



Commonwealth Human Rights Initiative

NGO in Special consultative Status with the Economic and Social Council of the United Nations

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Dear Mr McKinnon

RE: Right to Know Day on 28 September – Developing a Disclosure Policy for ComSec

28 September will be celebrated as International Right To Know Day. CHRI would like to take this opportunity to urge you to advance the process of developing an information disclosure policy for the Commonwealth Secretariat and more actively promote right to information legislation in member states.

As you may be aware, many intergovernmental and supranational organisations have now entrenched the right to information. For example, the EU, WTO, UNDP and every multilateral development bank have disclosure policies. Informal channels advise that the Pacific Forum Secretariat is also in the process of developing a disclosure policy. In contrast, ComSec's failure to implement an information disclosure policy falls well outside best practice at other similar organisations.

The Commonwealth has repeatedly recognised the importance of the right to information, affirming most recently at the 2003 CHOGM that: "Among the objectives we seek to promote are...the right to information". There is an abundance of good practice in the Commonwealth to draw on, including ComSec's own model Freedom of Information law. Although not without its weaknesses, at the very least, it recommends some minimum best practice standards and demonstrates the importance that the Commonwealth places on the need for information disclosure.

Notably, in September 2004 various division heads at ComSec met with CHRI's London Liaison Officer, Ms Ellen Pugh, and a Coordinator of our Right to Information Programme, Ms Charmaine Rodrigues. At that meeting, ComSec staff agreed that an information disclosure policy was an important priority for ComSec and we were given to understand that ComSec would subsequently commence a policy development process. However, since then, we are not aware that ComSec has made any serious progress towards adopting an information disclosure policy. It is imperative that ComSec now act quickly to address this policy gap.

We would be very grateful for a response from your office reiterating ComSec's commitment to the development of an information disclosure policy, setting out a timeline for the process and advising which officers within ComSec are responsible for this task. We would, as always, be happy to assist with this process and provide further information on policies and development processes in other intergovernmental organisations.

I look forward to hearing from you at your earliest convenience.

Kind regards

Maja Daruwala, Director