

**CHRI's Millennium Report - Executive Summary**

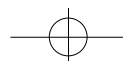
# Human Rights and Poverty Eradication

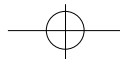
A Talisman for the Commonwealth



COMMONWEALTH HUMAN RIGHTS INITIATIVE

The Executive Summary of a report by the International Advisory Commission of CHRI chaired by Professor Margaret Reynolds





The Commonwealth Human Rights Initiative (CHRI) is an independent international NGO, mandated to ensure the practical realization of human rights in the countries of the Commonwealth. Over ten years ago, several Commonwealth associations founded CHRI because they felt that while the member countries had both a common set of values and legal principles from which to work, and also provided a forum within which to promote human rights, there was little focus on the issues of human rights within the Commonwealth.

The objectives of CHRI are to promote awareness of and adherence to the Harare Principles, the Universal Declaration of Human Rights, and other internationally recognized human rights instruments, as well as domestic instruments supporting human rights in Commonwealth member states.

Through its biennial CHOGM reports and periodic investigations, CHRI continually draws attention to progress and setbacks to human rights in various Commonwealth countries. In advocating for approaches and measures to prevent human rights abuses, CHRI addresses the Commonwealth Secretariat, member-state governments and civil society associations. By holding workshops and developing linkages, CHRI's approach throughout is to act as a catalyst for activity around its priority issues.

The nature of CHRI's constituent groups\* - journalists, lawyers, legal educators, trade unionists, doctors and parliamentarians - ensures for it both a national presence in each country and a local network. More importantly, these are strategic constituencies, which can effectively steer public policy in favour of human rights. By incorporating human rights norms into their own work and acting as a conduit for the dissemination of human rights information, standards and practices, their individual members and collectives are themselves capable of affecting systemic change. In addition, these groups bring knowledge of local situations, can access policy makers, highlight issues, and act in concert to promote human rights. The presence of eminent members of these professions on CHRI's International Advisory Commission assures CHRI credibility and access to national jurisdictions.

Originally based in London, United Kingdom, CHRI moved to New Delhi, India in 1993. It currently has a Trustee Committee Office in London, and a new office in Accra, Ghana.

\* Commonwealth Journalists Association, Commonwealth Trade Union Council, Commonwealth Lawyers Association, Commonwealth Legal Education Association, Commonwealth Medical Association, Commonwealth Parliamentary Association, Commonwealth Press Union and the Commonwealth Broadcasting Association

Copyright © Commonwealth Human Rights Initiative 2001



**COMMONWEALTH HUMAN RIGHTS INITIATIVE**

**CHRI New Delhi Office**

F 1/12-A, Ground Floor  
 Hauz Khas Enclave  
 New Delhi - 110016, INDIA  
 Tel: +91-11-686-4678, 685-9823  
 Fax: +91-11-686-4688  
 E-mail: chriall@nda.vsnl.net.in

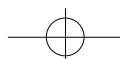
**CHRI London Office**

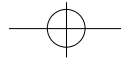
Institute of Commonwealth Studies  
 28, Russell Square  
 London WC1B 5DS, UK  
 Tel: +44-020-7-862-8857  
 Fax: +44-020-7-862-8820  
 E-mail: chri@sas.ac.uk

**CHRI Ghana Office**

The British Council  
 PO Box GP 771  
 Accra, Ghana  
 Tel: +233-21-244744, 663979  
 Fax: +233-21-240330  
 E-mail: chri@britishcouncil.org.gh

<http://www.humanrightsinitiative.org>





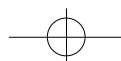
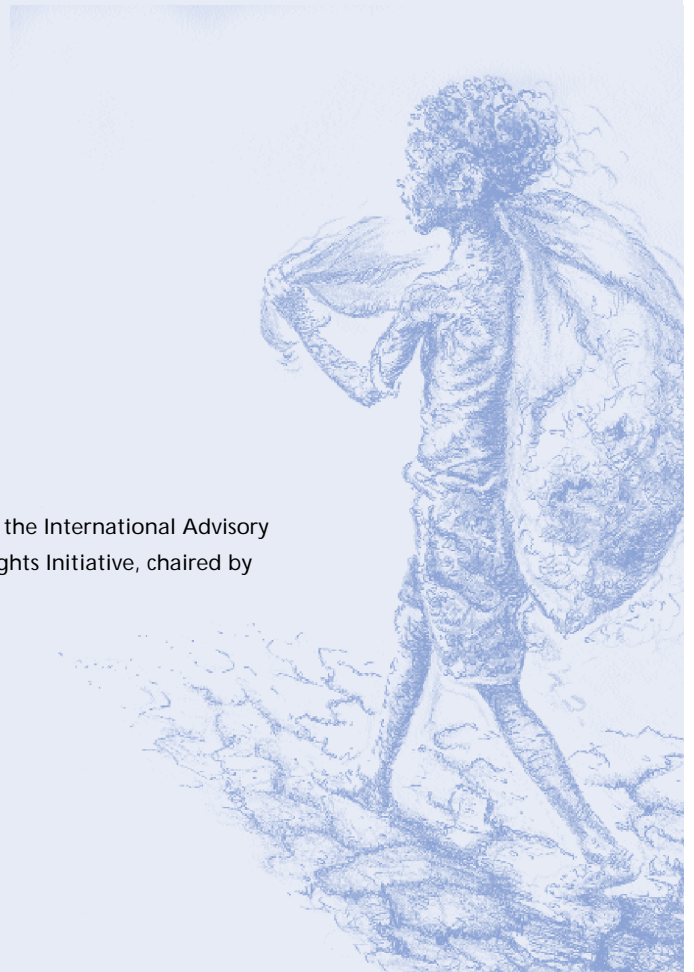
## **Human Rights and Poverty Eradication: A Talisman for the Commonwealth**

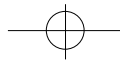
*"I will give you a talisman ... Recall the face of the poorest and weakest man whom you may have seen, and ask yourself if the step you contemplate is going to be of any use to him. Will he gain anything by it? Will it restore him to a control over his own life and destiny? ... Then you will find your doubts and yourself melting away."*

Mahatma Gandhi

The Executive Summary of the 2001 report by the International Advisory Commission of the Commonwealth Human Rights Initiative, chaired by Professor Margaret Reynolds

Published by the  
**COMMONWEALTH HUMAN RIGHTS INITIATIVE**  
F1/12A, Hauz Khas Enclave  
New Delhi - 110016 INDIA





## MEMBERS OF THE CHRI INTERNATIONAL ADVISORY COMMISSION

**Margaret Reynolds** is Chair of CHRI's International Advisory Commission. She is Visiting Professor in the Department of Government at the University of Queensland, and previously served as a minister and senator in the Australian Parliament over a sixteen-year period. With a background in human rights advocacy and education, she is actively involved in defending the rights of aboriginal peoples and women.

**Vusi Nhlapo** is President of the National Education, Health and Allied Workers' Union in South Africa and nominee of the Commonwealth Trade Union Council.

**Beko Ransome Kuti** is one of CHRI's founding members. He is Director of the Centre for Constitutional Governance. Between 1995 and 1997, he was an Amnesty International Prisoner of Conscience in Nigeria. He is nominated by the Commonwealth Medical Association.

**Mark Robinson** is Executive Director of the Commonwealth Press Union and Chair of the Council for Education in the Commonwealth. After serving in the offices of the Secretaries-General of the United Nations and the Commonwealth, he was twice a Member of Parliament in the United Kingdom between 1983 and 1997.

**George John**, a journalist for 60 years, has served as an editor for several major newspapers throughout the Caribbean, including the *Trinidad Mirror*, the *Trinidad Express* and the *Sunday and Trinidad Guardian*. He is deeply involved in journalism training in Trinidad and Tobago. In 1991, he was awarded the Hummingbird Gold Medal, Trinidad and Tobago's national award for services to journalism. He is nominated by the Commonwealth Journalists Association.

**Sam Okudzeto** is a member of the Commonwealth Lawyers Association. He is a member of the Legal Aid Committee; treasurer of the Ghana Bar Association; member of the Prisoners Service Council; and a former Chair of the Public Accounts Committee & Judicial Sub-Committee.

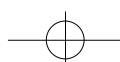
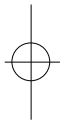
**Leila Seth** is Chair of CHRI's Executive Committee. She has been Chief Justice of Himachal Pradesh, India, and a member of the Law Commission of India. She has chaired commissions of inquiry investigating medical conditions in prisons and was a member of the expert committee on laws for the National Commission for Women.

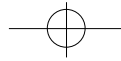
**Richard Bourne** is Chair of CHRI's Trustee Committee and Director of the Commonwealth Policy Studies Unit. He was a journalist from 1962-1982 until he became Deputy Director of the Commonwealth Institute, London. Associated with CHRI from its inception, he was its first Director. He has also chaired the Survival International Commission (1983-1997).

**Hassan Ebrahim** is a lawyer and the Deputy Director General in the Department of Justice, South Africa and formerly Executive Director of the Constitutional Assembly in South Africa and author of *Soul of the Nation*.

**O'Love Jacobsen** is a member of the Commonwealth Parliamentary Association and a former Minister of Education, Health, Environment, Training and Development, in Niue Island.

**Maja Daruwala** is Executive Director of CHRI and is a barrister actively advocating for human rights. She is a member of the Council for the Minority Rights Group, London; and founder-member on the governing boards of People's Watch, Tamil Nadu and the National Centre for Advocacy Studies, in Pune, India.



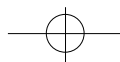


## FOREWORD

Human rights advocates will welcome this most timely report which advocates the rights-based approach to eradicating the large-scale poverty that currently exists in the Commonwealth. Ten years have passed since the Commonwealth Heads of Government Meeting (CHOGM) adopted the Harare Declaration in 1991, so it is important to evaluate the Commonwealth's will and ability to tackle poverty through its own fundamental principles of good governance and commitment to human rights. As the report reveals there is a disturbing gap between the rhetoric of Commonwealth Communiqués and the reality of people's lives. The evidence presented in the report, of which this is the executive summary, starkly highlights the extent to which human rights standards are being ignored throughout the Commonwealth. Commitments made by countries by signing and ratifying the various international human rights treaties and conventions, and reiterated time and again by the Commonwealth are being bypassed or downgraded. Specific groups within our communities are especially vulnerable to abuse and are more likely to be living in poverty. Little has been done to change their situation. Violence and exploitation remain a daily threat for many individuals living in Commonwealth countries.

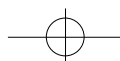
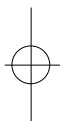
CHOGM 2001 must respond to the alarming statistics contained in the report. Firstly, Commonwealth Heads of Government need to recognise that poverty itself is an abuse of human rights. Secondly, there needs to be a renewal of commitment to the Harare Declaration, strengthened by a plan of action to implement policies which prioritise economic, social and cultural rights. The Commonwealth values the special relationships between its members, but the Commonwealth cannot maintain this goodwill while there are such glaring inequalities between nations and between its peoples. In order to achieve the success and relevance it desires, the Commonwealth must act internationally as an association that gives a strong voice to poor people and embraces civil society and the innovation and experience it brings.

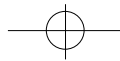
Margaret Reynolds  
Chair, International Advisory Commission, CHRI



## CONTENTS

Acknowledgments .....	page 1
<b>Introduction</b> .....	page 2
<b>Poverty in the Commonwealth</b> .....	page 4
The Nature of Poverty .....	page 5
Causes of Poverty .....	page 6
<b>The Solution - A Human Rights Framework</b> .....	page 8
The Existing Human Rights Framework .....	page 12
<b>The Commonwealth, Poverty Eradication and Human Rights</b> .....	page 16
The Commonwealth and Civil Society .....	page 19
<b>Recommendations</b> .....	page 23
Concluding Statement .....	page 24





## ACKNOWLEDGMENTS

This year's report of the International Advisory Commission is the outcome of teamwork and dedication. It utilises contributions from 27 academics, professionals and activists, all of whom are at the cutting edge of their field. We extend our thanks and our sincere appreciation of their work to: Cathi Albertyn, Kitty Arumbulo, Kevin Bales, Richard Bourne, Jill Cottrell, Alison Duxbury, Patrick Earle, Savitri Gooneskere, Jagdish Gundara, Beth Herzfeld, Paul Hunt, Chris Jochnick, Peter Larmour, Sandra Liebenberg, Neville Linton, Erin MacCandless, Allan McChesney, Malini Mehra, Amitava Mukherjee, Binafer Nowrojee, Margaret O'Grady, Ann Pettifor, Margaret Reynolds, Lindsay Ross, Siraj Sait, Amanda Shah, Douglas Tilton and Deepika Udagama.

The concept for the report was developed and refined at consultations with NGOs, experts and activists in New Delhi, Geneva and at a Conference organised at Wilton Park, London, titled *Human Rights and the Alleviation of Poverty*. This brought together expert participants and contributors from around the Commonwealth, who we thank for contributing to a rich and fruitful discussion. More particularly we would like to thank the resource people: David Batt, Richard Bourne, Winston Cox, Meghnad Desai, Oronto Douglas, Julia Häusermann, Paul Hunt, Roushan Jahan, Graeme Justice, Allan McChesney, Rose Mwebaza, Carol Narcisse, Vusi Nhlapo, Michael Odhiambo, Boniface Oye-Adeniran, Angela Penrose, Bertrand Ramcharan, Margaret Reynolds, Emile Short, and Siraj Sait.

In fact, this report has been contributed to by so many people in so many different ways that it would be impossible to thank all of those who have made it possible. However, some deserve special mention.

First among them is Yash Ghai - Sir Y.K. Pao Professor of Public Law, University of Hong Kong and presently heading the Kenyan Constitutional Review Commission. He has my special thanks and appreciation for his tireless efforts on behalf of CHRI over the last decade and on behalf of human rights in general for much longer than that. This report owes much to his assistance and contributions.

I am indebted to Jill Cottrell for interacting so closely with us and providing comments and input at various stages; to A.K.Shiva Kumar for always being available and for the friendship, advice and extensive experience that he has generously donated to the production of this report; and to Deepa Grover for adapting to a tight schedule and providing us with useful feedback.

I extend my appreciation to Federica Donati for research assistance and Rashmi Kaleka for her work on the design and publication.

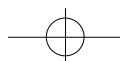
Our appreciation goes to officials of the Commonwealth Secretariat who took the time to provide us with valuable information.

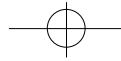
I would especially like to express my appreciation of the team in New Delhi and London for: soliciting contributions, researching, writing, organising conferences and meetings, and coordinating the advocacy efforts throughout the development of the report and at the CHOGM. The task of coordinating so international an effort across several time zones would not have been possible without the devotion, professionalism and whole-hearted commitment of Benjamin Croft, Amanda Shah, Philip Dufty, Michelle Kagari, Kerry Emmonds, Hasit Thankey, Claire Martin and Bibhu Mahapatra. Without their efforts it would have been impossible to have brought the report to fruition.

This report and the research, advocacy and networking that accompanied the process of developing it, generously supported by the FCO Challenge Fund and the Human Rights Project Fund. CHRI is deeply appreciative of this support. We would also like to thank the Westminster Foundation for Democracy for providing a researcher for the project and the Ford Foundation for its on-going institutional support.

CHRI assumes full responsibility for the opinions expressed in this report.

**Maja Daruwala**  
Director, CHRI  
August 2001





## INTRODUCTION

**The Commonwealth only needs the political will to remove poverty quickly and forever**

The Commonwealth Human Rights Initiative (CHRI) is appalled at the scale and depth of poverty in so many parts of the Commonwealth. The suffering of so many people is unacceptable. At the threshold of the third millennium, when sections of the Commonwealth enjoy unprecedented affluence, and when the international community knows well that it has the knowledge, means, stated intention and legal obligation to ensure the eradication of poverty, it only needs the political will to remove it quickly and forever. Yet it is a matter of shame for the association, member governments, the commercial sector and civil society actors that it continues to rely on rhetoric when the social and economic conditions of millions in the Commonwealth are in fact worsening in many ways. Such pervasive poverty mocks the claims of the Commonwealth that it embodies solidarity, social justice and equity.

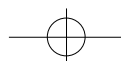
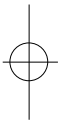
**“The persistence of poverty and human deprivation diminishes us all”**

Commonwealth Heads of Government, 1999<sup>2</sup>

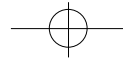
**The Commonwealth is in danger of becoming increasingly irrelevant to large numbers of its citizens**

CHRI urges the Heads of Governments meeting at Brisbane to completely re-orient the Commonwealth’s workings by committing it and its member states to the urgent eradication of poverty. It must implement, in partnership with Commonwealth citizens and civil society, a specific, practical, time-bound plan of action within a framework of human rights that addresses both global and domestic systems of economic inequity. It must commit itself to focussing only on such strategic initiatives that will make the Commonwealth, with its member states acting as a bloc in solidarity with each other, the international spokesman and leader by example in the global fight to eradicate poverty and to enforce human rights. Without this, the Commonwealth is in danger of becoming increasingly irrelevant to large numbers of its citizens.

Throughout its history the Commonwealth has acknowledged the challenge posed by the persistence of poverty. Ten years ago in Harare, the Commonwealth promised to work with renewed vigour toward the alleviation of poverty. In 1999 in Durban, the Commonwealth had once again to admit that poverty persists, that many millions live in conditions







of extreme deprivation and that a sense of social exclusion and failure of moral purpose threatens to undermine the hope of just and stable societies. The Commonwealth has committed itself to work to halve the proportion of people living in extreme poverty by the year 2015. It is not on course to achieve this target. The title of the Brisbane Heads of Government Meeting, 'Continuity and Renewal', assumes an incremental approach. CHRI instead urges that poverty eradication becomes the motivating force behind all policy decisions. This will require a radical overhaul of Commonwealth mechanisms.

**“We believe that the elimination of poverty is achievable - but only if we take determined and concerted action at national and international levels.”**

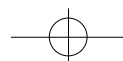
Commonwealth Heads of Government, 1999<sup>3</sup>

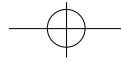
The Commonwealth must now act immediately and comprehensively to hasten the process of achieving prosperity and human dignity. To do this it must unequivocally recognise that the persistence of poverty anywhere in the association is a serious human rights violation and one that demands a genuine rights-based approach as the only effective and immediate solution.

The Commonwealth has declared its support for people-centred development. Experience shows that policies and practices of development not based on the norms and procedures of human rights are unlikely to remove poverty or ensure a just society which are essential elements of people-centred development. This alone must guide the structure, work and processes of the Commonwealth Secretariat and national governments. This approach has the force of being based on both moral consensus and legal obligation. It is also a practical means for policy setting, enabling policy-makers to: choose the most appropriate processes; create re-oriented public structures; adopt democratic methods of implementation; determine appropriate targets and beneficiaries; and evaluate impact in terms of people's enhanced dignity. In common with the 'Human Development Report 2000', this report urges that the concepts of human development and human rights be made to work vigorously together, creating the necessary synergy between development and human rights.

The existence of poverty is a human rights violation

This report urges that, to eradicate poverty, the concepts of human development and human rights be made to work vigorously together





## POVERTY IN THE COMMONWEALTH

**We live in a poor Commonwealth**

It is no exaggeration to say that we live in a poor Commonwealth. A snapshot of poverty in the Commonwealth paints a grim picture. Millions of citizens suffer violations of their rights to basic needs, equality, development, security, justice, participation and work.

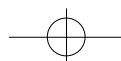
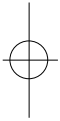
In a Commonwealth of 2000 million people, a third - 664 million people - live on less than \$1 a day.<sup>4</sup> That makes the Commonwealth home to over half of the people worldwide who struggle to survive with that paltry income. More than half of Zambians, Nigerians and Gambians live on less than \$1 a day.<sup>5</sup> The majority of Commonwealth citizens (64%) - 1279 million people - live on less than \$2 a day. In Kenya, the figure is 62%, and in India, the Commonwealth's most populous country, 86% or 860 million people suffer from this poverty of resources.<sup>6</sup>

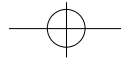
16 out of the 54 Commonwealth countries were classed as 'Least Developed Countries' (LDC's) in 2001 by the 'Third United Nations Conference on the Least Developed Countries'. War torn diamond rich Sierra Leone, a Commonwealth country, is ranked as having the lowest human development in the world by the UNDP.<sup>7</sup>

Poverty forces both women and men into precarious economic and social lifestyles that shape their vulnerability to disease. HIV/AIDS, malaria and tuberculosis (the last two being curable diseases) claim millions of lives, as do infant mortality and maternity deaths. 60% of HIV cases are found in Commonwealth countries and 4 out of the 9 most affected countries are members of the Commonwealth.<sup>8</sup> Zambia lost 1300 teachers from AIDS in 1998, more than two-thirds of the number of that year's trainee teachers.<sup>9</sup> Almost 60% of the Commonwealth lacks access to essential drugs and adequate sanitation facilities.<sup>10</sup> In Nigeria 90% of the population cannot obtain essential drugs.<sup>11</sup> 270 million people in the Commonwealth lack access to improved water supplies<sup>12</sup> and perhaps even more people are at risk from arsenic poisoning from drinking water sources than from HIV/AIDS.<sup>13</sup>

**In the UK and Australia, over 13% of the population live below the poverty line**

Women and children share a disproportionate burden of poverty in the Commonwealth. Women account for 70% of the world's poor.<sup>14</sup> In India in the early 1990s, the adult literacy rate among women of scheduled tribes was 24% compared with 39% for all Indian women.<sup>15</sup> In Asia, about 250,000 people, mostly women and children, are estimated to be trafficked every year.<sup>16</sup> 130 million children worldwide lack access to primary school and around half of those live in Commonwealth countries.<sup>17</sup> Although developed Commonwealth countries are among the states with the best records, even within them there are disparities. In the UK and Australia, over 13% of the population live below the poverty line.<sup>18</sup> In Canada one recent estimate suggests that the proportion





of the population living in poverty has risen to 17.6%<sup>19</sup> and that 64% of the national income is in the hands of the richest 30% of the population.<sup>20</sup> Great inequalities still affect indigenous peoples in both developing and industrialised countries. In Australia, life expectancy for Aboriginal people is 15 to 20 years below that of other Australians.<sup>21</sup> In many societies, justice is a commodity that often only the rich and powerful can afford. In Bangladesh, a national survey of corruption by Transparency International showed that 63% of those involved in litigation paid bribes to court officials.<sup>22</sup>

### **The rich and the poor**

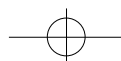
The Commonwealth has particular reason to be embarrassed by this state of affairs. Some of the world's most affluent economies sit side by side with some of the poorest communities and people. The above conditions, existing as they do in a time of record material comfort, unparalleled opportunity and technological innovation, reflect the absence of a commonality of purpose within the association.

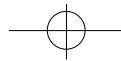
Poverty affects the rich

Yet poverty is not solely the problem of the poor. Poverty affects the rich. It divides societies into groups with opposing interests and thus negates another important objective of human rights, that of human and social solidarity. In the modern age where the images of the life of the wealthy daily assault everyone, poverty poses a major threat to social consensus and political stability. It erodes the moral fibre of rich and poor alike. Its consequences will not be restricted to the confines of the state where poverty is pervasive and cannot be dealt with merely by increasingly stringent bans on immigrants and refugees. The sharpening of inequalities and the division of communities is leading to enormous problems of crime which knows no borders, as the poor must resort to increasingly desperate forms of self-help to eke out a living. Meanwhile, security has become an obsession for the middle classes, turning their suburbs into fortresses. While the answer often provided by governments is ever more suppression and calls for enclosing poverty in ghettos, they pay little attention to the fact that large-scale poverty leads to the proliferation of diseases and urban degradation that can scarcely be contained within the confines of slums and must eventually encompass all.

### **THE NATURE OF POVERTY**

Statistics about poverty only indicate the mass quantity of deprived people, not their life condition. Though horrific, they cannot express the individual misery of a life lived in want and fear. Poverty is not a condition that is easily understood from the outside. The recent World Bank publication, *Voices of the Poor*, quotes a 'poor' man as saying: "Poverty is like heat: you can not see





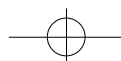
it, you can only feel it; so to know poverty you have to go through it."<sup>23</sup> Poverty makes a mockery of the concept of the 'autonomous individual' that lies at the heart of the dominant tradition of human rights. Existence in hovels, unable to gain access to adequate basic human needs is a massive violation of the right to food, health, education, shelter, employment, and physical and moral security. Poverty militates against the first principles of human rights - equality and equity.

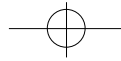
It is now accepted by policy makers at all levels that poverty is not merely the absence of an income adequate to meet the basic necessities of life. 'Human poverty' is about the lack of opportunity, choice or qualities that facilitate a good life, defined in terms of access to the conditions that support a reasonable physical existence and enable individuals and communities to realise their spiritual and cultural potential. These include opportunities to work, to contribute to and participate in the political, social and economic life of the community, as well as opportunities for reflection, artistic creativity and for discourse on morality. Poverty has a dehumanising effect. It robs self-confidence as much as capability and clings to nations, communities and families from generation to generation, forcing them to remain at subsistence level while others outdistance them in all ways. Amartya Sen best captures this as the denial of human 'capabilities'. These he defines as opportunities to achieve valuable 'functionings' or 'states of being', that represent different facets of well being.<sup>24</sup> These include physical aspects, such as being fed, housed and secure, but also more complex social achievements such as participating in societal life and being able to appear in public without shame.

Poverty is the denial and absence of human dignity. Long-established norms of family life are not possible when one is poor - children often get sold into bondage and young daughters and sons get forced into migration to distant places in often dangerous circumstances in order to send meagre savings back home. Men strained to the limit with the effort of supporting families draw away, or simply abandon their responsibilities and go in search of slim opportunities elsewhere, burdening wife and family with additional responsibilities to sustain themselves. Unable to bear the burden of continuous starvation, unemployment, debt or illness, families in many poor countries of South Asia are all too often documented in the media as having taken the terrible route of murdering their kith and kin and then killing themselves to end the suffering.

## **CAUSES OF POVERTY**

Poverty is not, as some imagine, an original state or inevitable condition, nor are the poor makers of their own misfortunes or the victims of their own faults and weaknesses. Poverty is not due to individual shortcomings in personality





or morality, nor failures of family and upbringing. To argue as if they were, is to obscure the causes of poverty, justify its existence, and distract from the responsibility for its cure.

Poverty is created. It is created by an uncaring international community, governments and societies. Worsening poverty has resulted from discriminatory and exclusionary policies that create an inequitable distribution of resources and prevent people accessing the benefits of development. In our own times poverty has increased and intensified under national and international economic policies that are now encapsulated in the concept of globalisation, whether it is structural adjustment programs (SAPs), or the subordination of national economies to the unchecked interests of global capitalists backed by the ideology of neo-liberalism. The positive potential of globalisation - such as increased information exchange, the free reign of human rights and the opening of markets to poor people's products - is obscured by its misuse by powerful interests.

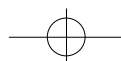
Policies built on distorted priorities - such as ill thought out mega-projects and SAPs - are thrust upon people. They fail to respond to the needs of the poor and leave them further impoverished. The closely intertwined skein of transnational political and economic interests combined with the increasing social cohesion of affluent groups across the world, is principally responsible for the situations that create economic disparity and divisions within society. This alliance of interests creates unbalanced structures of international trade and investment, uneven distribution of new technologies and an unjust allocation of resources, as well as employment practices that work against the interests of the poor. Often these biases are then entrenched in both national and international systems through legislation. All this conspires to exclude the majority of Commonwealth people from access to meaningful economic opportunities through which to better their lot.

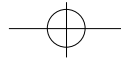
More than anything poverty is about unequal power relations and the ability of the few to oppress, suppress and exploit with impunity. Poverty is also born out of consistent and unchecked theft and waste of collective resources, corruption and the misappropriation of public wealth. A powerful economic and political class accompanies poverty, with no interest in socio-economic reform. Poverty is caused by people being governed by, and subject to, largely unaccountable systems and insulated economic and social conglomerates of the global and national elite that keep the poor ill equipped to participate in political processes or to mobilise the legal process to their aid.

**“the greatest challenge facing us today is how to channel the forces of globalisation for the elimination of poverty and the empowerment of human beings...”**

Commonwealth Heads of Government, 1999<sup>25</sup>

**Poverty is created is not an original state or an inevitable condition**





## THE SOLUTION - A HUMAN RIGHTS FRAMEWORK

Due to the complexity of the nature and the causes of poverty, the solution to poverty does not lie in charity. As Townsend says "the more the concept is widened to an insufficiency of income to cover, in addition, basic social needs like health, welfare, the fulfilment of obligations of the family, citizenship and relations at work, and community participation, the more it becomes necessary to admit that a complex combination of growth, redistribution and re-organisation of trading and other institutional relationships and the reconstitution of traditional with new social associations has to be evolved."<sup>26</sup>

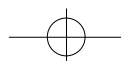
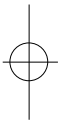
**Policies crafted on a foundation of human rights give primacy to participation and empowerment of the poor**

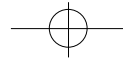
Poverty has thus to be tackled through multiple strategies, not handouts. Hitherto, discretionary ad hoc handouts along with the idea of market led growth have been the principal prescriptions for the alleviation of poverty. Handouts remain at the level of grace and favour, reinforce dependencies, sharpen misleading perceptions of the alleged inadequacies of the poor, give cause to the rich to complain about the poor and talk about donor fatigue to justify their refusal to fulfil legal obligations. On the other hand, policies crafted on a foundation of human rights give primacy to participation and empowerment of the poor and require collective action, more democratic practices, and fulfilment by the international community, nation-states, the commercial sector and local communities and associations of their obligations to respect, fulfil and protect human rights.

**The idea of inalienable rights reminds us of the obligations incumbent upon public authorities**

The rights discourse provides unequal entities (whether they are single individuals pitched against a powerful state or poorer states negotiating with more affluent ones, or with powerful corporations and financial institutions) with a commonly acknowledged language of equality and equity. These entities when interacting with each other are obliged to respect universal obligations to abide by national and international human rights commitments. For example, governments negotiating with powerful and remote corporations, donors and international financial institutions (IFIs) from within the international framework of human rights norms, gain a shield with which to resist potentially damaging policies such as structural adjustment, as much as a sword with which to demand responsibility on matters such as debt relief, and accountability for such derelictions as not fulfilling aid commitments.

Development policies and allocations of resources which are not based on the framework of human rights are unlikely to advance human welfare or enhance social stability. The notion of development divorced from rights offers a temptingly comfortable matrix for the international community and domestic policy makers because it treats the problem of poverty in terms of it being merely a technical problem that is to be solved incrementally, and dependent on the allocation of 'available resources'. On the other hand the rights discourse refuses to treat the condition of poverty as acceptable and sees the presence of





poverty as a rights violation that demands immediate accountability. The idea of inalienable rights reminds us of the obligations incumbent upon public authorities to secure policies and institutions in which existing entitlements can be realised through the efforts of institutions, individuals, families and communities. It emphasises the moral and legal duties of global society to ensure a political, social and economic order in which all people and persons must immediately be living in a dignified state.

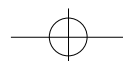
The separation of development and human rights is also artificial because human rights must be both the means and the end of development. As Sen says, "freedoms are not only the primary ends of development, they are also among its principal means."<sup>27</sup> The framework of human rights alerts us to the real purpose of development, which is the achievement of all aspects of human development - the protection of entitlements to food, health, shelter, work, literacy, participation, a life in freedom, association and solidarity. The framework is based on the fundamental principle of equality of all human beings. It provides a balance between the different aspirations and interests of individuals and communities, and a way of reconciling them, thus preventing the lurches to extremes of economic or social policies and ideologies. The prime asset in generating a sustainable economy and a sustainable programme for the eradication of poverty, is human beings equipped with capabilities, interacting in a full and free manner with the institutions which govern them and confident that those institutions will enforce, protect and fulfil their human rights. Human rights also provide targets, benchmarks and indicators for the evaluation of social, economic and political policies and the modalities of their implementation.

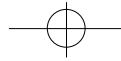
The ideology of human rights is one of the most powerful forces today. It has strong resonance with people all over the world, especially with those who are oppressed, but also with those who are perched at the higher echelons of society. Even those who constantly cavil at human rights being an imposed value system do not seriously challenge the universal concepts of equity and equality on which it is based. There may indeed be justification for complaints about the selective use to which human rights is put in the international political arena: to name and shame some to the advantage of more pliable political or economic partners; to prise open markets for domestic economic benefit; as a tool of foreign policy to ensure geo-political ascendancy; or to impose conditionalities that double up as protection for powerful industrial interests. But despite this, the ascendancy of the values that are enshrined in human rights discourse makes it a prime validating force without which political leaderships have little legitimacy.

### **Whose responsibility are rights?**

The international human rights normative framework imposes a three-fold duty on states: 'to respect, protect and fulfil'. The duty to respect means that the state must refrain from conduct which violates human rights, for example by arbitrarily depriving its citizens of shelter. The duty to protect means that the

**Human rights must be both the means and the end of development**





**The international human rights normative framework imposes a three-fold duty on states: 'to respect, protect and fulfil'**

**The rights frame today applies to all those actors whose activities affect the lives and entitlements of others**

state must protect individuals from violations of their rights by other individuals or bodies through the creation of a framework of laws which regulate their activities, for example environmental legislation which regulates the activities of the private sector. The duty to fulfil means that the state must proactively take steps to ensure the fulfilment of the human rights of people. These three elements establish a coherent framework for eradicating poverty. However, in order to be effective, the framework must be incumbent upon all duty-holders.

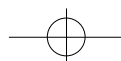
The rights ideology is not limited to ensuring states' obligations. That is an orthodoxy which has less and less legitimacy today. The rights frame today applies to all those actors whose activities affect the lives and entitlements of others. In an age when the smallest shifts in policy made outside the nation state hugely affect the survival and subsistence of large populations and when the state's own capacity to govern autonomously its sovereign territory is constrained by the global environment, a rights approach requires that all the policies and programs of the world's most influential and powerful are equally subject to the responsibilities and obligations of human rights. This includes the obligation of policy-makers to gear their actions primarily towards the complete eradication of poverty. It is only by recognising the responsibility of these influential actors for human rights violations and the continued existence of poverty that the neo-liberal discourse may be challenged.

The World Bank and the International Monetary Fund (IMF) are among the important IFIs who have until now evaded responsibility for the human rights impact of their policies and their failure to actively promote human rights. As Jochnick points out: "As specialised agencies of the United Nations, the World Bank and the IMF are obligated to promote the UN's human rights mission, and as international organisations they are at least responsible for not violating... international human rights law."<sup>28</sup>

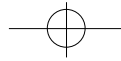
Increasingly, a state's policies can affect the human rights of people in other states. 'Third-party states' in today's globalised world have a particular responsibility for upholding universal human rights.<sup>30</sup> There are many international human rights agreements that document this responsibility. Under the International Covenant on Economic, Social and Cultural Rights (ICESCR) each state party "undertakes to take steps, individually and through international assistance and co-operation... with a view to achieving progressively the full realisation of the rights recognised in the present Covenant" (art. 2.1) and to "recognise the right of everyone to an adequate standard of living... The States Parties will take appropriate steps to ensure the realisation of this right" (Art. 11.1).<sup>31</sup> The Commonwealth donor states must ensure that the amount of overseas development assistance they provide and their progress towards the eradication of debt (as just two

**"We call on the global community to search for inclusive processes of multilateralism which give a more effective voice in the operations of international institutions to developing countries.**

Commonwealth Heads of Government, 1999<sup>29</sup>







examples) are measured against their responsibility for human rights and poverty in all countries, not just their own.

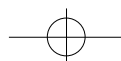
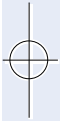
It is not true that it is the responsibility of states alone to subject the private sector to a regulatory framework based on human rights. The private sector according to international agreements is required to promote rights. The General Assembly of the UN declared “this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society shall . . . promote respect for these rights and freedoms”. This obligation was reiterated by the UN General Assembly in March 1999 in its Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms. For example, Article 18 of that declaration states that: “Individuals, groups, institutions and non-governmental organisations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realised.” Meanwhile efforts are increasing at various levels to create specific voluntary frameworks (such as the UN Global Compact) for large transnational corporations to regulate their own practice with regard to their human rights responsibilities.

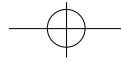
With the force of the rights framework behind it, the Commonwealth, as an association predominantly made up of poor nations, must fulfil in demonstrable ways its unity of purpose to eradicate poverty by effectively amplifying the voice of the poor in international fora.

The Commonwealth has already committed itself to doing just that. In the Millbrook Commonwealth Action Program on the Harare Declaration in 1995,<sup>32</sup> Heads of Government endorsed the “use of formal and informal Commonwealth consultations in the wings of meetings of international institutions with a view to achieving consensus on major concerns.” By demonstrating that the major concerns of the Official Commonwealth reflect those of its citizens, the Commonwealth will become a powerful force for the universal promotion of human rights.

Civil society plays a recognised role in development and has a key role to play in the implementation of the human rights framework. Advocacy groups often do not inform themselves sufficiently about the value of human rights to their work or recognise its importance. Frequently disappointed at the ability of the legal process and law to provide justice, groups working on development and humanitarian issues are often resistant to the notion of rights. They must overcome a suspicion of human rights as being a legal instrumentality, irrevocably linked to a distrusted institution, namely the legal profession and the judiciary. In a sense they must reclaim human rights from the law, while recognising the potential which law may have for enforcing rights.

**By demonstrating that the major concerns of the Official Commonwealth reflect those of its citizens, the Commonwealth will become a powerful force for the universal promotion of human rights**





They must also, importantly, preserve the idea of rights as central to their own work. This means being open, transparent, participatory and accountable as well as not falling into the trap of thinking of the poor as victims and passive recipients.

They must equip themselves to interrogate the activities of the Commonwealth, its governments and other bodies from a pro-poor perspective. They must engage where they can and confront where they must. They must be able to enhance moral arguments and calls for social justice by being able to apply the indicators and benchmarks to the outcomes of policies and programs in the framework of legal rights and obligations of specific and multiple duty-holders, and ensure that accountability and consequences flow from these.

### **THE EXISTING HUMAN RIGHTS FRAMEWORK**

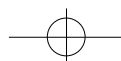
Much of this understanding of the importance and utility of the human rights framework has already been translated into morally and/or legally binding agreements at an international level. The Commonwealth's own statements and pledges on human rights and poverty eradication are morally binding statements which reaffirm and reflect legally binding international and domestic obligations of member states.

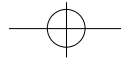
These commitments, should be familiar terrain for policy-makers. However, the constant breaches of human rights standards in the daily lives of citizens; the lack of realisation within the association and its ruling elite that human rights are as much a legal obligation as a moral imperative; and the lack of knowledge about the existence of an alternative empowering framework amongst the citizenry (especially the poor, who are as deprived of information as they are of more tangible entitlements), demand the constant reiteration of obligations undertaken by states.

### **Commonwealth countries' international obligations**

Through specific conventions and enabling domestic laws, Commonwealth states have agreed not only to the more 'traditional' civil and political rights, such as the protection of personal freedoms and physical security of individuals, the freedom of expression and belief, political rights to participate in public affairs, the right to form and operate associations, the right to equality and the due process of the law, but also to economic, social and cultural rights. Most Commonwealth states have signed up to these treaties and a great many constitutions provide for the full panoply of rights, including social, economic and cultural rights. State obligations that arise from these instruments are reflected, in varying degrees but increasingly, in enforceable laws.

Laying to rest any arguments implying the importance of one set of rights over another - an argument that was honed and sharpened more as a weapon for Cold War adversaries than for its usefulness to the realities of the poor - the World Conference on Human Rights in 1993 and numerous conferences since have endorsed that all types of rights are interdependent and indivisible.





**Extracts from International Human Rights Treaties Relating to Poverty<sup>33</sup>**

“Everyone ... is entitled to the realization ... of the economic, social and cultural rights indispensable for his dignity.... Everyone has the right to work.... Everyone has the right to a standard of living adequate for the health and well being of himself and of his family, including food, clothing, housing and medical care and necessary social services.... Everyone has the right to education....”

**Universal Declaration of Human Rights, Articles 22, 23, 25, 26**

“States Parties ... recognize the right to work.... to the enjoyment of just and favourable conditions of work which ensure ... fair wages and equal remuneration for work of equal value without distinction of any kind.... a decent living for themselves and their families.... the right of everyone to social security, including social insurance.... the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.... the fundamental right of everyone to be free from hunger.... to the highest attainable standard of physical and mental health.... to education....”

**International Covenant on Economic, Social and Cultural Rights, Articles 6, 7, 9, 11, 12, 13**

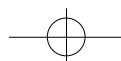
“States Parties shall ... ensure to women equal rights with men in ... education,.... the right to work.... access to health care.... bank loans ... credit.... States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure ... that they participate in and benefit from rural development and ... shall ensure to such women the right ... to have access to adequate health care facilities...; to benefit ... from social security programs; ... to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.”

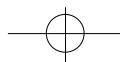
**Convention on the Elimination of All Forms of Discrimination Against Women, Articles 10, 11, 12, 13, and 14**

“States Parties undertake to prohibit and to eliminate racial discrimination ... and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, ... in the enjoyment of ... the right to economic, social and cultural rights, in particular ... the right to work ... to just and favourable remuneration ... to housing ... to public health, medical care, social security and social services ... to education and training ....”

**Convention on the Elimination of All Forms of Racial Discrimination, Article 5**

“States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.... States Parties ... shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support..., particularly with regard to nutrition, clothing and housing.”





The Copenhagen Declaration on Social Development (1995) more than any other international declaration, with the exception of the Declaration on the Right to Development (1986), places human rights at the centre of development. In paragraph 2, it recognises the urgent need to “address profound social problems, especially poverty, unemployment and social exclusion, that affect every country” and sets as the task of the governments to “address both their underlying and structural causes and their distressing consequences in order to reduce uncertainty and insecurity in the life of people”.

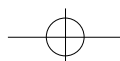
In emphasising the eradication of poverty the Declaration recognises that poverty is one of the greatest causes of the denial of human rights. Consequently one of the principle goals enunciated in the Declaration, is a commitment to “a political, economic, ethical and spiritual vision for social development that is based on human dignity, human rights, equality, respect, peace, democracy, mutual responsibility and co-operation, and full respect for the various religious and cultural backgrounds of people”.<sup>34</sup>

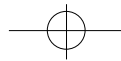
This concern with poverty enshrined in rights has translated to the policy-making level in certain instances. More and more national plans have been announced to reduce poverty. The World Bank now ties its aid to policies directed to the alleviation of poverty delineated in national Poverty Reduction Strategy Papers<sup>35</sup> in an ostensible attempt to make poverty alleviation the centre of policies. These have not gone far enough, but they are at least an indication that no duty-holder whose actions affect the poor is free to ignore the rights of the poor.

### **Commonwealth pledges and Commonwealth responsibilities**

These commitments to human rights and poverty eradication have been reiterated in Commonwealth Declarations, from Singapore to Fancourt.

Heads of Government have repeatedly expressed their belief that equality, democracy and the rule of law are the bedrock of a good society. A decade ago, they declared their belief in “the liberty of the individual under the law, in equal rights for all citizens regardless of gender, race, colour, creed or political belief and in the individual's inalienable right to participate by free means and democratic political processes in framing the society in which he or she lives” as well as in the “principles of human dignity and equality”.<sup>36</sup> In the last Commonwealth Heads of Government Meeting (CHOGM), “Heads renewed their commitment to the Commonwealth's fundamental political values of democracy, human rights, the rule of law, independence of the judiciary and good governance. They reiterated that fundamental political values and sustainable development were interdependent and mutually reinforcing and that economic and social progress worked to enhance the sustainability of democracy. They called for increased international co-operation to support democracies in achieving benefits for the poor.”<sup>37</sup>





The Heads of Government have on several occasions urged members of the Commonwealth to sign and ratify the international covenants and conventions on human rights. In doing so they have implicitly recognised the importance of international agreement on human rights norms and the need for poverty eradication. The agreements of which Heads of Government have urged ratification include, amongst others: the ICESCR;<sup>38</sup> the International Covenant on Civil and Political Rights (ICCPR); the Convention on the Rights of the Child (CRC);<sup>39</sup> the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);<sup>40</sup> and, most recently, the International Labour Organisation's (ILO) Convention on the Worst Forms of Child Labour.<sup>41</sup>

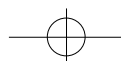
They have expressed outrage and the need for action to address the inequalities between member countries of the Commonwealth. In Harare, Heads of Government "expressed serious concern at the deteriorating socio-economic condition of the least developed countries".<sup>43</sup> In the Edinburgh Commonwealth Economic Declaration, they committed their governments to "work to halve the proportion of people living in extreme poverty by the year 2015"<sup>44</sup>. This has also involved recognition that they should increase donor assistance to 0.7% of GNP in line with the UN targets,<sup>45</sup> as well as providing debt relief "with the overarching aim of reducing poverty in Highly Indebted Poor Countries (HIPC)".<sup>46</sup> Finally, they recognised that "world peace, security and social stability cannot be achieved in conditions of deep poverty and growing inequality. Special measures are needed to correct this, and in particular to help the integration of countries".<sup>47</sup>

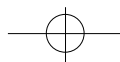
They have repeatedly expressed their belief that participation cannot be distinguished from the effective promotion of human rights and people-centred development. In Durban they "declared that people-centred development implied that people must be directly involved in the decision-making process".<sup>48</sup> In Limassol they reiterated the "important role played by Non-Governmental Organisations in the area of promotion of human rights".<sup>49</sup> Finally, in Edinburgh they affirmed that "there must be effective participation by all countries in economic decision-making in key international fora".<sup>50</sup>

Heads of Government have further recognised the importance of human rights to the association by providing the mandate for a greater allocation of resources to human rights within the Commonwealth Secretariat. In the Harare Communiqué, they "requested the Secretariat to give greater impetus to its current activities to promote human rights in all its aspects."<sup>51</sup> Later, in Cyprus, they "asked the Secretariat to provide for increased allocations to that area as much as available resources would allow".<sup>52</sup>

**As of 14th June 2001, the following Commonwealth countries had neither signed nor ratified the ICESCR: Antigua and Barbuda, the Bahamas, Botswana, Brunei Darussalam, Cook Islands, Fiji, Kiribati, Malaysia, Maldives, Mozambique, Nauru, Pakistan, Papua New Guinea, Samoa, Singapore, St Kitts and St Nevis, St Lucia, Swaziland, Tonga, Tuvalu and Vanuatu.**

**Both South Africa and Belize had signed, but not ratified it.<sup>42</sup>**





## THE COMMONWEALTH, POVERTY ERADICATION AND HUMAN RIGHTS

### **A lukewarm commitment to human rights and poverty eradication**

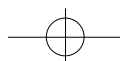
Despite fine words, in comparison to the strong articulations of commitment by international organizations such as the UN with its treaties and reporting and monitoring mechanisms, the Commonwealth's means of actualizing human rights is distinctly modest. Apart from political dramas like the suspension of the Nigerian dictatorship, Fiji or Pakistan, and the honorable role in breaking down Apartheid, the Commonwealth's commitments to human rights appear lukewarm. Its leadership often appears more concerned to respect the susceptibilities of fellow governments than to advance the interests of citizens. In the past the Commonwealth has treated the violation of civil and political rights as those that can be monitored if they are really grave, but treated the deprivation of economic and social rights and the condition of Commonwealth citizens, however wretched, as best left to member states to deal with unencumbered by anything more than oratory.

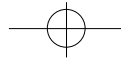
The general approach of the Commonwealth, over many years, has been to stress the need for development of its poorest states and citizens, but the value of human rights in eradicating poverty has not been truly central to its prescriptions.

The Commonwealth summit in Durban in 1999 took people-centred development as its theme. Its Fancourt Declaration stated that "the elimination of poverty is achievable". It urged that the debt burden of the poorest countries should be lifted, that development assistance should increase and that it must be focused on "human development, poverty reduction and on the development of capacities for participating in expanding world markets for goods and capital". Yet its support for globalisation seemed to be given more weight than its commitment to eradicate poverty, and again there was no sense that its concern for the poor was informed by a rights perspective.

The only celebration of the 50th anniversary of the Universal Declaration organised by the Commonwealth Secretariat anywhere in the world took place in Accra in December 1998. It had two themes: economic and social rights, and human rights education for schools. Representatives of over half of Commonwealth countries attended. The conference produced a statement on economic and social rights. This was hardly advertised afterwards. A proposal that it should be put before Commonwealth Law Ministers, who met in Trinidad in early 1999, was overruled inside the Secretariat on the grounds that Law Ministers are not interested in economic and social rights!

As indicated above, nowhere is the interdependence and indivisibility of rights more clearly demonstrated than in the causes and consequences of poverty and prescriptions to overcome it. The framework of rights for the eradication of poverty requires a holistic approach that encompasses all rights. Without a clear





mandate the Commonwealth Secretariat has generally given a low priority to human rights as a whole and its actions to eradicate poverty have not gone beyond discrete programs to become a full-scale assault on poverty from all angles. The priorities of the Commonwealth's institutions and resource allocations provide proof of this approach.

The Commonwealth must now make explicit its recognition that poverty is a serious violation of human rights, of all kinds of human rights - civil, political, economic, social and cultural and provide its official organs, especially the Secretariat, with an unequivocal mandate to prioritise its elimination with a singularity of purpose.

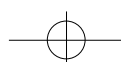
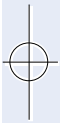
### Matching Reality to Rhetoric

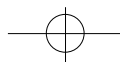
The Commonwealth does not adequately monitor the implementation of its own rhetoric. At the Limassol CHOGM, Heads of Government called on all member governments to become parties to the ICESCR and ICCPR by 1995.<sup>53</sup> However at Auckland in 1995, there was no attempt to check on progress, and subsequent summits have stopped calling for these signatures. At Edinburgh in 1997, the Commonwealth committed itself to the International Development Targets now widely adopted in the international community. These aim for the halving from 1990, of the proportion of people who live on a dollar a day by 2015, with associated objectives in education, health and gender equality. But again there was no report-back on progress at the Durban meeting in 1999.

The Commonwealth Ministerial Action Group (CMAG), the Commonwealth's only scrutiny mechanism, was established in 1995 by Heads of Government as part of the Millbrook Commonwealth Action Program on the Harare Declaration. The 'Plan of Action' authorises CMAG to take appropriate action "when a member country is in violation of the Harare Commonwealth Declaration, and particularly in the event of an unconstitutional overthrow of a democratically elected government". CMAG's record of work indicates that it has interpreted its mandate to mean that it acts only in the case of a military take-over of a democratically elected regime. It also keeps under scrutiny countries where there is a risk to fundamental democratic principles. This is an unnecessarily narrow interpretation of its role. Paragraph C4 of the 'Plan of Action' requires CMAG to "deal with serious or persistent violations" of the Harare Principles which include *all* human rights. CHRI calls on CMAG to fulfil its true mandate, by being not only a guardian of the fundamental political values of the Commonwealth, but also a custodian and spokesperson for all the human rights of Commonwealth citizens, including their socio-economic rights. This would mean in practice that it would keep under scrutiny the continuing existence of poverty on a large scale and treat the lack of significant progress in its eradication as a serious and persistent human rights violation. Its consideration of a country could be prompted by civil society

**The Secretariat must have an unequivocal mandate to prioritise the elimination of poverty with singular purpose**

**CHRI calls on CMAG to fulfil its true mandate, by being not only a guardian of the fundamental political values of the Commonwealth but also a custodian and spokesperson for all the human rights of Commonwealth citizens, including their socio-economic rights**





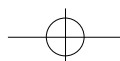
**By appointing a Commonwealth High Commissioner for Human Rights the Commonwealth would be giving substantial weight to its rhetoric**

reports and should continue, identifying the responsible duty-holder, until such violations end.

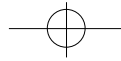
For 10 years CHRI has been calling for the appointment of a Commonwealth High Commissioner for Human Rights (CHCHR). Heads of Government must appoint a CHCHR to oversee the implementation of the rights indicated in its fundamental principles. That is, civil, political, social, economic and cultural rights. By so-doing, they would be giving substantial weight to their rhetoric. The establishment of such an office would provide renewed focus, authority and co-ordination to the Commonwealth's work towards upholding the Harare Declaration, the work of CMAG, the Human Rights Unit (HRU), the good-offices work of the Secretary-General, election observation missions and more. The CHCHR's work would include: well-qualified adjudication in the application of membership and suspension criteria; warning publicly and privately when human rights problems are growing in any region; engaging in fact-finding missions and presenting findings to the public; making annual progress reports on the Official Commonwealth's human rights work; making oral representations to international fora; promoting human rights norms and furthering human rights education. Naturally, the work of the CHCHR would be informed by the knowledge and expertise of unofficial Commonwealth organisations working in the field of human rights and national human rights institutions in the Commonwealth. The CHCHR, would also be well-placed to liaise with the UN and other regional bodies to ensure that duplication is avoided.

The Human Rights Unit (HRU) was set up to 'promote human rights within the Commonwealth' and to 'ensure that in the Secretariat itself due account is taken of human rights considerations'. This mandate to promote human rights inside and outside the Secretariat is limited enough, yet in its present condition it has neither the stature nor the resources to fulfil its mandate satisfactorily.

CHRI believes that the HRU has great potential for making Commonwealth rhetoric a reality and has already produced a detailed report, 'Rights Must Come First', which outlines how this may be done. CHRI's recommendations include that the HRU should: have a separate annual core budget with a fixed minimum figure; significantly increase and upgrade its present financial allocations and personnel resources; assure its stature by being made a free-standing entity within the Secretariat that is directly responsible to the Secretary-General and has direct access to all divisions; make its own human rights assessments and feed these into CMAG and act as a constructive critic; be a mechanism that ensures that human rights are orienting all the Secretariat's programs throughout its divisions and evaluate the Secretariat's own performance and commitment to human rights against the same criteria of good governance to which member countries are held.







## Crisis of Identity

For the Commonwealth, at the threshold of the third millennium, there will be a price to pay for its failure to treat poverty as a human rights violation and to attack poverty through a human rights framework. Progressively, regional and international organisations are making human rights a central plank of their association and co-operation. Their collective policies are defined by human rights and the practices of their institutions must increasingly demonstrate human rights values in order to be considered legitimate. This is especially so for an association born out of a colonial past, which could find the antithesis of that past, and a refreshed identity, in the promotion of human rights and assured participation of its citizens in all its policies and programs. We say that the Commonwealth is about democracy and human rights or it is about nothing. For it to retain relevance, the Official Commonwealth must move closer to its people, a people living in poverty. Those people will gain immeasurably if the Commonwealth acts uniformly to enforce human rights.

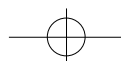
Recently, the Commonwealth's crisis of identity and purpose has caused it to reflect on its priorities, modalities, and relationships. The theme of the Durban conference was 'people-centred development'. Ten of the Commonwealth Heads of Government referred to as the High Level Review Group (HLRG), have recently been mandated to examine the role of the Commonwealth in the new century. The new Commonwealth-sponsored examinations of the Official Commonwealth's treatment of human rights and its relationship with civil society, are all indications that it is struggling to overcome its generic character as a club of leaders of sovereign nations and establish itself as an association rich in diverse cultures and peoples.

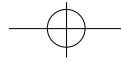
However, the outcomes of any reorientation must be less incremental, and more radical. The Commonwealth is in real danger of losing all relevance and credibility unless it engages more urgently and seriously with the most pressing problem of our age - poverty, and the premier means to overcome it, human rights. To survive, the Official Commonwealth has to commit itself by deeds not words to more just social, political and economic orders, and more obviously help to remove the abject poverty in which the majority of its citizens suffer indescribable misery and indignity. If it does not, those people will find more relevant fora in pursuit of their rights and the Commonwealth will become redundant.

## THE COMMONWEALTH AND CIVIL SOCIETY

The inability of the Commonwealth to craft a cohesive approach or combative action in response to the condition of the majority living within it, has been exacerbated by its resistance to being enriched by the understanding and opinion of those who experience poverty firsthand on an on-going everyday basis and are on more familiar terms with it than any policy maker could ever be. Civil society,

**The Commonwealth is in real danger of losing all relevance and credibility unless it engages more urgently and seriously with the most pressing problem of our age - poverty, and the premier means to overcome it, human rights**





people’s movements, community based groups and NGOs can fill this gap and deepen contacts between the official and unofficial Commonwealth.

### The importance of engagement with civil society

Despite the claims of electoral democracy, in reality there are limits to how far governmental institutions reflect the voice of the poor - or can actively solicit their views. The few experiments that have attempted such on-going and wide consultation or participation have grounded successful democratisation and poverty alleviation programs but have been attempted in far too few jurisdictions. Civil society groups and NGOs working at varied levels and on different thematic issues, because of their close contact with constituencies, are often more trusted by the poor, and have, as advocates for social causes or deliverers of humanitarian assistance, close connections with people’s real lives.

They should not have to work in fear or have to battle for inclusion. The Commonwealth and its governments must accept civil society as a manifestation of democracy and a means of accessing those most vulnerable.

International declarations and plans of action coming out of global conferences routinely recognise the value of civil society and the benefits of working in partnership with them - from formulating policy, to implementation, and feedback. In recognition, the Vienna Declaration for example, recommends that “non-governmental and other grass-roots

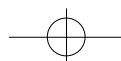
organizations active in development and/or human rights should be enabled to play a major role on the national and international levels in the debate, activities and implementation relating to the right to development and, in co-operation with Government, in all relevant development co-operation”.<sup>55</sup>

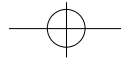
The very first General Comment of the Committee on Economic, Social and Cultural Rights recognises the role of civil society. In commenting on the objectives of reporting by states, it said that the “fourth objective of the reporting process is to facilitate public scrutiny of government policies with respect to economic, social and cultural rights and to encourage the involvement of the various economic, social and cultural sectors of society in the formulation, implementation and review of the relevant policies.”<sup>56</sup> The Committee has encouraged the role of the NGOs in more practical ways. For example when a state has failed to file a report on schedule, the Committee has been prepared to review that state’s record solely on the basis of reports by NGOs. It has also welcomed comments by NGOs on state reports as well as supplementary reports. NGOs also participate in the Committee’s deliberations on general issues, which often lead to the formulation of General Comments.

**“If the poor and the vulnerable are to be at the centre of development, the process must be participatory, in which they have a voice.”**

Commonwealth Heads of Government, 1999<sup>54</sup>

**Governments must accept civil society as a manifestation of democracy**





## The Commonwealth's track record

True and sustained engagement with civil society is key to the effective implementation of a rights based approach to poverty eradication. Unlike other international agencies, most notably the UN - and increasingly even the World Bank - the Official Commonwealth has not yet gone far enough in building significant relationships with, or encouraging an important role for, non-governmental organisations.

The Commonwealth has time and again acknowledged the role of civil society and has spoken of the need to partner and engage it, but has been slow to put this into action. In the Harare Declaration, it stated that the Heads of Government invited non-governmental Commonwealth organisations to play their full part in promoting the objectives of the declaration in a spirit of co-operation and mutual support. Yet summit meetings in the decade since then, even in new and otherwise progressive democratic climes such as Durban and Brisbane, have shown little change in the careful way that civil society is isolated from their elected representatives. In the interim between summits, space for civil society and governmental inter-face has not expanded significantly enough to affect policy outcomes.

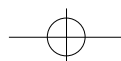
Today secrecy surrounds the meetings of the Official Commonwealth, while it is left to NGOs to celebrate the diversity and solidarity of Commonwealth citizens outside the conference centres where the leaders meet. Despite efforts to create interest through youth programs and forums it has become increasingly alienated from its younger citizens who, when they know of its existence at all, may find it more and more irrelevant to their identities and concerns. This in a Commonwealth where "two-thirds of the Commonwealth population is under 29".<sup>57</sup> The system of accreditation of NGOs for participation in the CHOGMs, which began in 1993, gives the Commonwealth Secretariat a vetting role. Even when accredited, there are few benefits in terms of access to policy makers or opportunities to lobby.

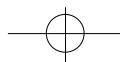
It is necessary to go beyond mere consultation with a few selected organizations, to overall participation by a broad swathe of civil society interest groups and associations. In an era of serious ideological divisions, where the market is not necessarily considered the friend of human rights or the most beneficent factor in poverty eradication, the special status and selective attention afforded to a few organizations - while leaving others out in the cold - sends a clear signal of priorities and preferences which does not necessarily equate to the Commonwealth's expressed objectives of people-centred development.

The cool reception afforded to NGOs at the Secretariat and at Commonwealth meetings perhaps only reflects the suspicions of some member governments and

**"Accreditation is generally open only to NGOs which have 'Commonwealth' in their titles; are eligible for inclusion in the Commonwealth Secretariat's Directory of Commonwealth Organisations; and are pan-Commonwealth in their governance mechanisms and operations."**

CHOGM 2001 official web-site<sup>58</sup>





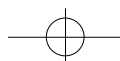
their in-country efforts to curb and restrict NGO activities that have grown concomitantly with NGOs' ability to advocate effectively and in solidarity without attention to international boundaries. Only 44 out of 54 governments have joined the Commonwealth Foundation, the government-supported Commonwealth agency for interaction with NGOs. The Foundation's main task is to help 'professional co-operation and associations', especially in developing countries, through small grants. In 1979 the mandate was extended to work with NGOs in the 'social sector', understood as welfare organizations, particularly those working on women's issues, but not human rights organizations or those working on 'political issues'. Despite this the Foundation has found ways to support work on poverty eradication and human rights through deepening democracy and good governance. However, by the very act of forming the Foundation to interact with NGOs, their separation from the official bodies has been reinforced.

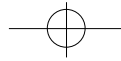
This ingrained distinction between 'serious' and 'NGO' business may have much to do with the fact that most officials of the Commonwealth are drawn from government bureaucracies and not from civil society. The Secretariat itself is not currently well organized to handle day-to-day contacts with NGOs. Its one NGO desk officer has mostly a limited liaison role. There is room for changing this by increasingly embedding Foundation staff within mainstream Secretariat functioning and augmenting this with advisors, consultants and long term staff from within civil society organizations that can temper the present restrictive approach.

The Commonwealth and the Secretariat should see NGOs not as a threat but as an opportunity and a resource. It needs to change its ethos, from an exclusive club of governments and officials serving them, to an inclusive and vibrant association of states and peoples. Since the greatest comparative advantage that the Commonwealth has - apart from the much stated commonalities of history, legal system, and language - is its people, the Official Commonwealth must pro-actively forge a partnership with Commonwealth and national NGOs. Symbolically Marlborough House needs to establish itself as a Commonwealth Centre, as originally envisaged, rather than just the headquarters of the Official Commonwealth alone and practically, it needs to re-orient itself to accommodate the reality of the unofficial Commonwealth.

For the longevity of the Commonwealth itself, the Secretary-General needs to signal his clear and unequivocal support for the unofficial Commonwealth and the importance of these networks. Without this, as witnessed by the sparse attendance at the last CHOGM in Durban, the result will be that apart from a dwindling core of 'old faithfuls' and those with long established links, civil society groups will show little inclination to attend at the fringes of 'official' business. Vibrant members of their own countries and more and more acting in concert internationally, these organisations responsibly seek out the most fruitful and effective partnerships and participation in other more hospitable forums.

**The Commonwealth needs to change its ethos, from an exclusive club of governments and officials serving them, to an inclusive and vibrant association of states and peoples**





## RECOMMENDATIONS

The decade-long round of global conferences and successive Commonwealth summits since Harare have produced a wide range of recommendations, and little purpose would be served by reiterating them. Most of CHRI's periodic recommendations also remain valid at today's date. We do not propose to provide detailed recommendations here, as they are to be found in the body of the text and many others have the backing of international consensus.

Policy-makers, multilateral bodies, the private sector and nation states know their obligations and what needs to be done to redress past injustices and to establish fair and equitable conditions to achieve human dignity.

We restrict ourselves now to recommendations we believe will signal the will of the Commonwealth and its member states to eradicate poverty and thus rejuvenate the Commonwealth for the coming century.

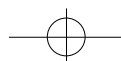
The Commonwealth is truly an organization of poor people and must recognize itself as such. The first step thereafter is to state that poverty itself is an ongoing human rights violation. It must then act as a strong and unified voice for the human rights of the poor in international forums and negotiations.

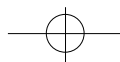
In 1991 the Commonwealth Heads of Government pledged to work with "renewed vigour" toward "extending the benefits of development within a framework of respect for human rights". This statement, recognizing part of the relationship between human rights and poverty, must be translated into immediate action.

This requires a sober pledging of the institutions at the Commonwealth level, and of the governments of the Commonwealth to a thoughtful, structured and targeted plan of action to wipe out the worst instances of poverty. The Commonwealth must restructure the Secretariat and other institutions to make human rights their central concern. The commitment must be made as much by the governments of poor countries as of the rich, and governments must undertake to insert the procedures necessary for achievement of poverty eradication into the very structures and sinews of government.

In addition, this CHOGM must at the very least:

- establish a clear procedure for systematically monitoring the implementation of pledges made by Heads of Government and the mandates given to the Commonwealth's official bodies. It should without doubt evaluate and publicise the progress made by the Commonwealth and its member states towards achieving the target set for halving the proportion of people living in poverty by 2015;

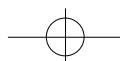


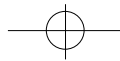


- urge, more vehemently than ever before, and with the explicit intention of evaluating compliance at the next CHOGM, the ratification and incorporation into domestic law of the ICESCR, ICCPR, CEDAW, CRC, as well as their optional protocols and the ILO fundamental conventions;
- create the post of Commonwealth High Commissioner for Human Rights, as repeatedly recommended by CHRI;
- expand the working role of CMAG so as to fulfill its true mandate and to serve as a custodian and spokesperson for all the rights of the people of the Commonwealth and acknowledge that serious and persistent violations of social, economic and cultural rights come within its remit;
- strengthen the capacity of the Human Rights Unit, by increasing its resources and raising both its stature and autonomy within the Secretariat;
- set an example by adopting a stated policy on open governance within the Commonwealth Secretariat and other organs of the Official Commonwealth that not only makes information readily available but actively disseminates it in the interests of democratic functioning; and
- go beyond mere formal consultation with, to participation by, associations and NGOs at all levels of Commonwealth functioning. In order to underpin this the Secretary-General must signal his clear and unequivocal support for the unofficial Commonwealth and the importance of these networks for the longevity of the Commonwealth itself.

### **CONCLUDING STATEMENT**

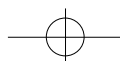
CHRI believes that the Commonwealth needs human rights more than human rights needs the Commonwealth. As a grouping of several major Commonwealth NGOs, CHRI declares its commitment to promote the use of human rights for the eradication of poverty. The ideological force of human rights will make globalisation work for the good of all Commonwealth citizens. CHRI therefore extends the hand of friendship and the offer of partnership to the Heads of Government and the Commonwealth Secretariat to struggle against poverty. It urges the Heads of Government that the first item on the agenda of the 2003 CHOGM should be a review and assessment of the efforts of the official and unofficial Commonwealth in using human rights to eradicate poverty.

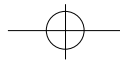




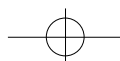
## ENDNOTES

- 1 M.K.Gandhi in D.G.Tendulkar, Mahatma, Vol.8, p.89; Raghavan Iyer (ed.) Moral and Political Writings of Mahatma Gandhi, Vol.3, p.609
- 2 The Commonwealth Fancourt Declaration on Globalisation and People-Centred Development, Commonwealth Heads of Government Meeting 1999
- 3 The Commonwealth Fancourt Declaration on Globalisation and People-Centred Development, Commonwealth Heads of Government Meeting 1999
- 4 World Bank, World Development Report 2000/2001: Attacking Poverty, New York: Oxford University Press, 2001
- 5 United Nations Development Program (UNDP), Human Development Report 2001: Making New Technologies Work for Human Development, New York: Oxford University Press, 2001
- 6 World Bank, World Development Report 2000/2001
- 7 UNDP, Human Development Report 2001
- 8 Link In to Gender and Development, Issue 1, 1996, Gender and Youth Affairs Division Commonwealth Secretariat
- 9 Department for International Development, Eliminating World Poverty: Making Globalisation Work for the Poor, White Paper on International Development, 2000
- 10 UNDP Human Development Report 2001
- 11 UNDP Human Development Report 2001
- 12 UNDP Human Development Report 2001
- 13 <http://www.who.int/inf-fs/en/fact210.html>
- 14 United Nations Development Program (UNDP), Human Development Report 1995, Delhi: Oxford University Press, 1995
- 15 UNDP Human Development Report 2000
- 16 United Nations Development Program (UNDP), Human Development Report 2000: Human Rights and Human Development, New York: Oxford University Press, 2000
- 17 Winston Cox, Deputy Secretary-General (Development Cooperation), Commonwealth Secretariat, 'The Role of the Commonwealth in Poverty Reduction', address given at a conference on 'Human Rights and the Alleviation of Poverty' at Wilton Park, 5th March 2001
- 18 UNDP Human Development Report 2001
- 19 Canadian Feminist Alliance for International Action, 'The other side of the story: A feminist critique of Canada's National Response to the UN Questionnaire on the Implementation of the Beijing Platform for Action', December 1999, taken from: [www.fafia.org/Bplus5/sideall\\_e.htm](http://www.fafia.org/Bplus5/sideall_e.htm)
- 20 UNDP Human Development Report 2001
- 21 National Aboriginal Community Controlled Health Organisation, Proposal to Increase Access by Aboriginal people to Appropriate Primary Health Care, December 1998
- 22 UNDP Human Development Report 2000
- 23 Narayan D, R.Chambers, M.K.Shah & P.Petesht, Voices of the Poor: Crying Out for Change, New York: Oxford University Press for the World Bank, p.xvii
- 24 Sen A, Development as Freedom, Oxford University Press, New Delhi, 2000
- 25 The Commonwealth Fancourt Declaration on Globalisation and People-Centred Development, Commonwealth Heads of Government Meeting 1999

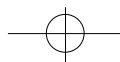




- 26 Townsend P, *The International Analysis of Poverty*, Hemel Hempstead: Harvester Wheatsheaf, 1993, p.33
- 27 Sen A, *ibid.*, p.10
- 28 Jochnick C, *The Human Rights Challenge to Global Poverty*, pp.159-183, van Genugten W, C.Perez-Bustillo, W.J.M.Genugten, *The Poverty of Rights: Human Rights and the Eradication of Poverty*, New York: Zed Books, 2001, p.168
- 29 The Commonwealth Fancourt Declaration on Globalisation and People-Centred Development, Commonwealth Heads of Government Meeting 1999
- 30 Jochnick C, *The Human Rights Challenge to Global Poverty*, p.169
- 31 Jochnick C, *Human Rights and External Debt*, paper written for the CHRI Millennium Report, 2001
- 32 Paragraph 7 (iii)
- 33 Adapted from the web-site of <http://www.pdhre.org>
- 34 Paragraph 25
- 35 See <http://www.worldbank.org/poverty/strategies/overview.htm#intro>
- 36 Paragraph 4, Harare Commonwealth Declaration, 1991
- 37 Paragraph 10, The Durban Communiqué, 1999
- 38 Paragraph 17, The Harare Communiqué, 1991; paragraph 8, The Limassol Communiqué, 1993; and paragraph 6, The Auckland Communiqué, 1995.
- 39 Paragraph 76, The Harare Communiqué, 1991 & paragraph 7, The Auckland Communiqué, 1995
- 40 Paragraph 9, The Limassol Communiqué, 1993 & paragraph 6, The Auckland Communiqué, 1995
- 41 Paragraph 35, The Durban Communiqué, 1999
- 42 See <http://www.unhchr.ch/pdf/report.pdf>
- 43 Paragraph 63, The Harare Communiqué, 1991
- 44 Paragraph 7, The Edinburgh Commonwealth Declaration, 1997
- 45 Paragraph 58, The Harare Communiqué, 1991
- 46 Paragraph 38, The Durban Communiqué, 1999
- 47 Paragraph 2, The Edinburgh Commonwealth Declaration, 1997
- 48 Paragraph 42, The Durban Communiqué, 1999
- 49 Paragraph 57, The Limassol Communiqué, 1993
- 50 Paragraph 2, The Edinburgh Commonwealth Declaration, 1997
- 51 Paragraph 16, The Harare Communiqué, 1991
- 52 Paragraph 56, The Limassol Communiqué, 1993
- 53 Paragraph 8, The Limassol Communiqué, 1993
- 54 The Commonwealth Fancourt Declaration on Globalisation and People-Centred Development, Commonwealth Heads of Government Meeting 1999
- 55 Paragraph 73 (emphasis added) of the Vienna Declaration, from the World Conference on Human Rights, 1993
- 56 Paragraph 5, CESCR General Comment 1, Third session, 1989
- 57 <http://www.thecommonwealth.org>
- 58 <http://www.chogm2001.net/participants/03.html>







## CHRI'S PREVIOUS REPORTS TO CHOGM

### **Put Our World to Rights (1991)**

*Put Our World to Rights* was the first independent overview of the status of human rights in the Commonwealth. It provides practical guidance on how to use international machinery for redress.

### **Act Right Now (1993)**

*Act Right Now* was an assessment of the progress of human rights in Commonwealth countries since the Harare Declaration and was made with reference to the United Nations World Conference on Human Rights at Vienna in June 1993. It called for the Commonwealth to play a lead role in supporting the long, complex process of moving towards democracy in new democracies.

### **Rights Do Matter (1995)**

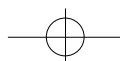
*Rights Do Matter*, explored two themes: freedom of expression and the need for major reform in prisons. The report placed this discussion in the context of the transition from authoritarian to democratic political orders and second, the economic transition from planned to market economies.

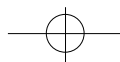
### **The Right to a Culture of Tolerance (1997)**

This report focused on two themes. Firstly on ethnic and religious intolerance as an urgent problem throughout the Commonwealth and secondly it explored the freedom of expression/information as a crucial element of a democracy. The report noted that the norms and political values of the Commonwealth compel the organisation to act to promote tolerance in member countries and the report made recommendations for achieving this goal.

### **Over a Barrel - Light Weapons and Human Rights in the Commonwealth (1999)**

*Over a Barrel* exposed a tragic contradiction in the modern Commonwealth in that although human rights are recognised as central to the Commonwealth, millions of light weapons flow freely jeopardising development and democracy. The report outlines urgent recommendations for curbing the reach of light weapons across the Commonwealth.





## CHRI'S PROGRAMME'S

**Right to Information:** CHRI believes that the Right to Information is a fundamental right vital to the realization of other human rights and often essential for survival. Each country must ensure that it has effective laws in place and an enabling environment that will guarantee people's participation. Over a period of four years, CHRI has worked to inform community level groups about the value of the right to information and advocated directly with policy makers to ensure that laws are made so as to reflect the real information needs of the community at large. Our next report to CHOGM 2003 will be the on the Right to Information.

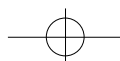
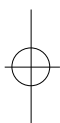
**Police Reform:** In many Commonwealth countries, the police are seen as agents of repression. Poor policing underpins widespread human rights violations and denial of justice. CHRI believes that the need for police reform is urgent and essential for upholding civil rights as also for the achievement of economic progress and good governance. This programme aims at mobilizing public demand and harnessing support for police reform. CHRI's program of work has been concentrated in India but will expand into examining the supervision and control of police forces in Africa.

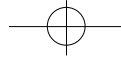
**Prison Reform:** Due to their inherently closed nature, prisons tend to become centers of human rights violations. Guided by the need to protect human rights of the most vulnerable, CHRI has conducted field studies in select jails in India, has undertaken capacity building programmes for prison visitors and has developed a manual to assist prison visitors in carrying out their duties.

**Constitutionalism:** CHRI believes that Constitutions must be made and reviewed in consultation with the widest number of people. At CHRI's conference on Pan-Commonwealth Advocacy for Human Rights, Peace and Good Governance in Africa, held at Harare, Zimbabwe in 1999, CHRI was mandated to develop guidelines that should inform the making of constitutions through a consultative process. CHRI has been advocating for the adoption of a consultative process in the development of the new constitution of Sri-Lanka and in the review of the Consitution in India.

**Human Rights Advocacy:** Many civil society groups across the Commonwealth work unceasingly for social justice and equity. Often they work in isolation, without sufficient knowledge of like-minded efforts elsewhere or the value of using human rights framework to further their concern. CHRI is building a curriculum to assist NGOs across the Commonwealth, especially those working on development and poverty related issues, in order to enable them to make a rights-based approach central to their advocacy.

**Human Rights Commissions:** Human Rights Commissions (HRC's) are a recent and little known phenomena in most Commonwealth countries. CHRI is committed to making HRC's in the Commonwealth better known by informing the public about their work and making them more gender sensitive.





The majority of Commonwealth people live in poverty. As a matter of urgency, this report aims to focus people's attention on poverty, human rights and the rights-based approach to poverty eradication. This report will serve as a useful tool for both government and civil society alike in the fight against poverty. The Commonwealth Human Rights Initiative (CHRI) urges Heads of Government to act upon the recommendations of the report with immediate effect, in order to fulfill their obligations to the millions of people still living in poverty in the 21st Century Commonwealth.



**COMMONWEALTH HUMAN RIGHTS INITIATIVE**

F 1/12-A, Ground Floor, Hauz Khas Enclave, New Delhi - 110016, INDIA  
<http://www.humanrightsinitiative.org>

