

**Keynote address by Commonwealth Deputy Secretary-General
Dr Josephine Ojiambo**

**International conference: ‘The Role of Parliaments in the
Promotion and Realisation of the Rule of Law and Human
Rights’, Attlee Suite, Portcullis House,
Westminster, 7 September 2015**

Honourable Members of Parliament,
Distinguished guests and colleagues

I am pleased to say a few words to introduce this session on the desirability of elaborating internationally agreed principles and guidelines for parliamentarians on their role in promoting and realising the rule of law and human rights. On behalf of the Commonwealth Secretariat and the Secretary-General, I would like to extend my

gratitude to Professor Murray Hunt, Legal Adviser to the Joint Committee on Human Rights, for convening this conference and to the Arts and Humanities Research Council and the Law Faculty of the University of Oxford for hosting the conference. I also wish to express my appreciation to Parliamentarians present as well as practitioners who are of the view that the time has come to constructively consider taking forward an international standard for parliaments.

It is well-known that parliamentarians have a special role in the promotion and protection of human rights and the rule of law. Indeed, the successful discharge of this role is simultaneously a marker of good governance and a key factor in one's ability to live a life in dignity. As a representative institution, Parliament and those who

serve in it enjoy a unique democratic legitimacy. Its members are entrusted by the people with, amongst other things, the protection and realisation of human rights. Accordingly, Parliaments should seek to use this democratic legitimacy to faithfully represent the views of the people in the policy-making process and work towards fulfilling their expectations with regard to the full enjoyment of their human rights.

We must also remember that the legislature is just one of three organs of the state with an obligation to respect, protect and fulfil human rights and the rule of law. The institutional responsibility for securing human rights and incorporating them into domestic law is, of course, shared with the executive and the judiciary. The Commonwealth Latimer House Principles is regarded as a

set of guiding principles on the separation of powers which offer guidance on the complex and interlocking relationship between the legislature, the executive, and the judiciary. The Principles set out the means of maintaining effective working relationships between these three branches of government. They are ‘designed to help the business of fair, efficient, transparent, responsive government - government for the people. The confidence, belief and trust that people have in their government is the ultimate litmus test.’ In 2013 and at the Commonwealth Heads of Government Meeting, Heads ‘reiterated their support for the Commonwealth Latimer House Principles’.

In spite of shared responsibility in the area of human rights, and owing to its primary role in law-making,

Parliament is the branch of government best placed to give effect to human rights, take practical measures to prevent abuses, and to ensure that law provides practical means through which remedies may be sought for alleged violations of rights. To this end, parliamentarians may influence policies and budgets at the national level, monitor policy implementation programmes at local levels, address the needs and concerns of their constituencies, and act as a catalyst in the realization of human rights domestically and internationally.

June 26th marked 70 years since the signing of the United Nations Charter and the first appearance of human rights in international law. This provides an apt occasion to stop and think about how the development of human rights and the rule of law has been a cornerstone

of the liberty and democracy we enjoy. But this anniversary is not just an occasion to reminisce; it is also a time to look forward and determine what still needs to be done.

Our work speaks for itself - the regional capacity development programmes we have been doing with parliamentarians which have resulted in the Mahe and Pipitea Declarations, underscore our commitment to the importance of common guiding principles agreed on the basis of consensus.

It is my sincere hope that this conference will help to grow further momentum and provide next steps to take forward advocacy with parliamentarians on the efficacy of a gold standard. As the Commonwealth Secretariat we

are ready to work with partners towards this goal through our ongoing programmatic work.

In closing, I urge our parliamentarians to take advantage of the opportunities afforded by today's forum as well as the working session we will be hosting at the Commonwealth Secretariat tomorrow. Thank you very much for your kind attention.