

COMMONWEALTH HUMAN RIGHTS INITIATIVE
Human Rights Advocacy in the Commonwealth



CHRI
Commonwealth Human Rights Initiative

A User's Handbook

COMMONWEALTH HUMAN RIGHTS INITIATIVE

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international nongovernmental organisation, mandated to ensure the practical realisation of human rights in the countries of the Commonwealth. In 1987, several Commonwealth professional associations founded CHRI. They believed that while the Commonwealth provided member countries a shared set of values and legal principles from which to work and provided a forum within which to promote human rights, there was little focus on the issues of human rights within the Commonwealth.

CHRI's objectives are to promote awareness of and adherence to the Commonwealth Harare Principles, the Universal Declaration of Human Rights and other internationally recognised human rights instruments, as well as domestic instruments supporting human rights in Commonwealth Member States. Through its reports and periodic investigations, CHRI continually draws attention to progress and setbacks to human rights in Commonwealth countries. In advocating for approaches and measures to prevent human rights abuses, CHRI addresses the Commonwealth Secretariat, Member Governments and civil society associations. Through its public education programmes, policy dialogues, comparative research, advocacy and networking, CHRI's approach throughout is to act as a catalyst around its priority issues.

CHRI is based in New Delhi, India, and has offices in London, UK and Accra, Ghana.

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2016

Introduction

In 1991 CHRI released our very first report *Put Our World to Rights*, it listed as priorities rights relating to Detention, Freedom of Expression, Indigenous and Tribal Peoples, Refugees, Women, Children, Workers and Trade Unions, and the Environment, all of which remain serious issues of concern in at least parts of the Commonwealth, and to which we must in 2016 add as a priority the rights of Lesbian, Gay, Bisexual, Transgender, and Intersex Commonwealth citizens. Progress has been made, but there is so much more advocacy to be done!

This handbook is not a guide on how to design and implement an effective advocacy strategy. There are already many excellent 'how to' guides in circulation. It is a guide on 'why' and 'where to' advocate within a Commonwealth context.

The first version of this handbook: *Human Rights Advocacy in the Commonwealth: A User's Handbook* was released in 2005. At the time, Sir Don McKinnon was Secretary-General and things seemed to be moving in a positive direction for civil society access to and within the Commonwealth. Unfortunately, the ten years that followed saw the space for civil society shrink. In the last two years the situation has improved, especially for Accredited Organisations, but this has for the most part only recovered the previous decade's losses.

It is to be hoped that the current review of ComSec by Lord Kamlesh Patel, and subsequent High Level Review mandated at CHOGM in 2015 will make the official Commonwealth more transparent, more open to advocacy, and more willing to form partnerships with civil society. Furthermore, one thing dearly needed is a mechanism for the Commonwealth to report publicly against delivery - at present commitments can be entered into on paper, but it falls on civil society to follow up and check if these have been followed through.

The Commonwealth was once described as the network of networks, and in updating this handbook I have been indebted to a network of people with an amazing depth of Commonwealth advocacy experience. Maja Daruwala, CHRI's outgoing Executive-Director who inspired ComSec to deliver a capacity building workshop on advocacy and in the same breath volunteered me to update this volume; Sophie Rigney CHRI's London chair, and trustees Clare Doube and Richard Bourne; Trinanjan Radhakrishnan and Yashasvi Nain of CHRI's Strategic Initiative Programme in New Delhi; Lewis Brooks of the Royal Commonwealth Society for adding a non-CHRI perspective; Emma Kerr, of the Commonwealth Secretariat for providing accurate, up to date information; and, Steve Askham of the Foreign and Commonwealth Office's Commonwealth Team for allowing me to include their contact details opening them up (hopefully!) to a raft of pre-CHOGM advocacy. And, with that line up, all mistakes and omissions are definitely mine alone.

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A. An overview of Commonwealth

The Commonwealth is a voluntary association of 53 countries, with a combined population of 2.2 billion people, spanning Europe, Africa, Asia, North America, the Caribbean and the South Pacific.

The workings of the Commonwealth can be divided into two areas:

- i. The official Commonwealth: made up of the intergovernmental meetings and the official agencies (the Commonwealth Secretariat, Commonwealth Foundation and Commonwealth of Learning); and
- ii. The unofficial or people's Commonwealth: made up of civil society.

Decisions within the Commonwealth are based on consensus by all member states, enabling the Commonwealth to be (in theory, if not always in practice) an equal partnership of nations.

The 53 current members are:

Africa	Asia	Caribbean and Americas	Europe	Pacific
<ul style="list-style-type: none">• Botswana• Cameroon• Ghana• Kenya• Lesotho• Malawi• Mauritius• Mozambique• Namibia• Nigeria• Rwanda• Seychelles• Sierra Leone• South Africa• Swaziland• Uganda• United Republic of Tanzania• Zambia	<ul style="list-style-type: none">• Bangladesh• Brunei Darussalam• India• Malaysia• Maldives• Pakistan• Singapore• Sri Lanka	<ul style="list-style-type: none">• Antigua and Barbuda• Bahamas, The• Barbados• Belize• Canada• Dominica• Grenada• Guyana• Jamaica• Saint Lucia• St Kitts and Nevis• St Vincent and The Grenadines• Trinidad and Tobago	<ul style="list-style-type: none">• Cyprus• Malta• United Kingdom	<ul style="list-style-type: none">• Australia• Fiji• Kiribati• Nauru• New Zealand• Papua New Guinea• Samoa• Solomon Islands• Tonga• Tuvalu• Vanuatu

B. Why use the Commonwealth as a channel of advocacy?

i. A values based organisation

The Commonwealth Charter “brings together the values and aspirations which unite the Commonwealth – democracy, human rights and the rule of law...”¹ The Charter, agreed to by all member governments, lays out Commonwealth values on a wide range of issues, and can be accessed at <http://thecommonwealth.org/our-charter>.

The Charter’s Article XVI makes it clear the Commonwealth’s door should be open to civil society: “We recognise the important role that civil society plays in our communities and countries as partners in promoting and supporting Commonwealth values and principles, including the freedom of association and peaceful assembly, and in achieving development goals...We aspire to a Commonwealth that is a strong and respected voice in the world, speaking out on major issues; that strengthens and enlarges its networks; that has a global relevance and profile; and that is devoted to improving the lives of all peoples of the Commonwealth.”

ii. Shared history, language, and legal systems

Due to their shared histories, most Commonwealth countries share similarities in governmental and legal structure which are based on the rule of law. This enables better understanding and easier cooperation for advocacy across jurisdictions. There is also the ability to communicate across jurisdictions in English, no small advantage in the rapidly developing world of instant communications.

The commonality of the law provides an environment which makes it possible for good practice developed, and lessons learned in one country to be transferred to another.

iii. Extended networks

The Commonwealth overlaps other intergovernmental groupings such as the United Nations (UN), the Association of Southeast Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC), the European Union (EU), the African Union (AU), the Organization of American States (OAS) and the Pacific Islands Forum (PIF).

Members can use these networks to advocate. However, Commonwealth members seldom act in concert or represent a unified position.

At the United Nations Human Rights Council in Geneva, at any point up to a quarter of Council members will be Commonwealth states, but they do not act together to further Commonwealth values and do not act as a conduit for the Commonwealth to advocate. The Current Secretary-General has plans to change this, and if implemented this would be a very positive step forwards.

In terms of advocacy by civil society this means both the Commonwealth, and its member governments can be of value. The Commonwealth, because it can make high profile interventions at major fora; and its members because they are unbound by a collective Commonwealth position.

¹ The Commonwealth Charter (2013), available at <http://thecommonwealth.org/our-charter>

iv. A small official size

The Commonwealth's official organs are small compared with the United Nations or European Union. This can make it an easier organisation to advocate to.

There are multiple opportunities for civil society to interact with senior officials and member government representatives at Commonwealth events, such as the various social events at CHOGM, which can provide opportunities for direct advocacy, especially for those representing organisations officially accredited to the Commonwealth.

v. A pool of potential allies

The Commonwealth Family (see below) contains organisations that should, in theory, provide a rich pool of advocacy partners for solidarity and consensus building.

The staff of the Commonwealth Secretariat number less than 300 and are almost exclusively based in London, and work on focused areas. This smaller focused organisation can offer a better chance of affecting change than within a larger, more disparate one.

C. Advocacy within the Official Commonwealth

The official Commonwealth, encouraged by Commonwealth civil society, played a strong role in the campaign against apartheid in South Africa. While many other groups were also involved in this campaign, the Commonwealth was a leader. For example, the Commonwealth instigated sanctions for sporting events six months prior to the UN imposing sanctions. The Commonwealth also had an important involvement in the peaceful dismantling of apartheid.

i. The Commonwealth Secretariat (ComSec)

ComSec is the main intergovernmental agency of the Commonwealth. It is located in London, UK, with 250 to 300 staff, and is headed by the Commonwealth Secretary General. There is an annual budget of circa £45 million split between ComSec, the Commonwealth Fund for Technical Cooperation, and the Commonwealth Youth Programme.

The mandates for ComSec's work are decided by the Commonwealth Heads of Government who meet every two years at the Commonwealth Heads of Government Meeting (CHOGM). ComSec is overseen by a board which contains a representative of each Member State.

There are currently three Deputy-Secretaries General, broadly responsible for political affairs, economic and social development, and corporate goals. As ComSec is shortly to undergo a significant restructuring, a full description of the current structure will not be entered into. One point of note though is that under the new structure the Secretary-General's Chief of Staff will oversee the Political, Strategic Planning and Evaluation, Communications, and Partnerships teams. This will give the Secretary-General direct control over the most sensitive areas of the organisation and make them an even more important focus for advocacy.

It can be hard to find the right contact point in ComSec for advocacy; there is no publicly available organogram or staff chart available. The partnerships team provide excellent support to Accredited Organisations, but for those outside the Commonwealth bubble this facility sadly does not exist. It must be hoped that the new structure comes with it both a more transparent approach, and greater desire across the whole organisation to engage positively with civil society.

The Secretary-General has the ultimate responsibility for upholding Commonwealth Values. It is through the Secretary-General's Good Offices and the ability to refer countries to the Commonwealth Ministerial Action Group that egregious cases of human rights and rule of law abuses are responded to. But, there are at least three other sections within ComSec who do work related to human rights, the Political Division, the Rule of Law Division, and the Human Rights Unit.

Accredited Organisations receive support from the partnerships team, as well as access to Marlborough House, participation in Commonwealth consultations, and potential access to official meetings, Ministerial meetings, and accreditation to CHOGMs.

Accreditation is decided upon by the Accreditation Committee, a sub-committee of ComSec's board. Any organisation that meets the criteria (see [Annex 1](#)) is able to apply, and the committee meets twice a year in London. For more details contact secretary.ac@commonwealth.int

ii. The Chair-in-Office of the Commonwealth

Since 1999 the Head of Government hosting CHOGM becomes Chair-in-Office (Chair) of the Commonwealth at the start of that CHOGM. The Chair speaks for the Commonwealth at major international fora, and reinforces

the ‘Good Offices’ of the Secretary-General.² This provides the Chair with much potential power to shape the Commonwealth, however, much will depend on the political situation within the Chair’s country to determine how effective this can be.

Prime Minister Muscat of Malta delivered a Commonwealth Leaders’ statement as Chair to COP 21 in Paris in December 2015, and in April 2016 gave a speech at Chatham House in London where he advocated the Commonwealth moving past consensus on issues such as LGBTI rights.

In addition to the public position offered, the country from which the Chair’s country has an *ex officio* place on the CMAG, providing a voice on the most sensitive Commonwealth issues.

Advocacy to the current Chair is best done through that country’s Ministry of Foreign Affairs. The fact that CHOGM hosts are decided long in advance though means advocacy can be begun early; the next will be in 2018 in the UK, and the following one in 2020 in Malaysia. The UK’s Foreign and Commonwealth Office are developing their team to deliver the next CHOGM, and they are an excellent place to start for organisations looking to influence the agenda. They can be contacted on Commonwealth.Team@fco.gov.uk

iii. The Commonwealth Ministerial Action Group on the Harare Declaration (CMAG)

CMAG was formed in 1995 at the Auckland CHOGM, as part of the Millbrook Commonwealth Action Plan,³ and was mandated to “assess the nature of the infringement and recommend measures for collective Commonwealth action aimed at the speedy restoration of democracy and constitutional rule.”⁴

CMAG is convened by the Secretary-General, and is formed of eight members, normally represented by foreign ministers, and the representative of the Chair-in-Office.

The current, 2016 members are, Guyana, Solomon Islands, Pakistan, Cyprus, India, Kenya, Namibia, New Zealand, with Malta holding the Chair’s *ex officio* position. Two members were selected at the Malta CHOGM in 2015, Kenya and Namibia and will serve two terms until the 2020 CHOGM, and the remaining five members were appointed at the 2013 Colombo CHOGM and their second term will end at the CHOGM in spring 2018 in the UK. Meetings are normally held in London, or in New York. In 2016 for the first time CMAG met by video conference to discuss the deteriorating situation in the Maldives.

All Accredited Organisations are allowed to make submissions to CMAG, although feedback from ComSec staff is that it is only CHRI, and occasionally the Commonwealth Parliamentary Association (CPA) that takes advantage of this. This is unfortunate: when Commonwealth values are challenged it is the responsibility of everyone within the Commonwealth to speak up and speak out. The more coordinated and broad the advocacy aimed at CMAG is the better chance it has to be effective.

To make a submission to CMAG, an Accredited Organisation simply must email it to the Political Division at ComSec in good time before the meeting. It might also be powerful to gather endorsement from other civil society organisations to demonstrate a broad base of support.

² Stuart Mole (2012), The Good Offices of the Commonwealth Secretary-General, available from http://www.humanrightsinitiative.org/publications/nl/paper_series_2014/CHRI-Series%20on%20CW%20Mechanisms-Good-Offices%20of%20the%20SG.pdf

³ Millbrook Commonwealth Action Programme on the Harare Declaration (1995), available from <http://thecommonwealth.org/sites/default/files/historyitems/documents/millbrook%20declaration.pdf>

⁴ *Ibid.*

On September 19th 2016 CHRI emailed a submission on deteriorating human rights and rule of law situation the Maldives to ComSec's political division. This was shared swiftly with CMAG members ahead of their meeting on the 23rd September in New York. CMAG moved the Maldives onto their formal agenda for March 2017, and threatened that suspension from the Commonwealth would be considered at that meeting if there was no improvement in the situation.

One possible reason for the lack of submissions is the lack of transparency, both on dates of the meetings, and what effects submissions have. Unlike ministerial meetings the dates are not circulated to Accredited Organisations, and the opportunity to make submissions is not publicised. ComSec staff do acknowledge receipt of submissions that are made, and circulate them to members efficiently, but clearer feedback on the impact of such submissions would be a positive step.

iv. **The Secretary-General's Good Offices**

The Good Offices role of the Secretary-General is important in conflict prevention and resolution, as well as for post-conflict reconstruction and development. Much importance is given to capacity building to ensure that positive changes are locally sustainable. The Good Offices are by their nature secretive, but this can hinder both the ability of civil society to support, and the public perception of their success.

In June 2016 Dr Willy Mutunga, former Chief Justice of Kenya was appointed the Secretary-General's special envoy to the Maldives. There is no formal mechanism to engage with the envoy, and his reports remain confidential. This creates uncertainty around what he is doing, and how effective his efforts are.

v. **Ministerial meetings**

While CHOGMs happen every two years, groupings of Commonwealth ministers meet on a regular, but not uniform basis. The full list of meetings and advocacy opportunities are shown in the table in [Annex 2](#). Their deliberations will often inform CHOGM deliberations. The proceedings of ministerial meetings are also sometimes taken by Ministers to other international fora.

The proposals for access to information legislation were debated at the 1999 Law Ministers Meeting and adopted at the next CHOGM.

In the 1990s the Finance Ministers spearheaded a drive to have the debt of the poorest countries written off. This followed a large campaign by civil society organisations such as Oxfam.

Opportunities for civil society advocacy varies, but are unfortunately limited, especially for non-Accredited Organisations.

At Commonwealth Conference of Education Ministers meeting, for example, there is a Stakeholder's forum alongside forums for teachers and youth, but at Commonwealth Foreign Ministers meetings there is no formal process to engage. ComSec divisions might also put observers of non-Accredited Organisations on the list of observers for ministerial meetings such as PLAN UK's inclusion for the Women's Affairs Ministerial Meeting in Samoa in 2016.

Over the last year the new ComSec partnerships office has begun sharing information on upcoming ministerial meetings on Huddle advertising the opportunity to send observers. Those wishing to are required to write a 100-word application as to why they should be included. Since the system was introduced no applicant has been refused a place.

vi. **The Committee of the Whole (CoW)**

CoW meets in London prior to CHOGM, and contains representatives of all Commonwealth members. The Committee is responsible for much of the detail of CHOGM, and is responsible for drafting the CHOGM Communiqué and outcome statement of the Foreign Ministers' meeting. If the goal of an advocacy programme is to achieve something tangible from CHOGM, such as to influence the Communiqué then advocacy must start well in advance, and target member states' diplomats and politicians.

In the mid-2000's the Commonwealth Foundation facilitated civil society presentations to CoW. In line with generally shrinking access this was lost towards the end of the decade. A positive development prior to the 2015 CHOGM, was the ComSec partnerships team creating space again, and facilitating working groups to develop and deliver advocacy papers to the Committee. Papers were presented on Climate Change and the Blue Economy, Freedom of Expression, the Implementation of the United Nations Sustainable Development Goals, and Civil Society. The finished papers were collated and printed by the ComSec Partnerships team.

Civil society advocacy was chiefly responsible for two paragraphs in the 1993 CoW report on Functional Cooperation: Paragraph 24 on the ratification of the Convention on the Rights of the Child and Paragraph 27 on CEDAW and the endorsement of the draft UN Declaration on the elimination of violence against women.

The 2015 Malta Communiqué which can be accessed at <http://thecommonwealth.org/media/news/commonwealth-heads-government-statement> is a lengthy document, but contains some tangible links to presentations made to CoW.

While revived access to CoW is positive, it falls to both Accredited Organisations and ComSec to develop this as an advocacy opportunity. Accredited Organisations need to ensure they maintain their focus on the areas on which they advocated or face a lack of credibility when repeating the exercise, and ComSec must ensure there is clear feedback on the impact of such efforts, and procedures are publicised well in advance. Feedback from CoW representatives indicate submissions need to be shorter, more engaging, and include tangible requests from civil society, and presentations need to be more professional. Also, organisations need to use other channels available to them to ensure there is an interactive discussion at the end of the presentation, to avoid the situation after one presentation in 2015 where not a single question was asked.

vii. **CHOGM**

CHOGM can be an effective target for advocacy. It is high profile and, the 2015 CHOGM in Malta, was attended by Her Majesty Queen Elizabeth, 38 Commonwealth Heads of Government, the UN Secretary-General, and the President of France.

In 1991 CHRI presented Put our World to Rights to the Harare CHOGM, produced by an international panel of high profile experts chaired by Flora MacDonald, a former Foreign Affairs Minister of Canada. The group was born out of a failed effort to get the 1987 Vancouver CHOGM to act on human rights. A group of human rights groups the pressure that led to the Harare Declaration. Further advocacy led to the Millbrook Action Programme on the Harare Declaration at the 1995 CHOGM, and the creation of CMAG.

The 2002 Coolum Communiqué included paragraphs on subjects which civil society groups had been advocating on, including landmines and accession to the International Criminal Court.

Much of the ability to advocate at CHOGM depends on the host of the event. The host has a large role in setting the agenda and facilitating or denying access. Additionally, CHOGMs now last only two and a half days, which once the formal elements such as the Opening Ceremony and Secretary-General's Reception are taken into account provides very little time for direct advocacy to heads of government.

The 2013 CHOGM in Colombo, Sri Lanka, was overshadowed by the ongoing civil war in the country, and accusations of widespread human rights abuses. Sri Lanka had been scheduled to host the 2011 CHOGM, but this was moved to Perth, also owing to issues related to the civil war. The 2013 Summit was boycotted by the leader of Canada, Mauritius, and India, and the UK's Prime Minister David Cameron was absent for much of the event on a high profile visit to the North of the country. Protests were banned, and security was very tight. Additionally, foreign media reported harassment by government actors and supporters, and claimed a civil flight ban was designed to deny them access to the North of the country.

The 2015 CHOGM theme 'The Commonwealth: Adding Global Value,' as well as areas of policy focus for the agenda were agreed between the Maltese government and ComSec. The Secretary-General wrote to Heads of Government in advance to apprise them of these areas, and the event's agenda was finalised about a month before CHOGM before being reviewed by the CoW.

The next CHOGM will be in 2018 in the UK, and following one in 2020 in Malaysia. The UK's Foreign and Commonwealth are currently expanding their Commonwealth team and this is an excellent place to start for organisations looking to influence the agenda in 2018. They can be contacted on Commonwealth.Team@fco.gov.uk. Organisations wishing to advocate on issues at CHOGM should make contact with the relevant governments early on and attempt to develop good relations.

As indicated above there is very little opportunity for advocacy at CHOGM and so most effective advocacy will actually occur in advance of the event itself.

One of the most effective ways to influence CHOGM can be advocacy at national level. Submissions and briefing papers can be sent to the Commonwealth desk at the Ministry of Foreign Affairs to be passed on to the CHOGM delegation. As well as highlighting a problem, it may be strategic to include in the submission some recommendations on what could be done to address the issues raised. Meetings could also be set up with relevant ministers and their lead official on Commonwealth matters. Other focus points for advocacy could be High Commissions, within which the political affairs division is usually the best first point of contact.

CHRI has produced a report for each CHOGM since 1991. These reports are well researched and are released to member governments in advance of the event. For example, the 2015 report 'Reaching for Partnership' was trailed in the summer in an article in the Royal Commonwealth Society magazine, launched at Canada House in London, and distributed released online in advance of the meeting in Malta.

Accredited organisations can apply for accreditation to the CHOGM. This needs to be done in advance, by an organisation's Designated Accreditation Officer, which then provides access to the online CHOGM system. Once accredited the organisations can provide submissions, access the Accredited Organisations lounge and attend some functions. It is possible to conduct effective advocacy without being accredited but it does provide a level of access as demonstrated in the table below showing the support provided by the ComSec partnership team to Accredited Organisations.

Malta 2015	Associated Organisations	Civil Society Organisations
CHOGM Accreditation	3 representatives	3 representatives
Foreign Ministers Meeting	1 observer for open-session	A pool of 5 from all orgs.
Accredited Org. Lounge	Yes	Yes
Media Centre	Yes	Yes
Opening Ceremony	1 invitation	1 invitation
SG's Reception	1 invitation	1 invitation
Transport	Free shuttle service	Free shuttle service

This table gives some hints as to possible routes of advocacy at CHOGM. Access to the media centre gives access to the press to push an agenda, access to the lounge the chance to network and meet with other organisations and form common positions as well as to 'bump' into key contacts as this is in the same area as the space for member governments, and access to the SG's reception and Opening Ceremony giving the opportunity to access Heads and Foreign Ministers to advocate face to face. Accredited Organisations can also make submissions to be circulated to the member government delegations which will be circulated by ComSec staff, and can use the Commonwealth's online platform, currently Huddle, to circulate documents in advance of CHOGM. The natural breaks in meetings can also provide an opportunity to make contacts and lobby member governments.

In Malta in 2015 the Civil Society Roundtable, on 28th November, billed as the main opportunity for Commonwealth organisations to engage Foreign Ministers allotted just 45 minutes for Associated Organisations, and 45 minutes for all Civil Society Organisations and the purpose was solely to brief Ministers on the outcomes of the People's Forum. The session did in practice though last considerably longer than the 90 minutes allotted.

There is increased media attention around CHOGM can also provide an opportunity for advocacy. Contact the press in the host country, as well as international outlets well in advance to maximise the chance of getting the message out.

At CHOGM 2015 the Royal Commonwealth Society provided a shared videographer, which was a real success in terms of facilitating advocacy.

In November 2015, two days before the Malta CHOGM, LGBTI campaigners in London organised a rally outside ComSec's headquarters, designed to influence the CHOGM, and following the release of a report by the Human Dignity Trust and Commonwealth Lawyers Association which attracted significant media attention to the issue. The report and protest were separate from those sections of Commonwealth civil society which had been working in partnership with southern activists for an extended period on this issue. In many ways the press coverage overshadowed their efforts at CHOGM which included discussions on LGBTI rights in the People's Forum, and the first address to Commonwealth Foreign Ministers by an LGBTI activist.

The meeting for Heads of Government is not the only event to be held at this time; there are some events specifically for civil society. There are currently four fora on the sidelines of CHOGM which are separate and parallel; the People's Forum, the Women's Forum, the Business Forum, and the Youth Forum. These fora require separate registration. While there are opportunities within these fora for civil society engagement, the themes and programmes are tightly controlled by the organisers and so only offer an opportunity for advocacy if agendas overlap. Again, advocacy is best begun well in advance with the aim of affecting the agenda of the fora rather than aiming to advocate during the events.

The People's Forum at the 2015 CHOGM included for the first time a hustling for those candidates campaigning to be Commonwealth Secretary-General, which was recorded and made available online.

Organisations can also organise separate events at CHOGM to build partnerships and advance advocacy. It is essential though that these are organised sufficiently early, feedback from Malta in 2015 was that too much was done at the last minute and with more planning the events could have had a much larger impact.

In 2015 in the sidelines of CHOGM, CHRI organised an event to discuss 'Justice and the SDGs', and how best to bring together civil society and governments together to achieve them, and the Commonwealth Medical Association one on 'Social Determinants of Health'.

viii. Expert Groups and Committees

From time to time, various Expert Groups and Committees formed to investigate a topic of concern to the Commonwealth. This is a good opportunity for civil society organisations to express their views to Commonwealth bodies.

In 2009 the CHOGM in Trinidad and Tobago founded an Eminent Persons Group (EPG) to advise on potential reform of the Commonwealth. Its report 'A Commonwealth of the People: Time for Urgent Reform' was presented to the 2011 CHOGM, and released to the public by the members themselves. It should be noted though that despite strong advocacy from CHRI among others in Commonwealth civil society the EPG's second recommendation, that a High Commissioner for Democracy, the Rule of Law and Human Rights be appointed was never acted upon.

ix. **The Commonwealth Foundation**

The Commonwealth Foundation came into existence as a result of pressure from civil society and a conference organised by the Royal Commonwealth Society. The Foundation was instrumental in gradually building civil society organisations across the Commonwealth, before the term ‘civil society’ had even been coined.

The Foundation is based at Marlborough House, London, UK. It is funded by assessed contributions of its 46 Commonwealth member governments. The Foundation is overseen by a Board of Governors, which includes representatives of Member States, civil society representatives, and the Commonwealth Secretary-General.

The Commonwealth Foundation’s mission is to promote the work of civil society, and its current aims are based around Capacity Development, Knowledge Management, Mainstreaming Cross-Cutting Outcome Areas, and Promoting Synergy and Coordination.

The Foundation’s strategic plan 2012-15 for the first time saw it refocus its efforts away from professional associations and accredited organisations to wider civil society. Its grants programme now is open to all civil society organisations that can deliver projects in Foundation eligible member countries. The grants are aimed at increasing participatory governance in those countries, within the themes of creative expression, capacity development, constructive engagement, learning and sharing, and the SAMOA pathway. Grants are for up to £30,000, for up to three years, and an open grants call is made each year.

The Foundation takes appropriate civil society representatives to ministerial meetings. This can make it an effective advocacy partner as it can facilitate access to high level meetings.

For the 11th Commonwealth Women’s Affairs Ministerial Meeting in Apia on 7th and 8th September 2016 the Foundation sent a delegation to Samoa including civil society representation from East Africa and the Pacific.

x. **The Commonwealth of Learning (COL)**

COL is based in Vancouver, Canada, and forms the third part of the Commonwealth’s official bureaucracy. One of its main priorities is access to quality education for all. It is financially supported by Commonwealth governments on a voluntary basis.

COL is the only intergovernmental organisation focused only on distance education and open learning.

The organisation is headed by a Chief Executive, and is overseen by a board which contains representatives of Commonwealth Member States from Africa, Asia, the Caribbean, and the Pacific, as well as from the six major donors, Canada, India, New Zealand, Nigeria, South Africa, and the United Kingdom.

D. The Unofficial Commonwealth

The Commonwealth has been described as not only an association of nations but also of peoples. The term Unofficial Commonwealth describes the groups that are not part of the formal structures of the Commonwealth, but are recognised as playing a vital role in its work. Across the Commonwealth, there are thousands of civil society organisations.

The Commonwealth Family

The Commonwealth Family is a loose grouping of professional associations and organisations which are associated with the Commonwealth. Its members are not part of the official Commonwealth.

The Commonwealth Family is usually taken to mean those organisations with formal ties to the Commonwealth, and there are organisations within this category such as the Royal Commonwealth Society that are very effective at utilising multi-channel advocacy. However, the family can be said to include those with whom there is no official link to the formal Commonwealth, and although formal accreditation does make advocacy easier it is by no means essential. The Commonwealth Equality Network is an excellent example of an organisation with no formal accreditation that actively and effectively advocates for the advancement of Commonwealth principles as laid out in the Commonwealth Charter.

A directory of those officially Accredited Organisations can be found [here](#). All of Accredited Organisations should act in accordance with and advance Commonwealth Values and as such should be both receptive to advocacy on these areas, and advocate themselves when these principles and values are threatened.

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GUIDELINES FOR ACCREDITATION TO THE COMMONWEALTH

A. Introduction

1. Links and working relations between the Commonwealth intergovernmental organisations and other non-governmental organisations including civil society and associated organisations have existed for many years. The 2002 High Level Review of the Commonwealth recognised that ‘the networks for sharing expertise, information and experience among organisations, the people-to-people links and the existence of a wider Commonwealth civil society are valuable assets that give the Commonwealth a depth and reach that is unique’. The review made a number of recommendations aimed at strengthening the intergovernmental Commonwealth’s relations with civil society and associated organisations, including a recommendation that new criteria should be developed for accrediting non-governmental organisations⁵ to the Commonwealth and its official meetings.
2. An Accreditation Committee (AC) was established, as a subcommittee of the Executive Committee of the Board of Governors (BOG) of the Commonwealth Secretariat in 2003. Terms of Reference for the AC describe its role and responsibilities.

B. Criteria for accreditation

3. Organisations wishing to be accredited to the Commonwealth must meet the following criteria:

- 3.1 Commitment to the Commonwealth’s fundamental values and principles

- 3.1.1 The Commonwealth values and principles are set out in the Commonwealth Charter, signed by Her Majesty Queen Elizabeth II, Head of the Commonwealth, on 11 March 2013. Furthermore, the Commonwealth Ministerial Action Group (CMAG)⁶ has also expressed the expectation that all Commonwealth organisations act in conformity with the letter and spirit of these values. These values and principles are also embedded in Commonwealth Declarations, notably the Singapore Declaration on Commonwealth Principles (1971) and the Harare Commonwealth Declaration (1991). The Harare Declaration confirmed the Commonwealth’s commitment to promoting democracy and good governance, human rights and the rule of law, gender equality and sustainable economic and social development. The Commonwealth’s strong and abiding commitment to these values and principles was reaffirmed at the Commonwealth Heads of Government Meeting in Trinidad and Tobago in 2009. Organisations will therefore be required not only to confirm their commitment to these values, but also to indicate what they do to promote and implement them.

⁵ The term ‘civil society and non-governmental organisations’ is used to broadly describe all the non-state and non-business organisations that the Commonwealth works with in different ways to further its objectives and interests. This group comprises the full range of formal Commonwealth professional associations, trade unions, human rights organisations, advocacy groups, humanitarian assistance organisations and a growing number of international and regional organisations engaged in development work with a focus on the Commonwealth. Taken together, they are often referred to as the Commonwealth Family of Organisations.

⁶ **Strengthening the Role of the Commonwealth Ministerial Action Group (CMAG), September 2011**, Point B 19 (viii) – all Commonwealth organisations would be expected to act in conformity with the letter and spirit of decisions by CMAG, as already called for in the 2009 *Affirmation*.

- 3.2 Representing the true diversity of Commonwealth countries
 - 3.2.1 Organisations must recognise and respect the diversity of the Commonwealth’s membership and be open to exchanging information and collaborating with like-minded organisations in all Commonwealth countries. Diversity will be demonstrated, inter-alia, by an organisation providing evidence that it has a presence, membership and activities in at least three of the four Commonwealth regions⁷ and that their governance structures manifest the true diversity of the Commonwealth. Presence may also be demonstrated by the use of modern Information and Communication Technology (ICT) tools that substitute or augment physical presence in Commonwealth countries. The AC may also consider applications from organisations working only in one region and recommend them for accreditation to a particular region. Regionally accredited organisations will fall in a new category.
- 3.3 Accountability and Transparency
 - 3.3.1 Organisations seeking accreditation should demonstrate transparency in their governance arrangements, decision-making processes and activities. They should show that they have systems to ensure accountability to their members, including by making the governing body’s decisions visible to all members and by providing regular and reliable reports to the membership and other stakeholders on the organisation’s activities and finances.
 - 3.3.2 Once accredited, organisations are expected to submit reports annually on their activities and audited accounts in a prescribed reporting format (placed at Appendix A) for the attention of the Accreditation Committee.
- 3.4 Open to all Commonwealth members
 - 3.4.1 To be eligible for accreditation, all applicant organisations should be open to permitting eligible individuals, organisations or associations from other Commonwealth member countries to join or associate with them.
- 3.5 Activity track record
 - 3.5.1 An organisation applying for accreditation should normally have been existent for at least two years and demonstrate a track record of activity during that period.

C. Benefits of accreditation to the Commonwealth

- 4. The following benefits may be available to organisations accredited to the Commonwealth:
 - 4.1 Visitors’ access to Marlborough House, the headquarters of the Commonwealth in London
 - 4.1.1 Access, upon request, to Marlborough House;
 - 4.1.2 Arrangements for informal discussions and consultations with the Commonwealth Secretariat and other Commonwealth organisations on matters of special and mutual interest fields of activity related to the Commonwealth’s work programme;

⁷ The Commonwealth regions are: Africa, Asia-Europe, Caribbean-Canada and the Pacific.

- 4.1.3 Accommodation for small meetings on work of direct relevance to the Commonwealth, subject to availability of space. Because of the very limited number of formal rooms in Marlborough House, access is limited and priority is given to Commonwealth official meetings. A special small room (up to 25 people) is available to accommodate meetings of accredited organisations. A reduced charge may be levied; and
- 4.1.4 Use of the patented Commonwealth symbol.
- 4.2 Access to general information and library services
 - 4.2.1 Access, upon request, to public information not already available on the internet;
 - 4.2.2 Access to Commonwealth information materials (e.g. posters, pamphlets etc.) as well as any other newsletters and publications that are freely available. Wherever possible, this information will be made available electronically, although hard copies may be provided to organisations specifically requesting it; and
 - 4.2.3 Access to Commonwealth Secretariat's library.
- 4.3 Participation in the consultation processes
 - 4.3.1 Invitation to attend consultations convened from time to time by the Commonwealth Secretariat.
- 4.4 Access to official meetings
 - 4.4.1 The Secretariat supports the convening of a Commonwealth Heads of Government Meeting (CHOGM) every two years, in addition to regular Commonwealth Ministerial Meetings on specific policy areas. Accredited organisations may be eligible to attend these, as well as other high-level meetings as observers.
 - 4.4.2 Commonwealth Ministerial Meetings
 - 4.4.2.1 Accreditation to Commonwealth Ministerial Meetings is by invitation, and the benefits of being accredited vary according to the nature of the meeting. They range from access to documents and the opportunity to submit documents, to participation in discussions as an observer. Accreditation to meetings normally requires being accredited to the Commonwealth, plus working in areas of direct relevance to the Commonwealth and being known to the Commonwealth Secretariat or Foundation, through programme collaboration.
 - 4.4.2.2 In special circumstances, accreditation to individual Commonwealth Ministerial Meetings may sometimes be extended to an organisation if it has a working relationship with the Commonwealth, whether or not it is an accredited organisation.
 - 4.4.3 Commonwealth Heads of Government Meetings (CHOGM)
 - 4.4.3.1 All organisations accredited to the Commonwealth may apply to be registered to participate in certain events of the CHOGM.

4.4.3.2 Benefits include:

- 4.4.3.2.1 Able to submit papers for the information of government delegations;
- 4.4.3.2.2 May receive reports approved by Heads of Government;
- 4.4.3.2.3 Invitation to the opening ceremony of the CHOGM and other social events, subject to limitations of the venue;
- 4.4.3.2.4 Invitation to attend official media events as well as use of the centre for media related activities; and
- 4.4.3.2.5 Invitation to use the dedicated Commonwealth Organisations Lounge.

D. Responsibilities and obligations

- 5. All accredited organisations have continuing responsibilities, both to maintain the credibility that was exhibited at the initial application stage and to operate within the spirit and letter of the Commonwealth values. Organisations are expected to:
 - 5.1 Promote and protect the good name of the Commonwealth and contribute to its high reputation;
 - 5.2 Conduct themselves with integrity and to high professional standards;
 - 5.3 Submit regular activity reports once every year including notification of any significant changes in the organisation; and
 - 5.4 Provide the Secretariat with a named point of contact to whom any enquiries may be directed. Furthermore, organisations should commit to responding promptly to any requests for information from the Secretariat.

E. Activity Reports and Accreditation Review

- 6. Accreditation will be conferred initially for a period of five years. The accredited organisations will be asked to submit annual activity reports to Director, SPED/ Secretary to the Governing Boards, who will present it to the AC.
- 7. The AC will review the status of accredited organisations after five-years. This review would include an appraisal of operations and especially the way the accredited organisation has contributed to Commonwealth objectives, amongst other issues. Based on the satisfactory completion of a periodic review, organisations will have their accreditation reaffirmed, or suspended or withdrawn by the BOG, if they are not complying with the accreditation criteria as stipulated in Chapters B and D above. The AC reserves the right to advise the BOG to withdraw accreditation status for an organisation which, after due notice, fails to meet its obligations.

F. Suspension and exit

8. The AC reserves the right to review the status of any organisation at any time, if it considers the organisation to be in serious breach of the provisions of Chapters B and D above, or of the fundamental values and principles of the Commonwealth. The AC may opt to recommend to BOG to suspend or withdraw the accreditation status of an organisation.
9. If an accredited organisation becomes unsustainable due to financial or other grounds, or wishes to relinquish its accreditation to Commonwealth, it can do so by applying to the AC, through the Commonwealth Secretariat.

G. Application procedures

10. New applications for accreditation are reviewed by the AC at least twice every year. The AC may arrange to meet more often should the need arise.
11. Organisations wishing to become accredited should write an application letter on their letterhead setting out their request to become accredited. They should also submit the following information:
 - 11.1 Proof of registration in a Commonwealth country;
 - 11.2 The most recent annual report;
 - 11.3 The most recent audited accounts (a satisfactory statement of accounts may be accepted in lieu of audited accounts);
 - 11.4 The constitution or founding document of the organisation;
 - 11.5 A statement confirming the organisation's commitment to Commonwealth values, and how the organisation promotes and implements these values, including information about any Commonwealth-related activities recently undertaken by the organisation;
 - 11.6 A statement setting out any other intergovernmental organisations to which the organisation is accredited and/or affiliated;
 - 11.7 A statement setting out how the organisation is governed, including a full list of all office bearers, their designations and country of nationality; and
 - 11.8 A list of the countries in which the organisation is active and/or has members/affiliates.

H. Contact information

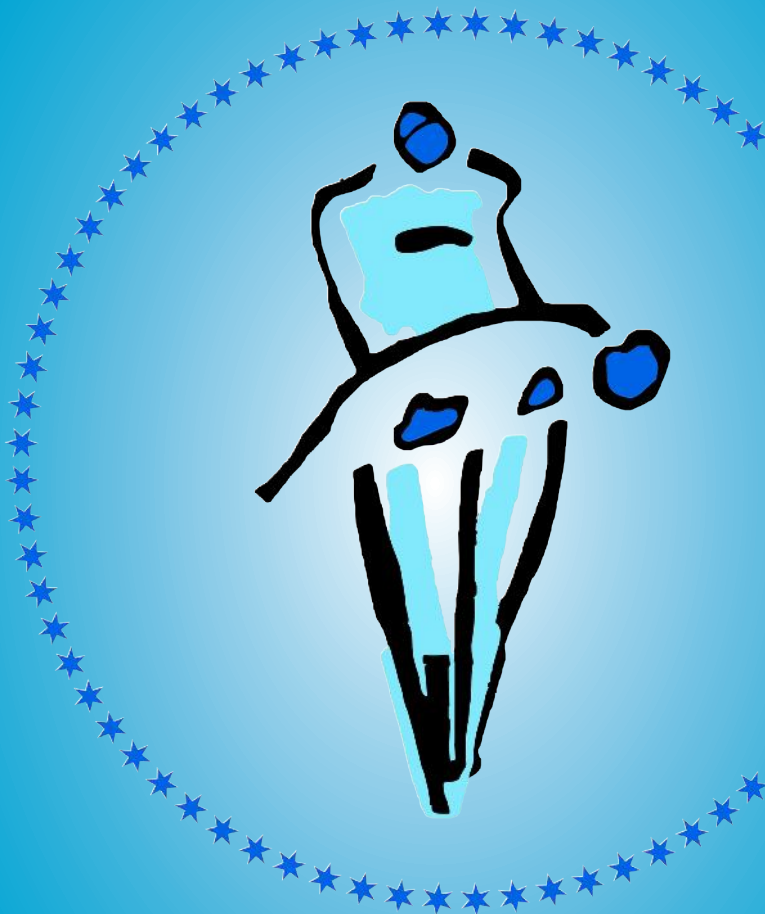
12. For more information on the accreditation process and related queries, please contact:

The Secretary, Accreditation Committee
Commonwealth Secretariat, Marlborough House, Pall Mall
London SW1Y 5HX, UK
E-mail: secretary.ac@commonwealth.int

Ministerial Meetings

Meeting	Frequency	Who can engage	Pre-requisites to engage
Foreign Ministers Meeting	Annually	Accredited Organisations	Accreditation and an invitation
Conference of Education Ministers [CEEM]	Every three years	Accredited organisations Partner organisations of the education section	Accreditation to meeting Vital working relationship with the Secretariat's EducationSection or Ministry of Education in the member country
Health Ministers Meeting	Annually	Accredited organisations Invited guests/ observers (who are non-Commonwealth organisations)	Accreditation to meeting Organisations must fulfil an important role
Finance Ministers Meeting	Annually	Accredited organisations	By invitation, which usually goes to those organisations who have been in "substantive consultations with the Commonwealth Foundation on the theme that the meeting is on"
Women's Affairs Ministerial Meeting	Every three years	Accredited organisations Other international organisations working on women's affairs may be invited	Relationship with the Secretariat's Gender Section and/ or the Foundation Must be involved in activities leading up to the meetings
Youth Ministers Meeting	Every four years	Accredited organisations National Commonwealth organisations from Youth Councils	Accredited organisations subject to having a working relationship with the Youth Affairs Division and the Foundation
Sports Ministers Meetings	Every two years	Commonwealth organisations and especially those in the Commonwealth Games Federation and the Commonwealth Advisory Body on Sports	Accreditation, to be approved by the Secretary-General Working relationship with the Commonwealth sports ministers Organisations attend by invitation only
Consultative Group on the Environment (CCGE)	Annually	Professional and Commonwealth organisations with a focus on environmental issues	Accreditation, subject to having a working relationship with the Economic Affairs Division
Consultative Group on Human Settlements (CCGHS)	Every two years	Commonwealth organisations and ComHabitat organisations	Must be members of Com-Habitat
Law Ministers Meeting	Every three years	Law ministers and attorneys general from Commonwealth countries Senior officials	Status as minister or attorney general Partner organisations of the Secretariat can provide input and can submit papers – partner organisations to be accredited as observers Accredited organisations can apply to the Secretariat for permission to attend

Human Rights Advocacy in the Commonwealth



COMMONWEALTH HUMAN RIGHTS INITIATIVE

Website: www.humanrightsinitiative.org