

The First Commonwealth Human Rights Forum Final Decisions and Communiqué of the First Commonwealth Human Rights Forum

The Abuja Commonwealth Human Rights Forum Declaration [Human Rights: Our Common Wealth]

Preamble

On December 3-4 December 2003 in Abuja, Nigeria, non-governmental organisations and National Human Rights Institutions from around the Commonwealth held discussions on human rights in the Commonwealth at the First Commonwealth Human Rights Forum.

The Commonwealth Human Rights Forum recalled that the Commonwealth is as much an association of peoples as it is of states: for the Commonwealth to be seen to be relevant to the needs of its more than 1.7 billion people it must take the lead in eradicating prejudice, ignorance, disease and poverty.

The Commonwealth Human Rights Forum affirmed that the business of the Commonwealth is the realisation of all human rights for all people. This is our common wealth.

Towards this end:

The Commonwealth Human Rights Forum recalls and commends the several declarations on Commonwealth fundamental political principles and values that repeatedly affirm the commitment of Heads of Government to promote democracy, good governance, human rights and the rule of law, gender equality and sustainable economic justice and sustainable human development.

Equally, the Forum welcomes the Heads of Governments 'repeated commitment to working with civil society and seeks to work closely with CHOGM to promote a culture of human rights across the Commonwealth.

During the 2 day meeting, discussions were held on human rights issues central to CHOGM 2003's theme areas of democracy and development. Deliberations led to the following outcomes:

Participation

The Commonwealth Human Rights Forum affirms that a key element to furthering democracy and development is participation. The Forum therefore welcomes the many statements of the Heads of Government that acknowledge and affirm the value of civil society and affirms the necessity of partnering with civil society to realize the fulfilment of Commonwealth values.

CHOGMs offer a rare opportunity for demonstrating this partnership. We would therefore urge that these occasions include opportunities for greater interaction through:

- question and answer sessions;
- regional and thematic meets;
- opportunities to speak at plenary sessions or to make presentations to working groups;
- observer status for members of each group at other groups 'meetings;

The Forum in particular urged that quite apart from the individual communiqués, declarations and statements issued at various parallel CHOGM-related events, the occasion of CHOGM must be used to evolve a joint communiqué by government, civil society, business and youth. This would include the outcomes of deliberations of government and civil society at large and set out specific and time-bound short-term programmes of action around human rights issues to be jointly implemented and monitored.

In addition, the Forum urges that CHOGM adopt a peer-review process and that every CHOGM be an occasion where member states voluntarily report back on the progress made on past commitments and indicate what has been achieved in concrete terms.

Situation of Human Rights in the Commonwealth

The Commonwealth Human Rights Forum notes with regret the inability of the association to hold members states to the required minimum standards of its fundamental political principles and their human rights obligations in international and national standards. The Forum believes that this is a failure of political will which poses the gravest threat to democracy and development.

In this context the Forum notes with concern the continuous crisis of governance and human rights in Zimbabwe, including political violence, widespread hunger and unemployment and the collapse of social services.

The Forum recognises that land redistribution is fundamental to peace and equity in Zimbabwe, however we deplore the methods used. These have led to large scale violence, the killing of innocent people and reduced food production.

The Forum calls on the Commonwealth Heads of Government to maintain the suspension of the Zimbabwean government and continue to press for the restoration and strengthening of the democratic rights of the people of Zimbabwe while ensuring that civil society is protected and assured the support of the Commonwealth.

Poverty

The Commonwealth Human Rights Forum recognises that the existence of so much poverty is a human rights violation and its persistence demonstrates failures of governance in the Commonwealth. The Forum believes that a rights-based approach is central to democracy, development and the eradication of poverty. Member states struggling with poverty and disease are not likely to preoccupy themselves with promoting Commonwealth principles. All countries must work untidely overriding individual interests to meet international poverty eradication standards.

Impunity

The Commonwealth Human Rights Forum deplores all forms of impunity and requires that all Commonwealth countries cooperate in bringing rogue leaderships as much as ordinary criminals to book and not shield them or provide them with economic facilities, infrastructure and avenues to escape justice. This disrespects the suffering that the people of another Commonwealth country have endured at the hands of those who have abused their power and the trust of their people. It also sends the wrong signal to the just and honest.

The Forum also urges governments to cooperate in the early repatriation of large amounts of stolen money lying in the banking systems of Commonwealth countries. Commonwealth governments must recognise that these are illegal accretions. The very process of their accumulation has destroyed the lives of millions and governments must in no way delay or obstruct the return of this money.

Terrorism

The Forum affirmed that government and civil society are allies in the fight against terrorism and recognised the importance of government action to ensure the safety and protection of its people. Nevertheless, we call upon governments to remain conscious and respectful of their obligations under international law to ensure that laws they enact do not violate the human rights and freedoms of their citizens. Adoption of legislation that limits such rights and freedoms is contrary to the fundamental values of the Commonwealth. Special attention must be paid to ensuring that so-called anti-terror legislation does not encroach on the rights to freedom of expression and thought, freedom of religion, freedom from arbitrary arrest and detention and the rights to a fair trial and legal representation.

Demonstrating Respect for Human Rights

The Commonwealth Human Rights Forum specifically calls on CHOGM in the short term to:

- urgently take measures to implement its declarations and programmes of action particularly as these relate to vulnerable member states.
- ensure that all member countries ratify all international human rights treaties and protocols and further ensure that enabling legislation is passed to include them in domestic law.
- reaffirm that the culture of impunity is unacceptable to the present day Commonwealth and continue to promote and support the development of the International Criminal Court. We particularly deplore any country's attempts to obstruct or withdraw from this vitally important treaty.
- assist in the creation of a culture of human rights within national jurisdictions by offering all assistance for human rights education, and for establishing and strengthening National Human Rights Institutions in line with the Paris Principles.
- ensure that member states submit regular reports on the progress of human rights observance in their countries so as to facilitate peer review and an evaluation of performance prior to each CHOGM.

Finally, the Commonwealth Human Rights Forum asserts and reaffirms that the Commonwealth is a Great Idea for Human Rights. Let's work it together –civil society and our governments.

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Signed by the organisers of the First Commonwealth Human Rights Forum, on behalf of the 260 participants.