat (which is responsible for the day-to-day running of the organisation) as a tool to help monitor elections, draft laws, support democratisation programmes, improve governance, and ensure judicial independence;
- Responding to violations to the 1991 principles with remarks of collective disapproval from the Commonwealth, setting targets to restore democracy and good government, and providing support from the Secretariat to achieve this;
- Having a mechanism to deal with persistent violations through the creation of a Commonwealth Ministerial Action Group (CMAG).³

Nigeria became the first country to be suspended from the Commonwealth in 1995 because of a military coup in the country. It was not the first country to leave the Commonwealth because of criticism of its human rights record, however. Commonwealth opposition to Apartheid caused South Africa to withdraw from the organisation in 1961. The country did not re-join until 1994, after Apartheid had ended.

Further instances are listed in section 4.4 of the Library briefing on [The Commonwealth](#).

1.4 Commonwealth Charter, 2012

Many of the values and responses to any decline in human rights contained in these earlier agreements were affirmed in a single document, the [Commonwealth Charter](#), in 2012.⁴

² The Commonwealth, [Harare Declaration](#) (PDF), October 1991, paras 9 and 10

³ D. McIntyre, *A guide to the contemporary Commonwealth*, 2001, p91

⁴ The Commonwealth, [Commonwealth Charter](#), 2012, accessed 17 February 2022

2 Thematic challenges

2.1 Democracy

While Commonwealth countries are democracies, and have elected parliaments and political parties, there are concerns for political rights in several member states. In its latest report on global human rights, covering 2020, the UK Government [highlighted its concerns in several Commonwealth states](#):

- **Bangladesh:** In 2020, the UK reported voter intimidation in local elections and its government using legislation to suppress media criticism of its handling of the coronavirus pandemic. In 2021, the main opposition party boycotted local elections, citing allegations of misconduct.⁵
- **Nigeria:** The UK Foreign Secretary raised concerns following reports of brutality by security services against protesters and civilians. The UK has recently supported police reform in the country. Nigeria's Government has now closed one of police units blamed for violence and intimidation.⁶
- **Pakistan:** The UK raised concerns on censorship, freedom of expression and lack of protections for journalists. In 2021, Pakistan passed a law to improve protections for journalists.⁷ However, the law has been criticised by Reporters without Borders as including provisions against "false information," which it fears will be used to censor the media.⁸
- **Rwanda:** The UK Government was concerned about freedom of expression for opposition voices. Page 16, below, provides more detail.
- **Tanzania:** The UK reported threats to freedom of expression during Tanzania's election in 2020, and arrests of opposition leaders. The Government raised its concerns directly with Tanzania's Government.⁹ In July 2021, opposition leader Freeman Mbowe was arrested on charges of terrorism, but in March 2022 a court ordered his release. Analysts see his release as signalling a potential shift towards greater openness in the

⁵ Al-Jazeera, [Several killed in Bangladesh rural council elections amid Boycott](#), 12 November 2021, all sources accessed 21 February 2022

⁶ Reuters, [A year after Lagos bloodshed, Nigerians say police reform promises prove hollow](#), 20 October 2021

⁷ International Federation of Journalists, [Pakistan: Senate passes bill to protect journalists and media professionals](#), 23 November 2021

⁸ Reporters Without Borders, [Pakistan imposes new censorship mechanism under guise of protecting journalists](#), 1 December 2021

⁹ Foreign Commonwealth and Development Office (FCDO), [Human rights and democracy report: 2020](#), 9 July 2021. Unless stated,

country, with some media outlets also having been allowed to resume publication.¹⁰

2.2 Women and girls

The Commonwealth has four priorities on gender equality:

1. Women's economic empowerment;
2. Women in leadership;
3. Ending violence against women and girls;
4. Gender and climate change.¹¹

Progress against these varies across the Commonwealth.

Economic empowerment

Female participation in the labour force has steadily increased across the Commonwealth, though rates vary.

As of 2018, the Commonwealth average is 60% female labour force participation. The highest is Rwanda, at 85%, but in India it is 25%.¹²

The Indian Government has, in recent years, [passed legislation to require equal wages for men and women](#), and mandating employers to offer paid maternity leave.¹³

Rwanda's high female participation in the workforce is partly a reflection of necessity: Women made up 60-70% of the surviving population after the 1994 genocide.¹⁴

Girls' education in the Commonwealth

As of September 2020, only 70% of girls in the Commonwealth attend school.¹⁵

As part of the UK's commitment to improve girls' education globally, in 2018 it launched a £212 million scheme [to help one million vulnerable girls across the Commonwealth access education by 2030](#). The related Platform for Girls'

¹⁰ BBC News, [Freeman Mbowe: Tanzania's opposition leader finally released](#), 4 March 2022

¹¹ The Commonwealth, [Our work on gender](#)

¹² Commonwealth Innovation, [Female labour force participation](#)

¹³ Council on Foreign Relations, [India introduces economic reforms to improve women's access to markets and financial assets](#), undated

¹⁴ World Economic Forum, [How Rwanda beats the United States and France in gender equality](#), 2 May 2017

¹⁵ The Commonwealth, [Fast facts: Gender equality in the Commonwealth](#) (PDF), September 2020

education, chaired by the UK and Kenya, also aims to improve access to education across the Commonwealth.¹⁶

The Kenyan Government has called for “enhanced collaboration” in the Commonwealth to improve girls’ education, and to tackle practices that impede their participation, such as poverty, early marriages, and gender-based violence.¹⁷

Female leadership and parliaments

From 1998 to 2018, the proportion of female parliamentarians in Commonwealth countries doubled to around 20%.¹⁸ Fourteen countries see women constitute over 30% of the parliaments (as of September 2020).¹⁹

Rwanda, which introduced quotas for female parliamentarians in 2003, sees women constitute 60% of its seats—the highest in the world.²⁰

In 2016, the Commonwealth Secretariat launched a Women’s mentorship scheme to work with Commonwealth citizens aged 16-29, starting in the [Caribbean Commonwealth](#).²¹ This was extended to [African Commonwealth countries](#) in 2019.²²

Citing the experience of Grenada where a third of its parliamentary seats are held by women, in a 2018 report by the Commonwealth Secretariat, political leadership and improving financial support for female candidates were identified as important factors to increasing female representation.²³

Ending violence against women and girls

Not all Commonwealth states have laws to [protect women and girls from domestic violence, harassment, and marital rape](#) (PDF). The Commonwealth Parliamentary Association (CPA) said that as of 2019:

- Marital rape was legal in 14 countries. Pakistan, India, and Sri Lanka all have only limited circumstances where marital rape is a crime.²⁴ In

¹⁶ Foreign, Commonwealth and Development Office, [Foreign Secretary launches Platform for girls’ education](#), 20 April 2018; PQ 182079 [[Rwanda: Education](#)], 21 April 2021

¹⁷ Kenyan Ministry of Education, [CS Aminia nominated for Co-Chair of Commonwealth Platform for girls’ education](#), 19 April 2018 (opens word document)

¹⁸ Commonwealth Innovation, [Women parliamentarians in the Commonwealth](#)

¹⁹ The Commonwealth, [Fast facts: Gender equality in the Commonwealth](#) (PDF), September 2020

²⁰ The Commonwealth, [Study shows encouraging progress in Commonwealth towards gender equality](#), 23 September 2021

²¹ The Commonwealth, [Commonwealth women’s mentorship scheme launches in Caribbean](#), 25 July 2017

²² The Commonwealth, [Commonwealth launches young women’s mentorship programme](#), 18 April 2019

²³ The Commonwealth Secretariat, [Women and political parties in five small states of the Commonwealth Caribbean](#), 2018, p23

²⁴ Human Dignity Trust, [Changing laws, changing lives: Indicator 2](#), accessed 23 February 2022

recent years, marital rape was declared a crime in Fiji in 2016 and the Solomon Islands in 2012.²⁵

- 16 have legislation against female genital mutilation (FGM). Botswana, Namibia, and Rwanda are among those lacking laws.²⁶ In 2015, The Gambia [passed legislation against FGM](#).²⁷
- 40 have laws against sexual harassment.²⁸

The Commonwealth Secretariat has launched the [“No more” campaign to address violence against women and girls](#). It works with 1,400 organisations and 40 national and international charities to provide assistance to Commonwealth countries to record accurate data on violence, training for community leaders, and resources for those at risk of violence.²⁹

Gender and climate change

A 2019 report by the UN High Commissioner for Human Rights described how women [are particularly vulnerable to the effects of climate change](#) (PDF).

As examples, it cited the greater exposure of women to food insecurity and discriminatory food allocation, their greater roles in acquiring water, and being more likely to die during extreme weather events than men (primarily due to differences in health care and social prejudice).³⁰

To mark the climate conference, COP 26, in November 2021, the Commonwealth published a report showing that some Commonwealth member countries [included gender as a priority](#) (PDF) in their plans to reduce emissions.³¹

Further reading/resources on gender equality

- The Commonwealth’s page, [Gender](#), provides a summary of its work and links to policy documents.
- Human Dignity Trust, [Assessing sexual offence laws in the Commonwealth, 2021](#). Provides summaries for each Commonwealth country.
- Commonwealth Parliamentary Association (CPA), [CPA UK paves way for Commonwealth lawmakers to strengthen legislation on gender-based violence](#) (2019)

²⁵ Solomon Times, [Law on marital rape removed](#), 5 November 2012; Human Dignity Trust, [Fiji](#)

²⁶ UN Population Fund, [Female genital mutilation: FAQs](#), February 2022, accessed 23 February 2022

²⁷ The Guardian, [The Gambia bans female genital mutilation](#), 24 November 2015

²⁸ Commonwealth Parliamentary Association, [A review of the effectiveness of legislation protecting women from violence across the Commonwealth](#) (PDF), 2019, p16

²⁹ Commonwealth says no more, [About us](#) and The Commonwealth, [Commonwealth says no more](#)

³⁰ UN High Commissioner for Human Rights, [Analytical study on gender-responsive climate action for the full and effective enjoyment of the rights of women](#) (PDF), 1 May 2019, parts A and B

³¹ The Commonwealth, [Gender integration for climate action](#) (PDF), 2021, pxiii

- The Commonwealth’s [Fast Facts: Gender equality in the Commonwealth](#) (PDF) (2020) provides headline statistics on the topic.
- Cambridge University’s [12 years of quality education for all girls: A Commonwealth perspective](#) (2019) provides data on girls’ education across the Commonwealth and sets out possible interventions
- The Commonwealth’s [Gender equality in the Commonwealth](#) (PDF) (2019) provides policy and progress against the four Commonwealth priorities.

2.3

LGBT+ rights

A majority criminalise same-sex acts

As of November 2020, [36 Commonwealth Members criminalise same-sex acts between consenting adults](#), while 20 do not.³² Enforcement of laws will, however, vary. The next page includes a table showing the status in each country (as of 2020).

For example, same-sex sexual acts are potentially punishable by the death penalty in Pakistan, but [there is significant uncertainty](#) over the legal situation. This reflects the nature of Sharia law in the country.³³

Many of these laws were introduced in the colonial era: The UK Prime Minister, Theresa May [acknowledged and apologised for](#) this in 2018.³⁴

But there are reforms

Some of the countries that criminalise same-sex relations do have laws that offer some protection on the basis of a person’s sexual orientation. For example, Mauritius has some employment and general protections, and Barbados provides some protection in employment matters.³⁵

Since 2010, 12 Commonwealth countries have repealed laws criminalising same-sex relations, including the most populous, India, in 2018. In 2022, Antigua and Barbuda’s ban on same-sex acts between consenting adults was judged unconstitutional.³⁶ In 2022, the Government of Singapore also said it would repeal its law criminalising consensual same-sex relationships.³⁷

³² International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [State-sponsored homophobia](#), November 2020, “The world at a glance”

³³ Home Office, [Sexual orientation and gender identity in Pakistan](#), July 2019, pp7, 14, 15

³⁴ Ten Downing Street, [PM speaks at the Commonwealth join forum plenary](#), 17 April 2018

³⁵ ILGA, [State-sponsored homophobia](#), November 2020, p325-6

³⁶ Human Rights Watch, [Antigua and Barbuda: High court decriminalises gay sex](#), 11 July 2022

³⁷ BBC News, [377A: Singapore to end ban on gay sex](#), 21 August 2022

Are same-sex acts legal? Only in 20 of the Commonwealth's 56 members (data as of November 2020)											
Africa			Africa			Americas			Oceania		
Legal?	Date repealed		Legal?	Date repealed		Legal?	Date repealed		Legal?	Date repealed	
Botswana	Yes	2019	South Africa	Yes	1998	Antigua and Barbuda	No		Australia	Yes	1975-97
Cameroon	No		Togo	No		Bahamas	Yes	1991	Fiji	Yes	2010
Eswatini	No		Uganda	No		Barbados	No		Kiribati	No	
Gabon	Yes	2020	United Republic of Tanzania	No		Belize	Yes	2016	Nauru	Yes	2016
The Gambia	No		Zambia	No		Canada	Yes	1969	New Zealand	Yes	1986
Ghana	No					Dominica	No		Papua New Guinea	No	
Kenya	No					Grenada	No		Samoa	No	
Lesotho	Yes	2012	Asia			Guyana	No		Solomon Islands	No	
Malawi	No		Bangladesh	No		Jamaica	No		Tonga	No	
Mauritius	No		Brunei Darussalam	No		St Kitts and Nevis	No		Tuvalu	No	
Mozambique	Yes	2015	India	Yes	2018	St Lucia	No		Vanuatu	Yes	Never illegal
Namibia	No		Malaysia	No		St Vincent and The Grenadines	No				
Nigeria	No		Maldives	No		Trinidad and Tobago	Yes	2018	Europe		
Rwanda	Yes	Never illegal	Pakistan	No					Cyprus	Yes	1998
Seychelles	Yes	2016	Singapore	No					Malta	Yes	1973
Sierra Leone	No		Sri Lanka	No					UK	Yes	1967-82

Source: ILGA, [State-sponsored homophobia](#), November 2020, “The world at a glance.” Information as of November 2020.

UK Government actions

In 2018, Prime Minister Theresa May said the UK Government would be ready to support any Commonwealth member wanting to reform legislation that makes discrimination against LGBT+ persons possible.

She said the Government recognised that “these laws were often put in place by my own country.”³⁸

The UK announced a £5.6 million programme to advance the legal equality and rights of all Commonwealth citizens, regardless of their gender, sex, sexual orientation, or gender identity, to run for two years.³⁹

In September 2020, the FCDO announced a £3.2 million successor programme, the Commonwealth Equality Project, to run in 2020/21. This focused on supporting legislative reform.⁴⁰ A successor programme was announced in 2022, with funding of £2.7 million.⁴¹

The Library briefing [UK aid for LGBT+ inclusion](#) provides more on UK efforts.

Resources on LGBT+ rights in the Commonwealth

The Commons Library has published profiles of LGBT+ rights in many individual countries, published as [International LGBT+ rights and issues 2020/21](#).

Further resources, projects and reports can be found on the [Commonwealth Equality Network](#) and [Kaleidoscope International Trust](#) websites. Together, they published [LGBTBI+ in the Commonwealth in the Covid-19 era](#) (2020).

Human Rights Watch published reports on [Discriminatory laws against LGBT people in the Eastern Caribbean](#) (2018) and [Rwanda: Round-ups linked to Commonwealth meeting](#) (2021).

³⁸ Ten Downing Street, [PM speaks at the Commonwealth joint forum plenary](#), 17 April 2018

³⁹ PQ HL11035 [[Commonwealth: LGBT people](#)], 2 November 2018

⁴⁰ Foreign, Commonwealth and Development Office (FCDO), [Human rights and democracy report 2020](#), 8 July 2021

⁴¹ Number Ten, [UK announces new support for Commonwealth LGBT rights campaigners](#), 24 June 2022

2.4

Freedom of religion or belief (FoRB)

Blasphemy laws in the Commonwealth

As of 2019, 79 countries globally had laws or policies banning blasphemy. This includes speech or actions considered to be insulting, contemptuous or showing lack of reverence for God or sacred things.

According to the Pew Research Trust, there were 26 Commonwealth states with blasphemy laws in 2019 (46% of its 56 members). In some countries, including Pakistan, Trinidad and Tobago, and Barbados, these laws date back to their period under British rule.

In 2021, the US State Department reported that those actively enforcing laws included Bangladesh, Brunei, Nigeria, and Pakistan. Those not enforcing these laws included member states in the Caribbean.⁴²

26 Commonwealth states had blasphemy laws in 2019			
Antigua and Barbuda	Cyprus	Mauritius	St Lucia
Bahamas	The Gambia	Nigeria	St Vincent and the Grenadines
Bangladesh	Grenada	Pakistan	Trinidad and Tobago
Barbados	Guyana	Papua New Guinea	Vanuatu
Belize	India	Rwanda	Zambia
Botswana	Kenya	Seychelles	
Brunei Darussalam	Malawi	Sri Lanka	

Source: Pew Research Center [Four in ten countries and territories worldwide had blasphemy laws in 2019](#), January 2022

Commonwealth countries that have recently repealed blasphemy laws include New Zealand (2019)⁴³ and Malta (2016).⁴⁴

The below section provides a background to blasphemy laws in five states.

⁴² US State Department's [International religious freedom report 2021](#), June 2022

⁴³ Pew Research Center, [Four in ten countries and territories worldwide had blasphemy laws in 2019](#), January 2022

⁴⁴ United States Commission on Religious Freedom, [Respecting rights? Measuring the world's blasphemy laws](#) (PDF), 2017, p20

Bangladesh

There is no specific blasphemy law, but the US State Department reports that authorities use elements of the country's penal code and telecommunication laws to charge those perceived to be criticising Islam.⁴⁵

Brunei Darussalam

In 2013, Brunei Darussalam created a new penal code which imposes the death penalty for some blasphemy cases, as well as other restrictions on religious freedom including against propagating any religion other than Islam. The code came into force in 2019. A moratorium on the death penalty was adopted the same year.⁴⁶

The country's government has long enforced the Sharia Penal Code, which states offences such as blasphemy and apostasy are punishable by corporal and capital punishment. The US State Department says the death penalty has not been applied in these cases since 1957 but there have been some instances of caning as a punishment. It reports fears that the laws can be used to constrain non-Muslim group activities.⁴⁷

India

India's constitution provides for freedom of conscience and the right of all to freely profess, practice, and propagate religion. The country's penal code, however, also criminalises "promoting enmity" between different groups on religious grounds and "deliberate and malicious acts" intended to "outrage religious feelings...by insulting" religion or belief.

In 2021 there were reports of several individuals being arrested for making comments considered offensive to Hinduism, both online and in other settings. Muslims and Christians were among those arrested. Communal violence also occurred in some cases.⁴⁸

Nigeria

While Nigeria's constitution guarantees the right to freedom of expression, its criminal code makes it an offence to insult religion. The NGO Human Rights Watch report that allegations of blasphemy by Muslims against Christians or other Muslims often trigger violence.⁴⁹

⁴⁵ US State Department's [International religious freedom report 2021: Bangladesh](#), June 2022

⁴⁶ Human Rights Watch, [Brunei's pernicious new penal code](#), 22 May 2019

⁴⁷ US State Department, [2021 report on international religious freedom: Brunei](#), 2 June 2022

⁴⁸ US State Department, [2021 report on international religious freedom: India](#), 2 June 2022, Sections II "legal framework" and "Government practices", and section III

⁴⁹ Human Rights Watch, [Student in Nigeria murdered over blasphemy allegation](#), 16 May 2022

There have been reported deadly riots involving allegations of blasphemy in 1994, 2002, 2007, 2021 and 2022.⁵⁰

Twelve states in Northern Nigeria have Islamic courts that also consider blasphemy an offence punishable by death. There have been reports that courts have imposed such sentences in both 2015 and 2020.⁵¹

In August 2022, a northern Nigerian court ruled that these laws do not violate the country's constitution.⁵²

Pakistan

Pakistan's blasphemy laws were first introduced under British rule in 1860 but expanded by Pakistan's military government in the 1980s. Rights groups have reported affected groups have included Muslims, Ahmadis, Christians, and Hindus. There has been domestic discussion on reform, but the laws remain.⁵³

In 2020 the UK Government cited examples of blasphemy charges being used against academic and religious communities. The Pakistan Telecommunications Authority also targeted websites allegedly containing blasphemous content. Ahmadi Muslims were particularly affected.⁵⁴

In 2022, the Commons International Development Committee, in its report on UK aid to Pakistan, said that the laws are "frequently misused to settle personal disputes and to target religious minorities." Those accused were often subject to "mob justice."

Blasphemy can carry the death penalty, but reportedly none have been executed due to many being acquitted by Pakistan's Supreme Court. At least 199 people were charged with blasphemy in 2020.⁵⁵

UK policy on FoRB

At the 2018 CHOGM, Commonwealth Leaders affirmed their commitment to FoRB as "essential for democracy and sustainable development."⁵⁶

The UK Government says it is "deeply concerned" about the use of blasphemy laws, and regularly applies diplomatic pressure to countries that use them. It

⁵⁰ Council on Foreign Relations, [Gruesome "blasphemy" killing brings Nigeria's long-running ethno-religious divide into sharp focus](#), 16 May 2022

⁵¹ BBC News, [Nigerian singer sentenced to death for blasphemy in Kano state](#), 10 August 2020; BBC News, [Nigeria court in Kano sentences nine people to death for blasphemy](#), 26 June 2015

⁵² Reuters, [Nigeria's sharia blasphemy law not unconstitutional, court rules](#), 17 August 2022

⁵³ BBC News, [What are Pakistan's blasphemy laws?](#), 8 May 2019

⁵⁴ FCDO, [Human rights and democracy: 2020 FCDO report](#), 8 July 2021

⁵⁵ International Development Committee, [UK aid to Pakistan](#), HC 102, 29 April 2022, paras 61-66

⁵⁶ The Commonwealth, [CHOGM communiqué "Towards a common future."](#) 20 April 2018, para 2

has raised concerns with the Governments of India, Pakistan, and Nigeria, for example.⁵⁷

In 2020 Fiona Bruce MP was appointed the UK Special Envoy for FoRB.⁵⁸

In July 2022, the UK hosted an international conference on FoRB. Thirty countries joined the UK in signing up to statements. Participating Commonwealth members included Australia, Canada, and Kenya.⁵⁹

[Statements](#) included those [committing signatories to speak out bilaterally](#) and through international organisations to raise FoRB issues and strengthen the capacity of those seeking to defend FoRB.⁶⁰

To mark the conference, the UK announced £500,000 to provide legal support to areas where FoRB is under pressure.⁶¹

Further reading on FoRB

Blasphemy laws are not the only issue of FoRB in the Commonwealth. Other issues include restrictions on proselytising:

- US Commission on International Religious Freedom, [Respecting rights? Measuring the world's blasphemy laws](#), 2017
- Pew Research Center, [Four in ten countries and territories worldwide had blasphemy laws in 2019](#), 2022
- US State Department, [Report on international religious freedom](#), 2022. Provides briefings for every country.
- Commons Library, [Persecution of Christians, Muslims and minority groups in India](#), January 2021, and [Persecution of Christians and religious minorities in India](#), February 2022. Two Three-page summaries of events.

2.5

Modern slavery

Modern Slavery was considered at the Commonwealth Heads of Government meeting (CHOGM) in London in 2018, which called for the organisation to take

⁵⁷ PQ 184571 [[India: Blasphemy](#)], 28 April 2021; PQ 145993 [[Pakistan: Blasphemy](#)], 31 March 2022 ; PQ 2644 [[Nigeria: Blasphemy](#)], 24 May 2022

⁵⁸ PQ 175919 [[Developing countries: Blasphemy](#)], 13 April 2021

⁵⁹ HLWS204 [[International ministerial conference on FoRB: London 2022](#)], 15 July 2022

⁶⁰ FCDO, [Broad conference statement on FoRB](#), updated 7 July 2022

⁶¹ FCDO, [UK to champion importance of FoRB at global conference](#), 5 July 2022

further steps to eradicate forced labour, modern slavery, and human trafficking.⁶²

The UK has cited some practices of modern slavery in Commonwealth states such as India, Bangladesh, Ghana, Nigeria, and Pakistan.⁶³

The Commonwealth Human Rights Initiative (CHRI) estimates around 16 million people in the Commonwealth are in modern slavery (one in 150 people).⁶⁴

The UK Government funded a four-year project with Commonwealth Parliamentary Association to 2020 [to support Commonwealth parliamentarians' strength their legislation](#) and build networks to address modern slavery.⁶⁵ UK funding has also helped strengthen tools to identify victims of trafficking in India and new legislation in Malawi and Zambia.⁶⁶

There are many initiatives worldwide to address modern slavery: In Nigeria, for example, a national agency has responsibility for proactively identifying trafficked persons through law enforcement and social services. Bangladesh and India have schemes providing advice to women on work and migration.⁶⁷

At [CHOGM 2022](#), Leaders endorsed a declaration on child care and protection reform and set out an aim to end forced labour, modern slavery, human trafficking, and child labour.⁶⁸

Further reading on modern slavery

- Lords Library, [Tackling modern slavery in the Commonwealth](#), March 2021
- Independent Commission for Aid Impact, [The UK's approach to tackling modern slavery through the aid programme](#), October 2020
- CHRI, [Eradicating modern slavery](#) (PDF), 2020

⁶² Commonwealth Heads of Government Meeting 2018, [Communiqué: "Towards a Common future."](#) (PDF) 2018, para 39

⁶³ FCDO, [Human rights and democracy: The 2019 report](#), 16 July 2020 and [Human rights and democracy: The 2020 report](#), 8 July 2021, accessed 23 February 2022; HL Deb, [4 March 2021](#), c458GC

⁶⁴ S. Aurora and K. Bryant, [A decade to deliver: Eradicating modern slavery in the Commonwealth](#), 30 July 2020, accessed 23 February 2022

⁶⁵ Commonwealth Parliamentary Association, [Modern slavery](#), accessed 23 February 2022

⁶⁶ FCDO, [UK Chair-in-Office report 2018 to 2020: Delivery of Commonwealth summit commitments](#), 9 September 2020, pp37-8

⁶⁷ International Labour Organization, [Ending forced labour by 2030](#) (PDF), 2018, pp60, 61, 98

⁶⁸ Commonwealth Heads of Government Meeting 2022, [Communiqué](#), 25 June 2022, para 25

3 Country challenges

3.1 Rwanda

Host of CHOGM 2022

In June 2022, Rwanda [hosted the Commonwealth Heads of Government Meeting \(CHOGM\)](#).⁶⁹

CHOGMS are biennial meetings of Commonwealth leaders, where key global and Commonwealth issues are discussed.

The NGO Human Rights Watch state Rwanda's government allows little space for opposition groups to organise, that journalists and media organisations are subject to state interference, and that detention conditions are likely to be harsh.⁷⁰

The country's human rights record was also [considered by the UN Human Rights Council](#) in 2021.

In response to the Human Rights Council, the Rwandan Government said they would continue to provide compulsory human rights training for the police, strength national capacities to investigate enforced disappearances, guarantee legal safeguards for detainees, and ensure respect for the judiciary. It also committed to strengthen media freedom and freedoms of association and opinion.⁷¹

This was not the first CHOGM where the human rights record of its host has been controversial: In 2012 the Foreign Affairs Committee criticised Sri Lanka as host, arguing that "continuing evidence of serious human rights" [made it wrong to hold the 2013 CHOGM in the country](#).⁷²

UK Government response

In 2022, the UK Government expressed concern about the state of civil and political rights in the country.⁷³ It has called for the country "to model

⁶⁹ The Commonwealth, [CHOGM: Rwanda 2022](#). All sources in this section accessed 14 February 2022

⁷⁰ Human Rights Watch, [Rwanda: Events of 2019](#), 2020

⁷¹ UN Human Rights Council, [Report of the working group: Rwanda](#), 9 July 2021 (PDF), paras 134.18, 134.27, 134.31, 134.39, 134.49, 134.51

⁷² Foreign Affairs Committee, [The role and future of the Commonwealth](#), HC 114, November 2012, p3

⁷³ PQ 93897 [[Rwanda: Politics and government](#)], 10 January 2022

Commonwealth values of democracy, rule of law, and respect for human rights.”⁷⁴

3.2

Zimbabwe

Application to re-join the Commonwealth

Zimbabwe, which joined the Commonwealth in 1980 and withdrew in 2003, began the process of re-joining in 2018.⁷⁵

In 2017, then Foreign Secretary Boris Johnson said it would be a “fine and noble aspiration” for both the Commonwealth and Zimbabwe if it re-joined but said the country must meet certain standards in human rights, the rule of law and democracy.⁷⁶

To re-join the Commonwealth, countries go through four stages of application. Consensus must be reached among Commonwealth states. See pages 18-19 of the [Library Briefing on the Commonwealth](#) for the application process.

In 2021, the Zimbabwean Government said they were in the second of the four-stage process of re-joining, with the application undergoing consultations among Commonwealth members.⁷⁷

UK Government response

In 2021 the UK Government said examples such as the arrest of female activists and a proposed law to criminalise criticism against Zimbabwe’s President Emmerson Mnangagwa meant the country was “not liv[ing] up to the standards set out in the [Commonwealth] charter.”⁷⁸

Human rights groups have noted progress in some areas. For example, in 2020 licences were issued for commercial radio stations, ending the monopoly of the publicly owned TV station. In the previous year, a judge ordered two state media organisations to produce impartial broadcasts that did not favour any political candidate over another.⁷⁹

⁷⁴ Human Rights Watch, [UN: countries call out Rwanda’s rights record](#), 1 February 2021

⁷⁵ The Commonwealth, [Zimbabwe begins process to re-join Commonwealth](#), 21 May 2018

⁷⁶ HC Deb, [21 November 2017](#), c836

⁷⁷ IOL, [Zimbabwe on course to re-join Commonwealth—official](#), 6 April 2021

⁷⁸ HL Deb, [28 April 2021](#), cc2234, 2236

⁷⁹ Article 19, [Submission to the Universal periodic review of Zimbabwe](#) (PDF), August 2021, paras 40 and 42

Further reading on human rights in Rwanda and Zimbabwe

- Human Rights Watch, World report 2021: [Rwanda](#) and [Zimbabwe](#)
- Amnesty International, Report 2020/21: [Rwanda](#) and [Zimbabwe](#)
- US State Department, Country reports on human rights practices 2020: [Rwanda](#) and [Zimbabwe](#)
- UN Human Rights Council, [Universal periodic review: Zimbabwe](#), January 2022
- FCDO, Human rights and democracy reports: [2019](#) and [2020](#)
- [Zimbabwe human rights NGO Forum](#) is an umbrella group of civil society organisations
- Rwanda's [National Commission for Human Rights](#) publish reports on human rights in the country

4 Tools to monitor and intervene

4.1 Commonwealth Ministerial Action Group

Role

The Commonwealth Ministerial Action Group (CMAG) was established by Commonwealth leaders in 1995 [to address serious and persistent infringements of the Commonwealth's values](#).⁸⁰

While initial actions were focused against military regimes, it is also tasked with considering actions for democratic governments too.⁸¹

In 2011, the Perth CHOGM agreed to strengthen its role further and to lower the threshold of action, to focus on:

- 1 The unilateral abrogation of a democratic constitution or serious threats to constitutional rule
- 2 The suspension or prevention of the lawful functioning of parliament or other key democratic institutions
- 3 The postponement of national elections without constitutional or other reasonable justification
- 4 The systematic denial of political space, such as through detention of political leaders or restriction of freedom of association, assembly or expression.

CMAG is encouraged to consider examples such as a flawed national electoral processes, the undermining of the rule of law or judicial independence, systematic violations of a population's human rights, and significant restrictions on the media or civil society.⁸²

What can CMAG do?

The CMAG meets twice a year on a regular basis but can meet more often in response to events.

⁸⁰ The Commonwealth, [Millbrook Commonwealth Action Plan on the Harare Declaration](#), 1995

⁸¹ The Commonwealth, [CMAG](#), all sources in this section accessed 17 February 2022 unless stated.

⁸² The Commonwealth, [Commonwealth leaders agree to strengthen CMAG](#), 27 October 2021

In the event of a country's decline in human or democratic rights, the first step is for the Commonwealth Secretary General to seek to engage with the member state to address any issues.

If this is unsuccessful, CMAG then meets to consider the country. Measures it can consider include collective action or statements on the part of the Commonwealth, suspension of membership, or expulsion.⁸³

Example actions

CMAG statements from 2019 [can be found on the Commonwealth's website](#). Specific concerns about any member [may also be raised privately](#).⁸⁴

The group has previously [criticised the Maldives](#), which contributed to its withdrawal from the Commonwealth in 2016. The CMAG highlighted, for example, the detention of political leaders and little progress made to strengthen civil society since 2012.⁸⁵

In 2020, the CMAG considered adherence to the Commonwealth's fundamental values in Guyana, including restrictions on its judiciary and the nature of its election procedures.⁸⁶

It has recommended seven suspensions, concentrated in 1995 to 2000 and 2006 to 2009. All had their origins in military coups or declaration of martial law:

1. November 1995: Nigeria
2. October 1997: Sierra Leone
3. October 1999: Pakistan
4. June 2000: Fiji
5. December 2006: Fiji
6. November 2007: Pakistan
7. September 2009: Fiji

All have since returned to full membership.⁸⁷

⁸³ The Commonwealth, [CMAG](#) and [Commonwealth leaders agree to strengthen CMAG](#), 27 October 2021

⁸⁴ HL Deb, [12 January 2022](#), c1075

⁸⁵ The Commonwealth, [All sides in Maldives must compromise and be flexible on strengthening political processes says CMAG](#), 23 September 2016

⁸⁶ The Commonwealth, [56th CMAG meeting](#), 2 April 2020; The Commonwealth, [Concluding statement of the 57th CMAG](#) (PDF), 19 October 2020

⁸⁷ The Commonwealth, [CMAG suspension history](#) (PDF)

Criticism

Prior to the 2011 Perth reforms, the Commonwealth acknowledged that CMAG was not proactive enough, instead leaving it late to react to deteriorations in a country's human rights.⁸⁸

The Foreign Affairs Committee in 2012 also [criticised the Commonwealth as having “ineffective” mechanisms to uphold up its principles](#) and urged the Government to ensure CMAG fully exercised its mandate to respond to repression and abuse of human rights.⁸⁹

In response, the Government cited the response of CMAG to the Maldives as an illustration of the body becoming more active.⁹⁰

In 2020, the Institute of Commonwealth Studies, in evidence submitted to the Foreign Affairs Committee, argued that the composition of CMAG and focus on consensus had hindered effective and decisive action.⁹¹

In a 2018 evaluation of the Commonwealth's work on promoting democracy, a report commissioned by the Secretariat said the confidential nature of some CMAG activities and engagement with member countries made it hard to evaluate its effectiveness.⁹²

4.2

Leadership by the Secretariat

The Secretariat is responsible for the day-to-day running of the Commonwealth, coordination of its work, and advancing Commonwealth principles, such as promoting human rights and good governance.

The Secretariat is led by a Secretary General, elected by Commonwealth heads of government for a four-year term in office. The current officeholder is Baroness Patricia Scotland, who took office in 2016.

Through her Good Offices for Peace, the Commonwealth Secretary General can attempt to manage conflict, bring about political settlements, and provide technical assistance do this. This has included:

⁸⁸ The Commonwealth, [Commonwealth leaders agree to strengthen CMAG](#), 27 October 2021

⁸⁹ Foreign Affairs Committee, [The role and future of the Commonwealth](#), HC 114, November 2012, para 28

⁹⁰ [Government response to the Foreign Affairs Committee on the role and future of the Commonwealth](#), January 2013, para 10

⁹¹ [Written evidence submitted by the Institute of Commonwealth Studies \(INR0024\)](#) (PDF), May 2020 para 2

⁹² The Commonwealth, [Evaluation of the Commonwealth Secretariat's democracy programme 2013/14-2016/17](#) (PDF), October 2018, p26

- Supporting the Coalition for Peaceful Elections in Zambia in 2021 to ensure peaceful and credible elections through engaging stakeholders in dialogue.⁹³
- Appointing a special envoy to strengthen democracy in Maldives in 2016.⁹⁴
- Supporting the adoption of a new constitution in Fiji in 1997, Swaziland in 2006, and the Maldives in 2008.⁹⁵
- Supporting reconciliation following the Sri Lanka civil war and supporting improvements to its human rights record from 2013.⁹⁶

4.3

Monitoring elections

Observer groups

The Commonwealth Secretariat can also monitor elections, provide technical assistance, and make recommendations to improve the conduct of elections.

Commonwealth Observer Groups are mandated to observe the credibility of election process in member states and are constituted following an invitation of the member state government. The first occurred in Southern Rhodesia (Zimbabwe) in its pre-independence elections in 1980.⁹⁷

To 2021, the Commonwealth has observed 160 elections in 40 countries.⁹⁸ Of the 145 observed to 11 May 2020, 60% were in African states.⁹⁹

⁹³ The Commonwealth, [Zambia's political leaders urged to commit to peaceful elections](#), 6 July 2021

⁹⁴ The Commonwealth, [Commonwealth special envoy concludes first visit to Maldives](#), 5 August 2016

⁹⁵ Commonwealth Human Rights Initiative, [The good offices of the Commonwealth-Secretary General](#) (PDF), undated, pp15, 17, 18

⁹⁶ Commonwealth Human Rights Initiative, [The good offices of the Commonwealth-Secretary General](#) (PDF), undated, p24

⁹⁷ The Commonwealth, [Promoting democracy](#), The Commonwealth, [Timeline: Observing elections since 1980](#) (PDF)

⁹⁸ The Commonwealth, [Promoting democracy](#)

⁹⁹ Commonwealth Secretariat, [Written evidence ZAF0053](#) (PDF), 11 May 2020, p6

4.4

Establishing institutions

Human rights bodies

The Commonwealth Secretariat provides support to governments to establish national human rights institutions. Most recently, this included Grenada and Belize.¹⁰⁰

It also aids countries to participate in UN Universal Periodic Reviews of their human rights.¹⁰¹ This has included Dominica, Tuvalu, the Gambia, and Grenada.¹⁰²⁼

Strengthening the rule of law

The Commonwealth Office of Civil and Criminal Justice Reform, established in 2017, shares legislative knowledge across the Commonwealth, including model laws and legal standards.¹⁰³

¹⁰⁰ [Commonwealth Secretariat—Written evidence ZAF0053](#) (PDF), 11 May 2020, para 23

¹⁰¹ The Commonwealth, [Promotion and protection of human rights in the Commonwealth](#), accessed 23 February 2022

¹⁰² [Commonwealth Secretariat—Written evidence ZAF0053](#) (PDF), 11 May 2020, para 21

¹⁰³ [Commonwealth Secretariat—Written evidence ZAF0053](#) (PDF), 11 May 2020, para 1

5

Further reading on the Commonwealth

The Commonwealth: Background

The Library Briefing, [The Commonwealth](#), provides a timeline of key Commonwealth events, how it is organised (including the role of the Crown and Heads of Government Meetings), and information on how its membership is governed.

“Fast Facts”

The Commonwealth publishes a [series of “fast facts” summaries on the Commonwealth](#), covering:

- The Commonwealth as a body
- The Commonwealth Secretary General
- Commonwealth elections
- Gender equality
- Climate change

Commonwealth Innovation [also publishes data on the Commonwealth](#), including on the pandemic and sustainable development goals.

UK Parliament committee reports

- International Trade Committee, [Trade and the Commonwealth: Developing countries inquiry](#), HC 667, November 2018
- Foreign Affairs Committee, [The role and future of the Commonwealth](#), HC 114 November 2012

Commonwealth trade

As of January 2022, the UK has trade agreements with 33 Commonwealth members.¹⁰⁴

The Commons Library briefing, [Statistics on UK trade with the Commonwealth](#), provides more on trade between the UK and individual Commonwealth countries from 2000 to 2020.

¹⁰⁴ PQ 102778 [[Commonwealth: Trade](#)], 20 January 2022

The Lords Library note, [Renewing the UK's trading relationship with the Commonwealth](#) provides information on the UK Government's policy towards the Commonwealth and boosting trade links.

UK aid to Commonwealth countries

The Foreign, Commonwealth and Development Office [publish annual statistics on the value of Official Development Assistance](#) (ODA) to Commonwealth members, as table A4G.

ODA is aid intended to promote the welfare and economic development of developing countries.

In 2020, bilateral ODA from the UK to the Commonwealth totalled [nearly £1.5 billion](#). Nigeria received the highest amount, at £241 million and Bangladesh second, at £203 million.

Bilateral ODA is that spent directly in another country, being different to multilateral ODA that is provided to a multilateral organisation, such as the World Bank, which then allocates it in accordance with its priorities.

Climate change

25 of the 38 UN-member states recognised by the UN as small island developing states (SIDS) are members of the Commonwealth. SIDS are considered particularly vulnerable to the effects of climate change and experience significant constraints on their development, such as being remote from trade and markets.

The Commons Library briefing, [Commonwealth SIDS and climate change](#) provides information on the challenges SIDS are experiencing, Commonwealth efforts to address them, and further reading.

The monarchy and the Commonwealth

In February 2022, Queen Elizabeth II marked 70 years as Head of the Commonwealth. The Library Insight, [70 Years: The Queen's role in the Commonwealth](#) describes the Commonwealth's changing role during her reign and the role of the monarchy within it.

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