



CHRI

COMMONWEALTH HUMAN RIGHTS INITIATIVE

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NEWSLETTER

This edition explores
the successes, failures and outcomes of the
**Commonwealth Heads of Government
Meeting (CHOGM) 2009** held on 27 - 29
November 2009 in Trinidad and Tobago.

Evening Landscape: San Fernando, Trinidad & Tobago
Photographed by John S. Boyer Sr., United States

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The Commonwealth Human Rights Initiative (CHRI) is an independent international NGO mandated to ensure the practical realisation of human rights in the countries of the Commonwealth

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CHRI was founded in 1987 and is currently constituted by the
Commonwealth Journalists Association
Commonwealth Lawyers Association
Commonwealth Legal Education Association
Commonwealth Parliamentary Association
Commonwealth Press Union
and
Commonwealth Broadcasting Association

These sponsoring organisations felt that while Commonwealth countries had both a common set of values and legal principles from which to work, they required a forum from which to promote human rights. It is from this idea that CHRI was born and continues to work.

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We have redesigned our Newsletter. We would like to hear your thoughts on the new look. Let us also know your views on the issues that we cover and tell us what you would like to see in coming editions.

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CHOGM 2009: DETOUR OR DEAD END?

Editorial

R Iniyan Ilango, Consultant, Human Rights Advocacy Programme, CHRI

Some commentators feel that the 2009 Commonwealth Heads of Government Meeting (CHOGM) in Port of Spain, Trinidad and Tobago was one of the most successful CHOGMs. On the contrary, the success of CHOGM 2009 can be determined only after the execution of its outcomes in the run up to CHOGM 2011 in Australia.

Sections of the Commonwealth community opine that the then imminent Copenhagen Summit, the looming financial crisis and the consequent presence of the UN Secretary General, the French President and the Danish Prime Minister contributed to the high profile that CHOGM 2009 was able to garner. However, looking back three months later when the frenzy over Copenhagen has waned and the financial crisis has found different venues, the contribution of CHOGM 2009 doesn't seem to have been anything more than its timing.

While the 2009 CHOGM marked the 60th anniversary of the Commonwealth it also found the international association grappling with many difficult questions. One of the most difficult questions was on the Commonwealth's relevance. A poll conducted in 2009 prior to CHOGM by the Royal Commonwealth Society in key Commonwealth countries found that the Commonwealth was more

popular in developing countries than in developed countries. However, only a third of people polled were able to name an activity that the Commonwealth undertakes.

Prior to CHOGM 2009 Rwanda's application to join the Commonwealth attracted considerable attention. During the CHOGM itself, issues such as the Gambian President's threat on the lives of human rights defenders, a proposed bill in Uganda that criminalises homosexuality with death sentence and Sri Lanka's eligibility to host the next CHOGM were all highly covered by the media and civil society groups. In the end, as a compromise, Sri Lanka was not allowed to host the next CHOGM but was allowed to host the one after it and little emerged on the Gambia and Uganda.

Speaking at the opening ceremony of CHOGM 2009, Commonwealth Secretary General Kamallesh Sharma stated: "I hope that we will raise our bar once more - in the standards we set for ourselves and in the ways in which we make them real". If Rwanda's ultimate admission into the Commonwealth is to be taken as an indicator of its desire to raise the bar in setting standards, the results are very discouraging. The Commonwealth's membership standards lists human rights as a criterion. Though in the process of assessing various eligibility criteria for Rwanda, the Commonwealth

Secretariat also conducted a secret assessment on human rights, independent assessments such as the one undertaken by Commonwealth Human Rights Initiative revealed highly unsatisfactory findings on the state of civil and political rights in Rwanda. Observers say that Rwanda's economic ambitions and consequent political support from key states with regional and global economic interests helped swing the consensus towards Rwanda's admission.

Looking beyond a long list of unfulfilled promises, CHOGM 2009 produced a seminal document titled 'Trinidad and Tobago Affirmation on Commonwealth Values and Principles'. Paragraph 3 in the opening of the document expresses the desire to make the Commonwealth an "even stronger and more effective international organisation". After listing a set of tasks and re-stating past promises the document closes with the following lines: "By such measures, we also believe that the Commonwealth will remain relevant to its times and people in future." While the opening and closing sections of the document show that criticisms of the Commonwealth's fading relevance and effectiveness have been heard, the title of the document indicates a dire need for the Commonwealth to once again affirm its past commitments given persistent failures in complying with them.

In this context tasks set out in the 'Affirmation' deserve attention. They envisage the creation of an Eminent Persons Group to assess options for reforms in the Commonwealth and ask the Commonwealth Secretary General to: "improve the Secretariat's governance, its responsiveness to changing priorities and needs, and its ability to enhance the public profile of the organisation".

CHOGM 2009 Communiqué's provisions on the Commonwealth

The Communiqué also endorses CMAG's decision to constitute a working group to make the body effective.

While guesses abound on preparations underway for these tasks, the Commonwealth Secretariat is holding a civil society consultation on 25 March 2010 where it's hoped a fruitful consultation on these issues will transpire. A fundamental question around these stipulated tasks is if their implementation will change the

1970s on issues such as apartheid in South Africa and the independence of Zimbabwe.

A somewhat muffled answer for such doubts may be found in Paragraph 6 of the 'Affirmation' which reiterates the commitment of the heads of governments to "the core principles of consensus and common action, mutual respect, inclusiveness, transparency, accountability, legitimacy, and responsiveness". While it remains to be seen how the Commonwealth will handle the

Will the Commonwealth continue to be a latent organisation working in the background or is it to become an active, vocal organisation that takes principled stands based on core values such as human rights?

Ministerial Action Group (CMAG) contains another important development. For years civil society has asserted that CMAG is yet to completely fulfil its mandate of scrutinising persistent violators of the Harare Principles including human rights. Matters came to a head in 2008-2009 when Sri Lanka, despite serious allegations of widespread human rights and humanitarian law violations, continued to sit as a CMAG member for a third continuous term violating the two terms per country limitation stipulated in the 1999 CHOGM at Durban. The 2009 CHOGM Communiqué changed CMAG's membership and further seeks to strengthen CMAG "to deal with the full range of serious or persistent violations of the Harare Principles".

nature of the Commonwealth. Will the Commonwealth continue to be a latent organisation working in the background or is it to become an active, vocal organisation that takes principled stands based on core values such as human rights?

On a BBC World Debate show titled 'The Commonwealth at 60: Does it have a Future?' David Milliband, the UK Foreign Secretary, described the Commonwealth as a "soft power organisation". Given current criticism of the Commonwealth being a toothless association such glimpses of present thinking among Commonwealth policymakers seem to indicate that there is little aspiration for the Commonwealth to ever play the strong human rights based role it played in the 1960s and

Sisyphian task of balancing consensus, common action and mutual respect with transparency, accountability and responsiveness, it is hoped that the intended result is not a compromise on the latter three principles.

While the 2009 CHOGM failed to mark a bold turning point for the Commonwealth like the 1971 CHOGM at Singapore or the 1991 CHOGM at Harare, it has managed to save face for the ailing association with directions for reform and change. How the Commonwealth acts on these directions will decide the fate of both the Commonwealth and the 2011 CHOGM in Australia which (ironically or serendipitously, depending on outcomes) will mark the 20th anniversary of the Harare Declaration. ■

ATI IN INTERSTATE ORGANISATIONS AND THE SECRECY OF THE COMMONWEALTH SECRETARIAT: TIME FOR REFORM

Special Story

Andrew Smith, Volunteer, Human Rights Advocacy Programme, CHRI



After more than 60 years in existence, the Commonwealth Secretariat (the Secretariat) continues to operate in an environment of secrecy, largely insulated from public scrutiny and the full involvement of civil society organisations. Over a decade has passed since the right of access to information was recognised as ‘legal’ and ‘enforceable’ at the 1999 Commonwealth Heads of Government Meeting (CHOGM). Its importance has since been reiterated at the 2007 CHOGM and Commonwealth bodies have described it as “fundamental” and “a cornerstone of democracy and good

governance”. A model law has also been drafted to assist domestic legislators. However, the Secretariat’s own information disclosure practices fall far short of international standards. Comparable organisations such as the World Bank, the United Nations Development Programme (UNDP), the European Union and the Council of Europe have all adopted comprehensive access to information policies with several progressive provisions. The International Monetary Fund (IMF) is currently reforming its disclosure policy. The comparison highlights that the Secretariat’s disclosure practices do

not adhere to international best practice standards, that they do not adequately serve its goals of democracy, freedom and sustainable development and that the need for reform is urgent.

Most interstate policies adopt strong object clauses, affirming their commitment to access to information as a fundamental human right. Further to this, their common aim is to maximise the ‘effectiveness’, ‘quality’ and ‘legitimacy’ of their organisation’s output through increased transparency, civic engagement and accountability. The World Bank

states that its commitment to openness is “driven by a desire to foster public ownership, partnership, and participation in operations and is central to achieving the Bank’s mission to alleviate poverty and to improve the design and implementation of their projects and policies”. The European Union reflects this sentiment, emphasising the importance of openness in its democratic system. As publicly funded organisations, they recognise the democratic right of their stakeholders to hold them to account. The UNDP identifies its stakeholders as the parliaments, tax payers and public of their donor and programme countries. The World Bank and IMF both report increased demand for accountability following the financial crisis, the former promising to hold itself to the same human rights standards it expects of its member states. The Secretariat is a publicly funded body mandated to act in the ‘common interest of the people’. As such, it must adopt an access to information policy which facilitates civic engagement and accountability. This will increase the legitimacy of the Secretariat as a democratic organisation and improve the effectiveness of its policy outcomes.

The rhetoric of the object clauses are mostly supported by substantive policy provisions. Whilst not entirely compliant with international standards, they are substantially more progressive than the Secretariat’s practices. The Secretariat currently operates a ‘positive list’ approach to disclosure, voluntarily publishing a limited

range of documents on its website on a routine basis. Documents include ministerial communiqués, commonwealth declarations, newsletters, speeches, statements, reports and strategic documents. This discretionary ‘positive list’ policy presumes the confidentiality of undisclosed documents without considering the nature of the information’s content or the interests at stake. All these interstate organisations have abandoned ‘positive lists’ in favour of the principle of ‘maximum disclosure’. The World Bank regards this as the ‘paradigm shift’ in its policy whilst the Council of Europe explains that now “transparency is the rule and confidentiality the exception.”

The Secretariat is a publicly funded body mandated to act in the ‘common interest of the people’.

The principle of maximum disclosure is formulated to maximise the availability of information, guaranteeing access to information as a fundamental human right. The principle has two features. Firstly it presumes that all information is eligible for disclosure on request, unless specified under the exemption schedules. Secondly, there must be an obligation to routinely publish a specified list of documents. Applying this obligation to as broad a range of documents as possible at various developmental stages facilitates civil society involvement whilst reducing the costs associated with information requests. All these policies comply

with both features of the maximum disclosure principle. The Secretariat must broaden its practice of routine disclosure, establish it as a duty and reverse the presumption of confidentiality for unpublished documents. This would represent a substantial departure from the current practice and a positive step towards compliance with international standards.

The presumption of disclosure is not absolute and is constrained by the principle of limited exemptions. Confidentiality may be upheld in narrowly defined circumstances for the protection of legitimate interests from specified harms. This requires a case by case assessment and does not permit blanket exclusions based

on official classifications or document type. The Council of Europe schedule is weakest, excluding all classified information from disclosure. The World Bank refuses to disclose information falling within its schedule as it “could” cause harm, presuming confidentiality and failing to engage in an individual assessment of relevant interests. Some exemptions are overly broad, including those relating to ‘corporate administrative matters’ and ‘deliberative information’. Similarly, the UNDP excludes ‘draft documents’ entirely, limiting the scope for civil society engagement. The European Union has two

exemption schedules. The first complies with international standards and is the only schedule with a 'severability clause', allowing for the partial publication of documents. A second schedule entirely excludes 'sensitive documents' from disclosure due to their confidentiality statuses.

It is critical that exemptions are subject to a 'public interest override'. If the public interest in disclosure is greater than the likely harm, then there must be an obligation to disclose. The UNDP and Council of Europe policies both lack public interest overrides. The World Bank only provides a discretionary override which may be reversed to withhold information otherwise routinely disclosed. The European Union only provides a public interest override for two 'interests' under its first schedule and none under the second. The Secretariat must note that these policies fail to provide adequate safeguards against the abuse of the limited exemptions principle.

Documents 'excluded' from disclosure must only retain their confidentiality for as long as the public interest demands. Retention schedules must also be available to respondents whose applications are refused. Documents that are scheduled for destruction are presumed to be of no use to the originator, and therefore disclosure cannot be deemed harmful to the public interest. It is the Secretariat's blanket policy to retain the confidentiality of all undisclosed documents for thirty years. They are then only made publicly available

subject to the Secretariat's discretion and the consent of concerned third parties. None of the interstate organisations analysed have a default thirty year declassification period. The European Union and the Council of Europe both set thirty years as the maximum period for refusing disclosure. Within this limit, the European Union provides that excepted material may only remain confidential for the period during which it remains harmful. The Council of Europe and World Bank adopt tiers of confidentiality with limitation periods dependant on document type. The former has periods of one, ten and thirty years and the latter has periods of five, ten and twenty years. The UNDP does not specify its declassification periods. When initiating reforms, the Secretariat must strive to disclose confidential information as promptly as the public interest test allows.

International standards require that refusals to disclose documents are accompanied with reasons. Two tiers of appeal must be available and the independence of the second tier must be guaranteed. The Secretariat has no procedure for requesting documents and therefore no appeals mechanism. The European Union provides the opportunity for a 'confirmatory request' to the original decision maker followed by an appeal to an Independent Ombudsman or the Court of First Instance. This does not apply to 'sensitive documents'. The World Bank and UNDP provide for two reviews, the first by an internal panel and the second by an independent panel. The World Bank only permits appeals where a prima

facie case is made of a policy violation or where a public interest case can be made for disclosure. Appeals on the latter ground may not proceed to the secondary panel, so the public interest is never independently determined. The Council of Europe has no appeals mechanism. The Secretariat must incorporate a two tier appeals mechanism with a guarantee of independence into its information disclosure policy.

Information request procedures must be accessible, communicating decisions or requested documents promptly and at a reasonable price. The aforementioned policies all provide for this. The Secretariat only permits access to unpublished public documents by appointment at the library of its London headquarters. This is extremely restrictive for the majority of Commonwealth citizens. Increased accessibility must become a reform priority.

The Secretariat has the opportunity to advance to the forefront of international transparency and democratic standards by adopting a progressive access to information policy. It must undertake reforms immediately in the spirit of transparency with the maximum involvement of Commonwealth stakeholders. This consultation, along with an assessment of existing access to information policies and model laws, will greatly assist the Secretariat in remedying the deficiencies of its current practices and enable the Commonwealth to better pursue its goals of freedom, democracy and sustainable development. ■

In 2009, CHRI launched its
CHOGM report titled,
'Silencing the
Defenders: Human
Rights Defenders
in the
Commonwealth'.

The report found that
within the Commonwealth,
in the course of their
legitimate and peaceful
efforts to protect and
promote human rights,
many have faced assault,
surveillance, arrest, arbitrary
detention, and even death.

A key recommendation in
the report advocates for a
Commonwealth policy on
human rights defenders.

Join us in this effort.

Write to the
**Commonwealth
Secretary General** and
ask for a **Commonwealth
policy on human rights
defenders** to be included
within current efforts for
reforms underway within
the Commonwealth.



REVIEW OF CMAG

Richard Bourne, Senior Research Fellow, Institute of Commonwealth Studies, London

Richard Bourne was the first director of the Commonwealth Human Rights Initiative

Human rights organisations have, in general, felt that the Commonwealth Ministerial Action Group (CMAG) was a great disappointment in the first decade of the 21st century. This body of Foreign Ministers was rightly hailed in 1995, when it was set up at the New Zealand summit, as a breakthrough in Commonwealth and international relations.

If the Commonwealth is a voluntary club, which it is, then the arrival of minimal rules of membership, with a representative group to enforce them, was and is essential. CMAG was set up to be guardian of the Commonwealth's Harare Principles – just and accountable government, the rule of law, and fundamental human rights. It was entitled to interrogate governments which appeared to breach these principles, and to suspend them from membership. This affects their aid benefits, and participation in activities ranging from Ministerial Meetings to the Commonwealth Games. Significantly it can damage their international status, and discourage potential investors and tourists.

But after an energetic start in the 1990s, CMAG in the 2000s has lost its way; it lost control of the difficult Zimbabwe issue, although it did demonstrate that it could suspend governments for more than the unconstitutional overthrow of elected leaders. Many would argue that it permitted the Pakistan

government to return from suspension too early. It dawdled over the suspension of Fiji in 2009. It met infrequently, with too narrow an agenda, and ignored too many human rights issues, from the Gambia to Sri Lanka.

Now, as a result of the Port of Spain summit last November, Commonwealth leaders have encouraged CMAG to review its terms of reference and mode of operation. This gives a great opportunity to put CMAG back on track. The current membership of CMAG comprises the Foreign Ministers of Australia (which will host the 2011 summit), Bangladesh, Ghana, Jamaica, Maldives, Namibia, New Zealand, Vanuatu and Trinidad and Tobago (which chairs the Commonwealth for the next two years).

As a result of decisions taken at the end of the 1990s, CMAG now comes in on issues very late – after the Secretary-General has conducted his good offices, consulted regional neighbours, and given governments a chance to reply to complaints. This reflects an anxiety about the bad publicity for governments caused by the attentions of CMAG in its first, activist phase. Interestingly, at the 1999 Durban summit, Chief Anyaoku had nearly persuaded leaders to strengthen CMAG; but for a wobble by two Caribbean prime ministers, most unlikely to be

affected, CMAG would have been entitled to act where an election is postponed, the judiciary is abused by the executive, or a government controls the media.

It is to be hoped that, in reviewing its terms of reference, CMAG will start by adopting the Anyaoku proposals; Chief Anyaoku had put them forward because he considered that these affronts to the Harare Principles could be objectively verified. Further, because Foreign Ministers do not usually have human rights expertise, a proposal I made when heading the Commonwealth Policy Studies Unit in London, in 2003, deserves support. This was that CMAG should have a qualified and respected Human Rights Adviser attached to it, working with the assistance of the Secretariat's Human Rights Unit, human rights commissions where they exist, and human rights NGOs.

The Commonwealth has considerable powers of moral suasion, which need to be exercised more. It was significant that President Jammeh of the Gambia, who had made insulting and threatening remarks about human rights workers, did not come to Port of Spain. Pressure on Uganda, to abandon homophobic legislation, seems to be having some effect. It would be good if CMAG was to send visits to problem countries, and write warning letters to governments, prior

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DEVELOPMENTAL ASPECTS OF HUMAN RIGHTS

Matthew Hulbert, Consultant, Commonwealth Policy Studies Unit and Commonwealth Secretariat

When finance ministers met in Cyprus late last year, they had much on their plate. They still have into 2010. For despite all the headlines outlining the depth of the financial and economic crises in the developed world, it has been in developing countries where the greatest impacts have been felt, coming hot on the heels of the fuel and food crises in 2008.

Human development has taken a major hit as the cumulative result. An additional 200 million people have been plunged into extreme poverty in 2009, according to the World Bank and across the Commonwealth Middle and Lower Income Countries, the picture is particularly concerning. Data is badly missing in 26 states, while in the other 18 that have measures to hand, only three have hit UN Millennium Development Goal (MDG) targets, four are on track, five are off track and six are seriously off track. More worryingly, the Commonwealths Middle Income Countries (MICs) compare badly in relation to other MICs globally, 35 per cent of which are on target to meet poverty reduction measures of the MDGs compared to the Commonwealth's 16 per cent.

The picture on primary education, gender parity, and reduction of child mortality is similarly patchy. Only two developing Commonwealth countries have achieved, or are on track to achieve child mortality reduction targets by 2015,

according to UN data. Twenty-two countries are off-track and a further 15 are seriously off-track, while five countries don't even have the data gathering capabilities to tell them as much. When we consider that around 30 per cent of MICs have achieved or on track to achieving the goals compared to 5 per cent of Commonwealth MICs, the picture becomes even more disturbing. Even 10 per cent of Low Income Countries are on course to make the mark on child

mortality. HIV remains as problematic as ever with 33 million people (or more) effected globally - as is access to clean water and maternal and childbirth services. Seventy-two million children worldwide still don't have access to education (half of which are within Sub-Saharan Africa).

Although these figures are bad, what makes matters worse is that reduced growth in the developed world has translated into heightened poverty in

the developing world. A 9 percent fall of Organisation of Economic Cooperation and Development import growth led to a 2.4 percent fall in average Gross Domestic Product growth in small and vulnerable economies. The Commonwealth therefore not only needs to stop the economic rot in developed countries, but to do much more to support its developing partners as well.

Deficits and debts are problematic in this regard, but finding the

Ultimately, the development debate is still there to be won, but it can just as easily be totally lost in the midst of an economic crisis. The Commonwealth must not let that happen if basic human rights are to be guarded.

balance between supporting growth without letting public finances go beyond the point of no return remains critical. The same logic applies to developing states. Far greater support is needed for social protection, public services, health and education from developed countries, given the lack of fiscal and monetary space the poorest and smallest states have to play with. At this stage, a 'black hole' of aid pledged for 2011 looks the more likely prospect.

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CHOGM 2009 OUTCOMES: REFORMING THE COMMONWEALTH

Joanna Bennett, Communications Manager, Royal Commonwealth Society

Four months after launching the Commonwealth Conversation, we were flying home from Port of Spain. A mention in the final leaders Communiqué and the promise of an Eminent Persons Group to be tasked with exploring Commonwealth reform all pointed towards the kind of change we had been aiming for.

Now, as I write at the beginning of 2010, we are preparing our final recommendations and starting to think carefully about what long-term impact we would like to see the Conversation have. But how had the past few months – exhausting and exciting in equal measure – brought us to this point?

2009 marked the 60th anniversary year of the Commonwealth. With the appointment of a new Director, it also marked a fresh phase in the history of the association's oldest and largest civil society body, the Royal Commonwealth Society. The stage seemed to be set for a re-appraisal of the Commonwealth's future.

We were well aware that numerous analyses of the Commonwealth had been carried out in recent years. Yet it seemed that none of them had sought to engage with the peoples the association is mandated to serve. The frustrations and disillusionment felt by those working within Commonwealth bodies and those

assigned to Commonwealth affairs within member governments were familiar to us; they formed the everyday backdrop to our working lives. Yet, whilst these views were important, the necessity of also looking outwards loomed large in our plans. If we wanted to see the Commonwealth with fresh eyes, it was clear we needed to look beyond the confines of the Commonwealth family.

Determined to dig deeper, we created an interactive website – www.thecommonwealthconversation.org and set about inviting contributions and discussion from as many people as possible worldwide. Over 30,000 people visited the website in under four months. Fascinating discussions on themes ranging from climate change to the headship of the Commonwealth unfolded. It seemed that a belief in the potential of the

The last thing the Commonwealth needs is an EPG of elderly experts who will fly around the world talking to other elderly experts in comfortable hotel rooms before producing a report whose quiet conservatism lends itself only to eternal rest on a dusty shelf in the Commonwealth Secretariat.

In July 2009, we began by commissioning nationally representative opinion polls in seven Commonwealth countries. Testing people's knowledge and opinion of the Commonwealth, the results of these polls threw up an ominous mixture of indifference and ignorance. Across the world, from Jamaica to India, we unearthed a Commonwealth besmirched by apathy and misconceptions.

Commonwealth to be an effective and powerful actor on the international stage was there, its vehemence matched only by frustration at the association's inability, or seeming unwillingness, to see this potential realised.

As the Conversation progressed, we worked hard to generate more than 140 news articles in over 33 countries. An opinion leaders' survey, online discussions and live

debates and a 'My Commonwealth' competition asking those under the age of 25 to tell us what they would do as Secretary-General before 2049 together attracted thousands of lively and insightful entries. Around the world, more than 110 Commonwealth 'Consultation' or 'Chat' events took place, whilst back in London, we met with experts from inter-governmental and civil society Commonwealth organisations, High Commissions, and those working in the fields of climate change, business, democracy and development.

Finally, armed with a mountain of input, we pulled together our emerging findings into a report, entitled 'Common What?' and, before the ink was dry, we were boarding a plane to Trinidad and the 2009 Commonwealth Heads Of Government Meeting (CHOGM).

What did we hope to achieve? Firstly, we wanted to ensure that the whole Commonwealth community took note of our findings. Never before had so many Commonwealth citizens added their voices to a call for change; to ignore them would be to strike a fatal blow to the reputation of this "association of peoples".

Secondly, through the international media gathered in Port of Spain, we wanted to reach beyond Commonwealth circles to a wider audience. This served a two-fold purpose. First, if leaders and senior Commonwealth figures were to pay any attention to our message, we felt building momentum was going to be crucial. And second, from the

beginning of the Conversation process, one of our primary aims was to raise awareness of the Commonwealth amongst the general public. This wasn't, and isn't, about peddling saccharine propaganda; it's about encouraging people to think critically about an association they are part of. We remain convinced that the Commonwealth need not fear this kind of engagement.

Thirdly, we hoped to set in motion a process of reform. To see tangible, measurable change result from the Commonwealth Conversation was always our aim. Talking was simply a means of getting there (with some added benefits along the way). As our plane touched down in Port of Spain, we had little idea what form this process might take, but, if we were to feature on the Commonwealth's "official agenda" for the next two years, we understood the importance of a mention in the leaders' final Communiqué. Sleepless nights in pursuit of this elusive goal awaited the whole team.

Fourthly, and perhaps most importantly, we went to CHOGM to listen. To listen to what people had to say about our report, to listen to the agenda that was being set out for the Commonwealth's coming two years and to listen to the concerns, criticisms and praise of the Commonwealth family. This was exactly why we chose only to publish our emerging findings at CHOGM and not our final report. We wanted to use CHOGM to determine if we were on the right lines. We did not have to wait long.

The pre-CHOGM press conference with Secretary-General, Kamallesh Sharma and Prime Minister Manning was one of the earliest events in Port of Spain. It was intended to outline the agenda for the week to come. In the event, it also served to reinforce one of the central findings of the Commonwealth Conversation in the most striking way.

The overarching challenge for the Commonwealth identified by the Conversation has been that of profile. In our emerging findings, we suggested three key ways in which this issue could be addressed: by refocusing on principles, priorities and people. The Commonwealth would never rebuild its diluted and fragmented profile, we said, without publicly demonstrating that it is prepared to uphold the principles on which it purports to be founded. These include a commitment by all member states to protect democracy, human rights and the rule of law.

As examples of when the Commonwealth has singularly failed to "walk the talk" in this area in the past year alone, we cited its silence in the face of comments made by the President of the Gambia (following a catalogue of human rights abuses in his country, the President had declared that he would "kill" anyone who "collaborates with human rights defenders"), and its unwillingness to engage with the atrocities occurring in Sri Lanka. We were not the only Commonwealth civil society body to have highlighted these failures:

CHRI has been another forceful critic. Both were crucial moments for the Commonwealth to define its contemporary role in the eyes of the world. Both were missed.

Facing the world's media for the first time in his newly assumed role of Chairperson-in-Office of the Commonwealth, Prime Minister Manning was asked how CHOGM would address exactly these sorts of issues. The journalist cited the remarks of the Gambian President and, for good measure, threw in a bill currently being debated in the Ugandan parliament that promises life imprisonment for anyone convicted of the "offence of homosexuality". Without a moment's hesitation, Prime Minister Manning dismissed both as "essentially related to domestic matters" and forming "no part of the CHOGM agenda". "It need not detain us", he said.

Despite a rather muted attempt at damage control by the Secretary-General, the message came across loud and clear. If the Commonwealth no longer considers grave human rights abuses such as these to be its business, then it has lost its way. At the very least, it has completely lost its nerve.

Throughout the Conversation, when people were told about the values and principles on which the Commonwealth is founded, they were inspired. Young people in particular, long to see an international organisation uphold these ideals. Yet, when the Commonwealth must continually hark back to the role it played in dismantling apartheid

South Africa as an example of when it has demonstrated this commitment, its contemporary relevance seems weak indeed.

Several Commonwealth voices, most notably CHRI, criticised the decision to admit Rwanda as the 54th member of the Commonwealth family at CHOGM. Right or wrong, now that this decision has been made, it is another clear opportunity for the Commonwealth to live out its principles. It must demonstrate meaningful engagement in that country in strengthening democratic processes, the rule of law and adherence to human rights. If it fails to do so, Rwanda may simply join an already sizeable list of Commonwealth countries that serve to belie the values on which the association is built.

It is precisely opportunities and fundamental questions such as these which, in the coming year, we would like to see taken up by the Eminent Persons Group (EPG). We were delighted that member states at CHOGM mandated the Commonwealth Secretariat to put together such a group to explore options for reform. We only hope that the opportunity to do something bold and innovative is not missed.

The last thing the Commonwealth needs is an EPG of elderly experts who will fly around the world talking to other elderly experts in comfortable hotel rooms before producing a report whose quiet conservatism lends itself only to eternal rest upon a dusty shelf in the Commonwealth Secretariat. We are working hard to ensure that the final

recommendations of the Commonwealth Conversation are as useful as possible for this Eminent Persons Group, but we hope also that the whole Commonwealth family will seize this opportunity for reform.

2009 saw the largest global public consultation on the Commonwealth ever undertaken. It revealed that the association must throw off some of the shackles of its past and carve out an ambitious contemporary role for itself on the international stage. 2010 is the year to make that happen. ■

Continued from page no. 8

to formal moves to suspension. Suspension is a last resort, and an admission of failure. But a more proactive CMAG would give Commonwealth citizens the sense that this association is taking its democratic and human rights claims more seriously.

Human rights NGOs, especially those in countries whose Foreign Ministers currently compose CMAG, now have a chance to influence developments. They should write to their own Foreign Ministers, copying letters to the Commonwealth Secretariat's Human Rights Unit. CMAG should also ask key bodies, such as the Commonwealth Human Rights Initiative, Amnesty International, and the consortium of national human rights commissions in the Commonwealth, to follow up their written evidence with verbal evidence at a specific CMAG hearing. Improvement in the way CMAG works is a requirement if there is to be more respect for the Commonwealth in the 21st century. ■

Continued from page no. 9

The Commonwealth Finance Ministers Meeting made all the right calls when it met in Cyprus of course. It not only demanded more aid, reduced debt and increased trade finance, but far greater reform of International Finance Institutions and the global financial system to ensure that risks don't reach a meltdown point once more. But turning words into action remains the key challenge for the Commonwealth.

Moving the date of annual meetings to align with the World Bank and International Monetary Fund is a start, but taking concrete actions on a state by state basis is where the real political push needs to be made. Investing in frontier economies is critical to ensure that growth returns to pre-crisis levels, as is continued support for human development and greater resilience to external shocks.

Enhancing trade for developmental purposes is no less important, nor is thinking about how to fix broken financial, fuel and food markets. However, the responsibility for all this no longer rests solely with developed states, but with the economic rising stars of tomorrow that fall within the Commonwealth's ranks. Ultimately, the development debate is still there to be won, but it can just as easily be totally lost in the midst of an economic crisis. The Commonwealth must not let that happen if basic human rights are to be guarded. ■



Launch of Website for the Network for Improved Policing in South Asia

CHRI organised a Regional Roundtable on 'Police Reforms in South Asia: Role of Civil Society' in New Delhi on October 31 and November 1, 2009. At the round table, the Network for Improved Policing in South Asia (NIPSA) was formed, with CHRI as its secretariat. NIPSA is envisioned to be a comprehensive information sharing tool for organisations across the region who work on the issue of better policing. To this end, CHRI currently brings out monthly newsletters circulated as a mailer, and has recently launched a website for the Network for Improved Policing in South Asia (NIPSA), www.nipsa.in.

NIPSA is an attempt to build a network of likeminded groups and individuals across the region to work together on issues of policing. It is an attempt to share experiences (both successes and failures) and develop a common understanding on what is wrong and devise specific ways forward. It will focus on issues relevant to policing and will reach out to civil society, individuals, activists and anyone interested in the issue across the region. It will provide information on the organisation, role and functioning of the police. It will highlight good practices in democratic policing, reveal instances of bad behaviour and indicate changing laws and trends in policing.

NIPSA's website will, in the course of the year, include an in-site blog to discuss sensitive or burning issues relating to police reform, to ensure greater participation from among the members in the network. It will also be linked to other websites discussing these issues.

NIPSA also intends to expand its focus beyond civil society organisations, to the general public in order to stir active public debate on the issue. To this end, NIPSA will make use of new age online dissemination tools such as Social Networking Websites, Listerservs (Mailing lists), Blogs, Blog groups and RSS News Feeds.

We envision greater success for NIPSA after it has made it through the initial stages of development and will strive to make it a powerful resource for those working towards better policing in the region. ■

KAMPALA TO PORT OF SPAIN: STRENGTHENING THE NETWORK OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN THE COMMONWEALTH

Matiya Jarvis, Adviser, Human Rights Unit, Commonwealth Secretariat

The Commonwealth Forum of National Human Rights Institutions (CFNHRI) yet again met at the 2009 Commonwealth Heads of Government Meeting (CHOGM) in Port of Spain in Trinidad and Tobago from 23 to 24 November 2009. The theme of the meeting was climate change and human rights. The meeting brought together commissioners and senior officials from the participating institutions drawn from 24 Commonwealth countries, international partner institutions including the Office of the UN High Commissioner for Human Rights (OHCHR) and Witness (NGO). Delegates shared experiences and good practices in monitoring, protecting and advocating for human rights and ways to include the use of international, regional and national systems. They also identified constraints and challenges faced by national human rights institutions in the Commonwealth.

Why are NHRIs important to the Commonwealth?

National human rights institutions play an important role in promoting and protecting human rights at the national level through monitoring and investigating cases of violation of human rights among other things.

In 1995, the Millbrook Commonwealth Action Programme of the Harare Declaration requested the Secretariat to provide advice, training and other forms of technical assistance to governments in promoting the Commonwealth's fundamental values, including assistance in creating and building the capacity of national human rights institutions. The mandate of the Human Rights Unit (HRU) includes

...it is important that these institutions perform their functions efficiently and effectively, if they are to uphold the justice and rights which they are established to safeguard.

assisting member countries to establish or strengthen national human rights institutions to effectively carry out their mandate for the promotion and protection of human rights.

A large number of Commonwealth member countries have undergone democratic reforms, in several cases resulting in radical political transformation. Consequently, many of these emerging democracies have come to place greater significance on

the fundamental political values of the Commonwealth. These countries have established institutions to promote good governance and support democracy, respect for human rights and the rule of law. Prominent among these are the National Human Rights Institutions (NHRIs) established by many Commonwealth countries as a mechanism for the protection and promotion of citizens' rights

generally and as a check on the exercise of executive authority by the government.

NHRIs if sensibly and sensitively constituted and when adequately resourced, are one of the most cost effective means for the promotion and protection of citizens' rights. In practice, some of these institutions are administrative in nature while others have quasi-judicial functions. Most if not all of them, however, have powers to make recommendations

on the adequacy or otherwise of legislation. As a rule, NHRIs will have an advisory role with regard to human rights at national and international levels, and they normally offer opinions and make recommendations on such matters. They also examine complaints submitted by individuals or groups, with a view to resolving such complaints. Increasingly, NHRIs are also involved in conflict prevention and resolution. The majority of NHRIs belong to one of these two models: human rights commission model or the Ombudsman model. The more recently established ones especially in the developing Commonwealth countries and small states are combining the two roles in one body, sometimes even extending that to include corruption matters. While these institutions differ from country to country, their ultimate aim is to pursue justice and ensure respect of the rights of citizens. Whatever their mandate and powers are, it is important that these institutions perform their functions efficiently and effectively, if they are to uphold the justice and rights which they are established to safeguard.

Many factors influence the effectiveness of such institutions. For example, independence from government interference and private sector influence is critical, as is adequate financial resource. For the ordinary citizen, accessibility either physically, legally or administratively; the institution's integrity; coupled with sufficient power to ensure the implementation of the recommendations or

determinations, are all important for NHRIs to have the impact that they were established for. The Commonwealth Secretariat therefore attaches great importance to the effective functioning of these institutions, which help member countries to uphold the association's fundamental political values. In line with this commitment, the HRU in 2001 developed the Best Practice Principles for National Human Rights Institutions in the Commonwealth. The Best Practice Principles, which are in line with the UN Paris Principles on National Human Rights Institutions, cover aspects such as the process involved in creating, appointing and administering national bodies to promote and protect human rights, powers and mandates, their role in conflict resolution, accessibility to the general public and relationship with other institutions. In 2007, HRU published a 'Comparative Study of Mandates of National Human Rights Institutions in the Commonwealth' another useful tool for NHRIs. In the same year, the Commonwealth Forum of National Human Rights Institutions was established.

About the Commonwealth Forum of National Human Rights Institutions (CFNHRI)

CFNHRI was established in 2007 as an inclusive body of Commonwealth NHRIs and other national accountability mechanisms with a human rights mandate. The primary purpose would be to support the broad objectives of promoting networking, sharing of information,

experiences and best practices, encouraging countries to establish NHRIs, compliant with Paris Principles and assisting national institutions to fulfil their mandated activities. The Forum is also intended to complement and support, and not to duplicate, the activities of the International Criminal Court, OHCHR, and other existing regional coordinating or accreditation bodies. It is to serve as a platform for strengthening the capacity of national human rights institutions to protect and promote human rights in the Commonwealth. In this context, it calls on Commonwealth governments and other international and regional partners to support the Forum and the work of its members at the national level. And so, by meeting at CHOGM, CFNHRI articulates issues of interest and concern to NHRIs and raises the profile of the work of NHRIs.

The Outcomes of the Port of Spain CFNHRI Meeting

(1) Human Rights and Climate Change

In line with the theme of the meeting, climate change and human rights, CFNHRI discussed, among other things, the impact of climate change on the enjoyment of human rights, and noted that serious deterioration of the environment is a threat to the well-being of current and future generations. It also noted that any further delay in recognising the human rights linkage by governments and the private sector would result in permanent and irreversible damage

thereby impinging on the enjoyment of human rights. Delegates called for consideration of the impact of climate change on people as a human rights issue on the basis that climate change affects fundamental human rights, such as the right to life, right to food, right to housing, right to health and right to work.

(2) Rights Approach to Climate Change Initiatives

CFNHRI therefore called on Commonwealth governments to incorporate human rights based approaches into all their work on climate change, and the Commonwealth Secretariat to integrate human rights based approaches in all its work on climate change, in keeping with its commitment to mainstreaming human rights and to address the particular contexts of small states.

The meeting also called on Commonwealth governments to implement human rights obligations under international, regional and domestic laws by states and all relevant parties in responding to climate change. In this regard, it was agreed that CFNHRI members should promote recognition of the human rights dimensions of climate change in their respective countries including how the rights contained in the key international instruments are threatened by the impacts of climate change.

(3) Sensitisation and Awareness

Another key issue was on sensitisation of the link between

human rights and climate change. Commonwealth governments and other stakeholders were asked to put in place education, sensitisation and awareness programmes on climate change and human rights.

In order to follow up the outcome of the meeting, a Working Group on Climate Change and Human Rights was set up at the CFNHRI to review the outcomes of CHOGM 2009 and those of the UN Copenhagen meeting on climate change.

(4) Strengthening of NHRIs

Another important element of the meeting was the discussion on key developments amongst members and how the institutions could be further strengthened. Delegates exchanged experiences of protecting and promoting human rights in the Commonwealth and heard about challenges faced by members.

Among other things, CFNHRI reaffirmed its commitment to promote and facilitate strategic partnerships and linkages between members themselves and between members and other regional and international bodies dealing with national human rights institutions. It agreed to consider establishing mechanisms and practices that will enhance networking capabilities of members. The meeting also stressed the importance of conforming with the Paris Principles, and further urged the strengthening of cooperation with international partners, such as the Office of the UN High Commissioner for Human

Rights, to promote and protect human rights at the national level.

(5) Networking and Support

The meeting recommitted itself as a body for collective expressions of support, encouragement or concern in relation to particular events and developments in individual member institutions for the better defence and promotion of human rights. The Forum agreed to continue to take a united stand as appropriate to threats against human rights institutions and defenders throughout the Commonwealth.

The meeting requested the HRU of the Commonwealth Secretariat and other international partners, such as the United Nations High Commissioner for Human Rights, to continue assisting in facilitating close cooperation between the Commonwealth Forum and its members.

(6) Status at CHOGM

The meeting reemphasised the need for recognition of CFNHRI by Commonwealth Heads of Government as a distinct permanent forum at CHOGM. Currently, CFNHRI meets at CHOGM under the umbrella of the Peoples Forum. Because NHRIs are not NGOs, they don't perfectly fit in well with the Peoples Forum set up. The Canadian Human Rights Commission was nominated Chair of CFNHRI, taking over from the Uganda Human Rights Commission. ■

The bridge is here and it's time we crossed it!

Reforms have been long overdue in the Commonwealth. CHOGM 2009 outlined several reform proposals for the Commonwealth and their implementation will significantly define CHOGM 2011.

CHOGM 2011 is scheduled to take place in Australia. It will mark the 20th Anniversary of the Harare Declaration and is timed at an important juncture where the Commonwealth's relevance to its fundamental values including human rights are being questioned.

**Have your SAY, let us KNOW what CHANGES you would like to see
in the Commonwealth by CHOGM 2011 in Australia**

write to us at: info@humanrightsinitiative.org



RWANDA: HUMAN RIGHTS FOLLOWING ITS ADMISSION

Frederick Cowell, London Liaison and Projects Officer, CHRI

At the 2009 Commonwealth Heads of Government Meeting (CHOGM) in Trinidad and Tobago Rwanda was unconditionally admitted as the 54th member of the Commonwealth. At the time, CHRI expressed significant concerns over Rwanda's human rights record. In CHRI's report on Rwanda's application for membership leading constitutional expert, Professor Yash Ghai, argued that Rwanda's admission would not incentivise Rwanda to improve its human rights record. CHRI argued over the course of a long advocacy campaign, that Commonwealth

In the run up to Presidential elections, that are to be held this August, there have been reports of harassment and violence directed against the political rivals of the ruling Rwandan Patriotic Front (RPF). Victorie Ingabire the president of the United Democratic Forces (UDF) a key opposition party to the RPF has been accused of "genocide revisionism" by the RPF after she stated that Hutus who died during the Genocide should be remembered and their deaths should be investigated. Genocide revisionism is a crime in Rwanda and

Mr Ntawangundi was later jailed on the basis of an unverified warrant from a Gacaca court. He has not been given access to counsel and is currently still in detention.

On the 25 February 2010 the Minister of Local Government, Mr. James Musoni issued a letter to the Permanent Consultative Council of Opposition Parties in Rwanda, warning political parties that failure to register would result in criminal penalties. Opposition parties have complained that registration has been made difficult by the government constantly changing the rules and by organised harassment from individuals. Rwanda's 2003 Political Parties law requires parties to be registered and their ideology be compatible with the ideological norms set out in the Rwandan Constitution. The National Electoral Commission which regulates election rules is controlled by the members of the RPF and on 1 March 2010 the Chairman of the commission stated that opposition members should "stop trying to get appointed to the commission".

All these developments are constricting political space in Rwanda and are hampering free and fair elections. CHRI has joined other civil society groups and NGOs in urging the government of Rwanda to ensure that the Presidential elections are fair and open to all. ■

Commonwealth membership should not be seen as an unconditional "badge of honour" ...

membership should not be seen as an unconditional "badge of honour" and Rwanda's application should have been deferred until the next CHOGM. Supporters of Rwanda's application for membership, in particular the UK Foreign and Commonwealth Office, maintained that Rwanda's human rights record had been improving and that membership of the Commonwealth would act as incentive for reforms to be made. Unfortunately, since Rwanda became a member of the Commonwealth in November 2009 the human rights situation in the country has deteriorated significantly.

on 10 February 2010 Ms Ingabire was questioned for over 10 hours by the police. Ms Ingabire has been the victim of numerous other incidents of harassment since she returned to Rwanda in January this year and has stated that the RPF is using its "arsenal of laws" to constrict political space and stifle dissent.

Joseph Ntawangundi, a senior party official and regional leader for the UDF was badly beaten by a mob outside a local government office on 3 February 2010. Reports stated that the mob appeared to be organised and they indicated that local officials of the RPF could have been involved.

CHRI: Grave Concerns over Rwanda's Elections

Commonwealth Human Rights Initiative Press Release, 6 March 2010

CHRI is deeply concerned at the continued restrictions and threats to opposition parties in the run up to Rwanda's Presidential elections on 9 August 2010 and urges the Rwandan Government to take immediate steps to ensure respect for the basic, universal rights to freedom of expression, freedom of association and peaceful assembly of opposition parties. The absence of these rights is tantamount to breaches of the Commonwealth's fundamental political principles that insist on free and fair elections (Harare Declaration 1991).

On Commonwealth day, 8 March 2010, CHRI once again brings to the notice of the Commonwealth Secretary General the growing number of concerns surrounding political freedoms in Rwanda. Despite grave representations by CHRI and others about the appropriateness of Rwanda's readiness for membership, given its record on human rights and its questionable role in the conflict in the Congo, Rwanda was unconditionally admitted to the Commonwealth as its newest member at the Heads of Government Meeting in Trinidad and Tobago last November.

Rwanda's membership requires that it honours and complies with the Commonwealth's fundamental political principles which include respect for civil society and human rights. The Chair of a new opposition party, United Democratic Forces (UDF) has written to the Secretary General of the Commonwealth alleging state orchestrated harassment, describing violence against herself and colleagues as well as outlining the restrictive environment facing opposition parties in their electoral challenge to the ruling Rwandan Patriotic Front (RPF).

Under Article 13 of the Rwandan constitution it is an offence to engage in "revisionism" or "negationism" (denial of the genocide). These are so broadly defined to include anyone who disagrees with the ruling RPF's account of the Genocide. On the 25th of February the Ministry for Security in Rwanda issued a statement saying that any politician who "slanders the country" or is "against public unity" would be punished. In addition the Minister for Local Government has reportedly threatened to crackdown on unregistered political parties who are members of the Permanent Consultative Council of Opposition Parties. Further opposition parties have alleged that the government is making it hard to register by continually changing registration rules; the National Electoral Commission which regulates these matters is controlled by the members of the RPF. A number of opposition parties have also complained that they face repeated harassment from government officials and the members of the RPF.

It is imperative that the Govt of Rwanda thoroughly investigates, in a manner satisfactory to opposition parties, the many incidents of intimidation and bring those responsible to justice. It should also ensure that its electoral processes are consistent with UN and Commonwealth standards for free and fair elections.

CHRI urges the Commonwealth Secretary General to insist that the Rwandan government makes every effort to create genuine democratic political atmosphere in the country prior August 2010 elections.

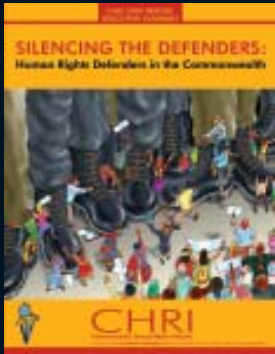
We call upon the Commonwealth Secretary General Kamalesh Sharma, in his meetings this week with President Kagame, to urge him to ensure that in these first Rwanda elections as a Commonwealth member, the standards are patently free and fair and in compliance with Commonwealth values.

Keep an eye on elections in Rwanda

Recent developments in the run up to the 9 August 2010 Presidential elections in Rwanda suggest that a democratic environment conducive for free and fair elections may be in peril.

Write to the Commonwealth Secretary-General asking him to urge the Rwandan government to ensure free and fair elections.

CHRI'S PREVIOUS REPORTS TO COMMONWEALTH HEADS OF GOVERNMENT MEETING (CHOGM) [From 2003]



CHOGM 2009

CHOGM 2009: SILENCING THE DEFENDERS: Human Rights Defenders in the Commonwealth

Human rights defenders are ordinary people who often find themselves in extraordinary circumstances. In the course of their legitimate and peaceful efforts to protect and promote human rights many have faced assault, surveillance, arrest, arbitrary detention, and even death. The targeting of human rights defenders is a function of the light they shine on hidden truths. Many would like to silence these defenders and many do...



CHOGM 2007

CHOGM 2007: STAMPING OUT RIGHTS: The impact of anti-terrorism laws on policing

In many countries of the Commonwealth, counter-terrorism measures are reshaping civilian policing in violation of fundamental human rights and posing a serious challenge to meaningful democratic police reform. This is happening in a number of ways - significantly through the enactment of laws that include vague definitions of terrorism which allow for the laws to be broadly applied and extend police powers to arbitrarily stop and search, use unreasonable and excessive force, arrest without warrant, preventively detain, detain suspects for long-periods without charge and limit fundamental due process rights...



CHOGM 2005

CHOGM 2005: POLICE ACCOUNTABILITY: Too important to neglect, too urgent to delay

CHRI believes that policing and safety issues are increasingly growing in importance for both governments and individuals, and pose some of the most significant human rights challenges in the Commonwealth. In addition to describing some of the problems of police misconduct across the Commonwealth, CHRI's Police Accountability Report provides a comparative overview of accountability arrangements, highlights good practice, and gives recommendations for reform to assist governments, police officials, and civil society in the development and strengthening of effective accountability regimes as part of the move towards truly democratic policing...



CHOGM 2003

CHOGM 2003: OPEN SESAME: Looking for the Right to Information in the Commonwealth

The Commonwealth has a deficit of both democracy and development. In Abuja in 2003, the Commonwealth Heads of Government will – not for the first time – be searching for ways to deal with these problems. Open government is the answer; and entrenching people's right to access information is the most practical way of achieving this. CHRI's report, "Open Sesame: Looking for the Right to Information in the Commonwealth", advocates the immediate adoption and fulsome implementation, by every member state, of liberal access to information laws developed by people and governments working in close cooperation...

NEWS FROM CHRI

NEW BOARD MEMBERS

CHRI welcomes the following new members to its various boards.

International Advisory Commission

Prof. Yashpal Ghai is a scholar in constitutional law. He headed the Constitution Advisory Support Unit of the United Nations Development Programme in Nepal and was a Special Representative of the UN Secretary-General in Cambodia on human rights. He has been a Fellow of the British Academy since 2005. He was the Chairman of the Constitution of Kenya Review Commission (which attempted to write a modern constitution for Kenya) from 2000 to 2004. Ghai has written several books on law in Africa, the Pacific islands, and elsewhere.

Executive Committee, Headquarters, India

Mr. Kamal Kumar, has retired from the Indian Police Service, and is currently, Member, Task Force on National Security & Criminal Justice, Commission on Centre-State Relations; Member, Executive Committee, National Police Mission, Government of India; Member, Supreme Court Monitoring Committee on Police Reforms; Consultant (Training) with National Disaster Management Authority; Hony. Advisor, Administrative Staff College of India, Hyderabad.

Executive Committee, Ghana

Judge Francis Emile Short is Commissioner of the Commission on Human Rights and Administrative Justice (CHRAJ) in Ghana. He was head of a law firm in Ghana and served as a judge for the United Nations Tribunal on Rwanda. He has consulted for the UNDP, the Commonwealth Secretariat in London, and the Carter Center (USA). He has been a member of many legal committees and associations in Ghana. Judge Short was called to the Bar in England in 1966 and is a member of the Ghana and Sierra Leone Bar. Judge Short obtained his LLM degree from the London School of Economics and Political Science in 1967. He has lectured at the University of Cape Coast (Ghana) and at the Middlesex Polytechnic (London).

Executive Committee, United Kingdom

Mr. Syed Sharfuddin, joined the Commonwealth Secretariat in London, in 1996 as Deputy Director and Head of Conferences, on deputation from the Pakistan Ministry of Foreign Affairs. In 2000, Mr Sharfuddin was appointed Special Adviser and Head of Asia/Europe Section in the Political Affairs Division of the Commonwealth Secretariat. On completion of his tenure with the Commonwealth Secretariat in 2006, Mr Sharfuddin established his

own consultancy in the UK working mainly in the area of democratic governance and conflict resolution.

Baroness Frances D'Souza has an academic background in anthropology and taught at both the London School of Economics and Oxford Brookes University. She was for over nine years the Executive Director of ARTICLE 19, a human rights organisation devoted to promoting freedom of expression. She is a Governor of the Westminster Foundation for Democracy, Consultant to the REDRESS Trust and Trustee of many organisations concerned with human rights and development. Frances D'Souza has lived and worked in southern Europe, Africa, Asia and Oceania. She was awarded a CMG in 1998 for services to human rights and appointed an independent peer in 2004.

NEW COORDINATOR FOR CHRI AFRICA

Ms. Caroline Nalule is an advocate of the High Court of Uganda. She holds a Masters Degree in International Human Rights from Lund University and the Raoul Wallenberg Institute for Human Rights and Humanitarian Law. She also holds a Post Graduate Diploma in Legal Practice from the Law Development Centre, Kampala; and a Bachelor of Laws Degree from Makerere University, Kampala.

She has a strong interest in the area of human rights, good governance, social justice, transitional justice, democracy and constitutionalism. She has worked as a legal researcher for private legal practitioners as well as in the Court of Appeal of Uganda. She also worked as the head of the legal department of an investment and legal consultancy firm before she joined the Uganda Human Rights Commission as a volunteer in the Directorate of Research and Education. She has since risen through the ranks to Human Rights Officer and then, Director Complaints, Investigations and Legal Services. During her time at the Commission, she has garnered experience in human rights education, research, complaints handling, investigations, advocacy, working with government agencies, etc. Caroline has represented the Commission on a number of bodies including the Criminal Working Group of the Justice, Law and Order Sector, Uganda; member of the Corporate Plan Development Committee; member of the Legal Aid Advisory Group of DANIDA- Access to Justice Programmes; member of the Coalition against Torture.

On behalf of the entire CHRI family, we extend a warm welcome to Caroline, assure her of all cooperation and assistance, and wish her all success in her new position.

VOLUNTEERING WITH US



CHRI is looking for young and dynamic graduate volunteers to be based at its headquarters in New Delhi, India, office in Accra and London. Applicants must be self-supporting, able to learn quickly, work independently, and have excellent communication, writing and research skills.

CHRI is an independent, non-partisan, international non-governmental organisation, working for the practical realisation of human rights across the Commonwealth.

CHRI's current programme of work focuses on access to justice particularly in police reforms and promoting access to information.

It also overviews the human rights situation in all 53 countries of the Commonwealth, looking especially at the situation of human rights defenders, compliance with international treaty obligations and monitoring the performance of Commonwealth members of the new United Nations Human Rights Council.

Activities include making periodic submissions to appropriate international fora (e.g. Commonwealth Ministerial Action Group meetings), clause-by clause analysis of draft bills, bringing out research reports, networking and doing capacity building trainings for governments and civil society. Further information can be found at www.humanrightsinitiative.org.

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