

chrí ANNUAL REPORT 2008 2009



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Commonwealth Human Rights Initiative

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

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

Through its reports and periodic investigations, CHRI continually draws attention to progress and setbacks to human rights in Commonwealth countries. In advocating for approaches and measures to prevent human rights abuses, CHRI addresses the Commonwealth Secretariat, member governments and civil society associations. Through its public education programmes, policy dialogues, comparative research, advocacy and networking, CHRI's approach throughout is to act as a catalyst around its priority issues.

The nature of CHRI's sponsoring organisations* allows for a national presence and an international network. These professionals can also steer public policy by incorporating human rights norms into their own work and act as a conduit to disseminate human rights information, standards and practices. These groups also bring local knowledge, can access policy makers, highlight issues, and act in concert to promote human rights.

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

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* Commonwealth Journalists Association, Commonwealth Lawyers Association, Commonwealth Legal Education Association, Commonwealth Parliamentary Association, Commonwealth Press Union and Commonwealth Broadcasting Association.

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EXECUTIVE SUMMARY

Commonwealth Human Rights Initiative works in the firm belief that the promotion and protection of human rights is the *raison d'être* for the Commonwealth as an organisation. Since the human rights situation in most Commonwealth countries are a far cry from internationally accepted standards and norms, CHRI has made great efforts with its limited resources to utilise its consultant status at the UN Human Rights Council as also its observer status at the African Commission on Human and People's Rights to call Commonwealth governments to account. CHRI has consistently urged the Commonwealth to encourage its members to work together in the UN for the values of the Commonwealth they are committed to, as also insist that the best international human rights standards ought to be maintained to secure and retain membership of the Commonwealth.

We are happy to report that we have come a long way this year in our efforts at the UN Human Rights Council (UNHRC). We aimed at accountability for Commonwealth members of the UNHRC, and to train CSOs on UNHRC and UPR. CHRI organised two country-consultations in UK and Ghana (worked collaboratively with CHRI's Accra Office), for ensuring civil society consultation at the country level ahead of the UPR, a new network was established from these consultations. CHRI's expertise on the UNHRC and its mechanisms, especially the UPR was recognised more widely and brought us an invite to resource the Commonwealth Secretariat's Caribbean Regional Seminar on the Universal Periodic Review (UPR) in Barbados. CHRI also continues to monitor the performance of the Commonwealth member states at the HRC and brought out the 2008 report, which was well received. We have done very well to be recognised as an active member of the Human Rights Council Network (HRCNet), an informal, cross-regional network of CSOs committed to the strengthening of the Human Rights Council as a more effective body to address human rights violations, and to protect and promote human rights worldwide. In June 2009, CHRI takes its first official delegation to the HRC, which will include a couple of partners from East Africa, organising a side event on policing and extrajudicial killings in East Africa (in the backdrop of Alston's recent report on Kenya). There is enormous scope for expansion and intensification of our engagement at the HRC in the future, as we have built a strong foundation with limited resources utilising every opportunity to the fullest.

CHRI continued its on-going engagement with the Commonwealth Secretariat and Commonwealth mechanisms: it continued with the weekly updates and analyses for the Human Rights Unit (and the Commonwealth Human Rights Network, an electronic network of Commonwealth-wide civil society that CHRI coordinates), made submissions to CMAG in respect to the situation in Fiji and Sri Lanka's non-inclusion on the CMAG Agenda; was invited to present at the Commonwealth Civil Society Meeting on Rwanda's bid for membership in Kigali, Rwanda; released a Report on Rwanda to the Human Rights Unit of the Commonwealth Secretariat, which led to a CHRI fact-finding mission in May 2009. The Commonwealth Heads of Government Meeting (CHOGM - November 2009) will be the focus of our advocacy efforts in the coming months. CHRI will be leading the Human Rights Assembly at the Commonwealth People's Forum, held in tandem with the CHOGM.

We had committed to catalyzing a constituency for police reform, building on on-going work in Kenya, Tanzania and Uganda, and growing outwards in the next two years. The police reforms programme in East Africa has achieved much in the last year, despite the constraints from not having dedicated funding for the project. It has partnered with EAC, EAPCCO and APCOF in a project to develop common principles for policing in East Africa; facilitated capacity building workshops for civil society, government and the media on police reform and accountability; developed capacity building documents; fed into reform initiatives in the region. The coming years are ripe with opportunities emerging out of the common standards for policing project, as the Eastern African republics of Burundi, Kenya, Rwanda, Tanzania and Uganda move towards political integration with 2012 set as the target. CHRI is keen to ensure, along with its partners, that police accountability on the ground remains a front and centre issue for the EAC.

We had committed to building a campaign for better policing in India. Besides the on-going efforts on the campaign this year, two events of significance served to bolster the campaign for better policing in the reporting period: the terrorist attacks in Mumbai in November 2009, and the run up to the May 2009 Lok Sabha (and some

state legislature) elections that decide the Union government for the next five years (2009 – 2014). In its ongoing work, CHRI has focused its attention on increasing awareness of, supporting, training and encouraging local civil society (especially minority groups, dalit and tribal groups, who are most affected by the lack of accountability and political patronage in the police) engagement with the Police Complaints Authorities (PCAs) mandated to be set up by the Supreme Court Directives on police reform. In the coming years, CHRI will work towards promoting equality (in the police and in its functioning), making democratic policing a central agenda of large networked / influential civil society groups, as well as pushing for the effective functioning of specialist oversight mechanisms such as the Police Complaints Authorities, which are an important part of the human rights infrastructure providing direct access to the public for grievances against the police.

In the last year, CHRI has made good progress in scoping out the policing environment in South Asia, building relationships with governments and civil society in each of the jurisdictions, and has brought out a publication on the state of policing and police reform initiatives in the region. CHRI is expanding its police reforms work and networks in South Asia, and will continue to do so in the coming years building on initial success in a difficult region.

Closely related to CHRI's activities to enhance police accountability is its work on human rights defenders, which will be a future area of attention. We will bring out a Commonwealth-wide report on human rights defenders prior to the Commonwealth Heads of Government Meeting 2009. Based on the findings of the research report, persuading (and building a constituency and momentum for) National Human Rights Institutions across the Commonwealth to a) clearly articulate their policy on human rights defenders; b) work closely with civil society to consultatively develop and implement UN mandated (but rarely obeyed) national human rights plans, would be CHRI's advocacy point in the coming years.

We endeavoured to create an impetus for civil society participation in prison monitoring, and explore possibilities offered by the prison visiting system in countries of South Asia and Africa. In the reporting period, the prison reforms programme is still restricted to India. CHRI was, however approached by the Afghanistan Independent Human Rights Commission (AIHRC) to organise a four-day training workshop (held in May 2009) for their monitoring and investigation officers on human rights and prisons. After a review of the programme's focus on the Prison Visiting System, the programme decided to go with the emerging shift of focus to the issue of under-trial prisoners. In the course of its work and numerous research studies, CHRI felt a need to refocus its attention to the massive, but addressable problem of unnecessary detention of mostly indigent prisoners largely because relevant provisions of the law aren't applied diligently. Systemic change to ensure proper implementation of the provisions as also effective oversight by bodies mandated to do so will remain the future focus of the prison reforms programme.

We had expected to continue to orient lower court judges on human rights in the administration of justice, and hoped to produce permanent resources that could get incorporated into the curricula of judicial training institutes. CHRI has held two workshops for district court judges and is finalising a fair trial manual for trial court judges that would inform them of the national and international standards relating to fair trials. The manual would cover rules relating to arrest, detention, trial procedures, and sentencing, and has been developed in collaboration with the Cornell Human Rights Clinic. We hope that this manual would become a part of the teaching resources in all judicial academies.

We committed to advocate for the institutionalisation of a regime of transparency at all levels of Government in Commonwealth countries by providing technical assistance to governments, assist civil society and increase information available in the public domain on right to information.

In India, our goal was to monitor compliance, functioning of the appellate authorities, build capacity of officers and civil society and bring out thematic user friendly publications. We have progressed very well on all of these in the last year. CHRI's relentless campaigning, along with state partners has been rewarded with the passing of the *J&K Right to Information Act, 2009*, which is closely patterned along the lines of the Central RTI Act. CHRI has been active in the defence of the national RTI Act 2005, fighting direct and indirect attempts at dilution/roll-back of the

Act – for instance, we fought the charging of additional fees as a tool to subvert the very purpose of the Act; made submissions to the standing committee of parliament looking at the implementation of the RTI Act; made submissions to the Chief Information Commission on whether elected representatives of the people are public authorities under the RTI Act. CHRI has conducted several compliance surveys / audits on the implementation of the Act, developed a ranking methodology; built capacity on the supply and demand side by training officers and several members of civil society, bringing out publications (including translations/adaptations with partners in a number of regional languages), audio-visual slides and calendars for outreach. CHRI will continue to monitor compliance of public authorities in collaboration with our partners in the hub states. Promoting implementation of the new RTI Act in J&K will be our major focus during the coming months.

Presently CHRI is engaged with over 20 countries across the Commonwealth for the institutionalisation of a regime of transparency, though we have critiqued all FOI bills (government or civil society) we have known of coming out of any of the Commonwealth countries, and network with advocates in many of the countries.

The highlight of our efforts in South Asia is the passage of the Right to Information Bill into law by the Parliament of Bangladesh on 29 March 2009 making it the 14th commonwealth country to have a RTI Act. CHRI seeded the ideas of a campaign for an access law in Bangladesh in 2004 when it first interacted with Manusher Jonno Foundation (MJF), and has consistently built its capacity through several activities. CHRI's contribution through the years is generously acknowledged by MJF. The World Bank Institute at Washington DC has commissioned our team member to prepare a policy guidance note on the implementation of the RTI Act in Bangladesh. CHRI's future focus in South Asia will be on implementation in Bangladesh, conducting legislative audits of information access provisions in countries like Sri Lanka where there is no RTI law and encouraging the use of these provisions, working in close collaboration with in-country partners to keep up the momentum for demanding strong information access legislation and exploring ways to bring transparency in administration high up on the governance agenda of South Asian Association for Regional Cooperation (SAARC). CHRI has been thanked for inspiring the push for FOI legislation acknowledged by civil society players in the forefront of the demand for legislation in Guyana and Malaysia, and the workshop for West African RTI advocates following a legislative audit in Ghana has raised much hope for an accelerated civil society demand for transparency in governance in West African countries. Availability of resources will be the key factor in our ability to build on the fertile ground created by earlier opportunities in the Caribbean and the Pacific.

NARRATIVE REPORT

I. POLICE REFORMS – EAST AFRICA

Our stated goal for this programme was: catalyzing a constituency for police reform building on on-going work in Kenya, Tanzania and Uganda, and growing outwards in the next two years.

➤ Background

Policing in the Commonwealth East African states of Kenya, Tanzania and Uganda is consistently criticised for operating as a tool of oppression on behalf of the government instead of serving and protecting citizens. Systemic change of Commonwealth East Africa's archaic policing structures will not happen if left to the will of the government alone, as previous experience demonstrates that such change has been strongly resisted. Sustained political impetus for change will only come from a clearly articulated public demand for reform. Informed and articulate civil society can lead this effort.

Since 2001, CHRI has been working on better policing in East Africa. In the initial phase (2001-06), with the aid of a Ford Foundation grant, it brought out publications on the state of policing in all three countries, thus putting out little known information on policing in the public domain. CHRI also engaged in its own direct police reform advocacy at regional and country levels and built partnerships with key regional stakeholders, including the East African Police Chiefs Coordinating Committee (EAPCCO), the East African Community Political Secretariat (EAC) and the African Policing Civilian Oversight Forum (APCOF).

The programme has operated without specific programme funding since the expiration of the grant in 2006, but CHRI has continued to build its network of police reform advocates, and engaged with the police reform agenda in the region. During this phase (2006-09), the programme shifted away from its previous research heavy focus to capacity building, advocacy and providing technical assistance, even as CHRI established itself as an acknowledged and accepted resource on policing in the region, and got invited to be involved in all major national and regional initiatives. Although CHRI has been able to meet its deliverables under its current partnership arrangements through desk-based research, electronic communication and ad-hoc travel funding, the lack of general funding for the East Africa Programme has presented a number of challenges, both in our ability to respond to calls for technical assistance, and in our ability to engage with emerging opportunities for long-term processes for police reforms in the region.

The integration of the Eastern African republics of Burundi, Kenya, Rwanda, Tanzania and Uganda is advanced with 2012 set as the target for political union. While policing is a feature of the ongoing debate on defence and security and is part of the integration strategies of the EAC, a unified regional approach to policing remains largely underdeveloped. Importantly, no single set of guiding principles exists for the region against which collaborative projects, protocols, harmonisation and reforms can be constructed. This is problematic not only for police organisations but for the many stakeholders with whom they engage, including governments, human rights commissions and civil society partners. The development of Common Principles for Policing in East Africa is one project in which CHRI has invested much of its time and energies and would continue to do so through its operationalisation and implementation.

➤ Activities and accomplishments

In 2008, CHRI has:

- i. Partnered with the EAC, EAPCCO and APCOF in a project to develop common principles for policing in East Africa. CHRI and APCOF presented the project to an EAC conference in Burundi, completed the initial desk-based research, conducted focus group meetings in Kenya and Uganda to test the project's assumptions,

methodologies and preliminary findings, met with project partners in Tanzania and partnered with the Uganda Human Rights Commission to design the project's regional conference component.

- ii. In February and June 2008, partnered with the Human Rights Network Uganda (*Hurinet-U*) and APCOF to facilitate capacity building workshops for civil society, government and the media on police reform and accountability.
- iii. Partnered with APCOF to submit a background paper on priority police reform issues in Kenya to the Kofi Annan led African Eminent Personalities during the Kenya election crisis mediation.
- iv. Partnered with APCOF, Saferworld and PeaceNet-Kenya to develop a coordinated civil society strategy for engagement with police reform in Kenya. To date, CHRI has co-authored a background paper and resourced an October 2008 civil society workshop.
- v. Partnered with APCOF and Hurinet-U to develop a series of civil society capacity building documents for Uganda.
- vi. Engaged in Commonwealth-level advocacy to encourage the endorsement of a Commonwealth Expert Group on the future of policing by the Commonwealth Law Ministers.

In the first few months of 2009, CHRI has:

- vii. Conducted in partnership with APCOF, a series of half day focus group discussions in each of Burundi, Kenya, Rwanda, Tanzania and Uganda bringing together stakeholders from EAPCCO, the national police forces, government, national human rights institutions, media, academia, the donor community and civil society as the second phase of the consultation process for articulating Common Standards for Policing in the East African Community. The meetings also explored how the common standards may be applied once they are adopted by EAPCCO and the EAC at a regional conference in June 2009.
- viii. CHRI is currently editing the first draft of a report that identifies the challenges and current opportunities for reform now that the Uganda Police Force has resumed their police reform agenda.
- ix. As part of the effort to build capacity of civil society to engage with reform processes in Uganda, CHRI will bring out five brochures, of which the first was published in February 2009, and explained the basic concepts of democratic policing. The other four brochures will be published by July 2009. Elements of the common standards will be included in future publications.

➤ Immediate Future Activities

In the coming months CHRI will:

- i. partner with local and regional organisations to develop the following implementation projects: Code of Conduct for EAPCCO, developing a monitoring tool for human rights institutions based on the common standards against which policing in Kenya, Uganda and Tanzania can be measured; developing a pilot monitoring project based on the common principles to promote good policing during elections; grassroots legal literacy campaigns based on the common standards; development of a tool to monitor the outcomes/benchmarks of the region's justice, law and order sector reform programmes against indicators of good policing based on the common standards;
- ii. work with local civil society partners, including Saferworld and Peacenet, to develop a strategy for building capacity in the newly constituted Kenya Police Oversight Board;
- iii. publish the civil society capacity building tools developed for Uganda in Swahili, subject to funding.

II. POLICE REFORMS – INDIA

Our stated goal for this programme was: Building a campaign for better policing

➤ Background

CHRI's police reforms work in India is more than a decade old. CHRI's concerted efforts of many years began to yield visible results in the last couple of years, with more initiatives for police reform than at any other time. CHRI has been involved with every major initiative on police reforms in the recent years, and has worked to create a civil society constituency and able to engage with the reform processes in an informed manner in state after state.

Besides the on-going efforts on the campaign this year, two events of significance served to bolster the campaign for better policing in the reporting period: the terrorist attacks in Mumbai in November 2008, and the run up to the May 2009 Lok Sabha (and some state legislature) elections that decide the Union government for the next five years (2009 – 2014).

➤ Activities and accomplishments

Opportunistic interventions

Immediately after the terrorist attacks across the city of Mumbai in November 2008 (a highly charged sordid episode dubbed India's 9/11, played out live on television with gunmen holding up hostages across the city for three days, in which 179 people were killed), there was heightened citizen interest across the country in policing issues, like never before. CHRI utilised the opportunity to highlight how professionalized policing can provide Indians with greater safety and security. CHRI's role was crucial because although there had been calls from several quarters for police reforms to be implemented immediately post-Mumbai, there was a serious concern that the clamour for reform would only focus on better equipment and unfettered powers. For instance, the Chief of Delhi police was reported as saying that Supreme Court guidelines on arrests should be changed to accommodate the exigencies of terror-related crime. CHRI firmly believed that the momentum of the moment ought not to be lost, and importantly should not be allowed to be hijacked by hawkish tendencies. To that end CHRI:

- Wrote an open letter addressed to all the politicians of India, to which over 40 eminent citizens signed on to, urging immediate police reform.
- Organised a panel discussion entitled "Citizens for Police Reform: A Basis for National Security and Good Governance" in collaboration with India International Centre in New Delhi on December 15, 2008.
- Drafted a critique of the newly created National Investigation Agency (NIA).
- Distributed an information package, that included the letter signed by eminent citizens and the NIA critique, to all the Chief Ministers and Chief Secretaries of India in advance of a major national security meeting that took place in New Delhi on January 6, 2009.
- Devoted separate pages on our website to our post-Mumbai initiatives inviting citizens to be involved.

With elections to the lower house of Parliament being announced, CHRI's efforts post-Mumbai segued into an advocacy campaign with the twin objective of a) getting police reforms and accountability into the agenda of large network grass roots groups (Milli council, Wada naa thodo) and communities of influence (including Chambers of Commerce) & b) encouraging political parties to commit to democratic police reforms in their manifestoes. It is encouraging to see how the language that was barely understood last elections is now being boldly put forward as concrete suggestions to make policing better.

CHRI was successful in catalysing several large-networked groups prior to the elections in an attempt to ensure that the demand for better policing comes from many communities of influence and also from the grassroots. One such group the Milli Council, adopted a resolution at a 100,000 strong rally of theirs incorporating police reform into their demands, and has since pressed for promises in this regard with political parties. We are particularly pleased to see that they incorporated CHRI's suggestion not to make the demand for representation uni-

community but framed it in terms of equities of recruiting into police and other services in proportion to the population.

CHRI made contact with the Foundation for Restoration of National Values, which has created a subcommittee for police reforms, which was already a priority with them. CHRI has provided technical assistance on the issue and on strategies for advocacy, wrote a strategy paper for them and met their inspirational leader based in Kerala, who has promised his full support for the initiative.

CHRI has been in conversation with the Confederation of Indian Industry (CII). CII has promised to do a series of workshops. The Director is on CII's working group on security.

CHRI organized a discussion on "Supreme Court and Police Reforms: A Modern Police for a Modern Democracy" at Bengaluru, Karnataka in January 2009. Prof. B K Chandrashekar, Member of CHRI's Executive Committee, India and CHRI Director, Ms. Maja Daruwala spoke on the occasion and pushed for wider consultations on the draft police bill for Karnataka. The Bill was subsequently put up on the government website for public response, though that is still a far cry from the widespread public consultation that should be the norm.

CHRI Director spoke at a public meeting organized by the Forum of Free Enterprise on "Modern Policing for a Modern India" at Mumbai on 30 January, 2009. She met with members of the Bar Association, and journalists at Bhopal. She also spoke on at a meeting on police reforms organised by the Administrative Staff College and at the Saturday Discussion Group of the India International Centre, besides several meetings with influential people and potential partners for the on-going campaign on police reforms.

The most tangible outcome of this effort has been the incorporation a whole paragraph on police reform in the election manifesto of the Indian National Congress. With the clear mandate of the electorate to the party, we will now push for implementation. CHRI will target the Maharashtra elections due in November 2009 and plan a media campaign to make police reforms a front and centre issue in the elections.

CHRI received substantial news coverage for its post-Mumbai advocacy efforts.

Ongoing Activities: Legislative analyses, catalysing of interest groups, building capacity and monitoring Police Complaints Authorities

CHRI's campaign for better policing in India received a funding boost in mid July 2008 with the commencement of three year funding from the British High Commission.

The campaign has shifted from the earlier phase of publicizing the Supreme Court judgment and state responses to it, to building civil society capacity to intervene and monitor compliance with the implementation of either the SC directives or any new Police Act the state may have enacted, and building the capacity of pressure groups within various target and outreach states to demand equality and equal access to policing services.

CHRI has focussed its attention on the Police Complaints Authorities (PCAs) mandated to be set up under the SC directives to increase awareness about the newly set up PCAs, as also providing technical advice to members of the Authorities for carrying out the role of the PCAs in letter and spirit, and keeping the pressure on States passing new police legislations to do so in compliance with the Supreme Court directives.

Three years after the Supreme Court directive ordering the setting up of PCAs at the state and district level only 14 states have set these up. Of these only five states have set up these bodies at ground level. The rest remain on paper. The working authorities are found in the states of Uttarakhand, Goa, Kerala, Assam, and Tripura.

Even where the PCAs are functional and well-intentioned, there is the overwhelming feeling of these Authorities becoming toothless tigers as they are not independent, their success lies in the hands of State governments and almost all of them crippled due to lack of any independent funding.

CHRI brought out the first annual report on the working of the PCAs in March 2009. The report not only describes the working of the functional authorities but provides a comparative analysis of similar bodies in other jurisdictions. The report also lays down several recommendations to improve the effectiveness of these bodies.

During the review period, the team conducted several workshops, met with media persons, police chiefs, state level human rights and women's commissions. The team continued to update its compendium of legal analyses of all new Police Acts and Bills and post all Acts, Bills and critiques on the website for easy access by members of civil society and the public. Police Acts of Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Kerala, Punjab, Rajasthan, Tripura, Uttarakhand, Karnataka, Tamil Nadu have been critiqued and put up on our website.

Some of the demonstrable outcomes of such state-based interventions have been observed as follows:

- Articles written on police reform issues with information obtained from our state partners/activists (in Kerala).
- In Himachal - a core committee has been formed of all persons that who attended the civil society workshop in Dharamshala. The group has taken on the responsibility of monitoring the PCA and reporting back to CHRI with any information about its progress and function.
- In Andhra a Core Committee "Concerned citizens for police reforms" has been constituted to Act as a Police Watch body.
- Strong working relationships have been developed with Chairpersons and members of the State and District level PCAs. The Chairs of all three Authorities in Kerala (State level and 2 district level) have promised to provide CHRI with all information and data on the nature of complaints received by the Authority.
- Articles written on police reform issues in local, regional and state press by state partners/activists (Charles Chaisi, a journalist in Nagaland and Kathyayini Chamaraj, a freelance journalist in Karnataka, National Tamil Daily Columnist Appanasami in Dinamani).
- Official invitation to CHRI to conduct training for police on human rights and police reforms (Orissa Police Academy)
- Official invitation to CHRI to make presentations on community policing and conduct research on community satisfaction with police (Uttarakhand and Himachal Pradesh)
- Official invitation to CHRI to comment on draft Police Bill (Karnataka, Kerala)
- Creation of a draft Police Bill from an NGO/Civil Society perspective, for use as an advocacy document (Karnataka)
- Catalyst Trust, PUCL and Human Rights Foundation, three civil society groups, came together to hold a day long seminar, launch a Tamil/English publication on the Tamil Nadu Police Bill, lobbied MLAs with the objective of having the Bill referred to a Select Committee. Current information says this is very likely to occur. (Tamil Nadu)
- Translation and dissemination of CHRI materials (Assamese translation of Police Malpractices, Malayalam translation of SC judgment, Kerala Police Act and CHRI critique, Telugu translation of CHRI documents such as 7 Steps to Police Reform)
- Mass Initiative for Non Violence and Democracy translated and disseminated (widely but in particular targeting legislators) a Malayalam publication including the Kerala Police Bill and CHRI critique of it.
- Civil society groups conducting state level meetings to monitor newly set up Police Complaints Authority independent of CHRI but using CHRI resource materials and initiating dialogue with their State Police Complaints Authority. (Uttarakhand)
- Civil society groups conducting regional and district level workshops/meetings on police reforms independent of CHRI but using CHRI resource materials (Andhra Pradesh)

- Chairman of Uttarakhand SC/ST Commission, Girish Kumar Tamta committed to inserting columns capturing and sharing data on police related atrocities against SC/ST in their ongoing documentation for future advocacy

Assisting the Supreme Court Monitoring Committee

A contempt petition was filed following the non-compliance of several states with the SC directives in the judgement of the Prakash Singh case. CHRI staff and its pro bono legal representatives were present at all the hearings. On 16 May, the Court passed an order calling for the establishment of a Monitoring Committee chaired by a retired Justice, and including two other members, one recommended by the Justice and the other recommended by the Ministry of Home Affairs. The Monitoring Committee was directed to be assisted by Ministry of Home Affairs and the Bureau of Police Research and Development (BPR&D), and given a term of two years which may be extended.

CHRI has made detailed oral and written submissions to the monitoring committee, and has been invited to be present at the committees meetings. CHRI has been present at several of the Committee's meetings. The detailed compliance charts prepared and submitted to the Committee by CHRI are a welcome initiative and the Committee finds these extremely useful in assessing State compliance.

Other activities

A highlight of the period was an address by Lord Chris Patten on *Good Policing in Situations of Conflict*, followed by discussions organised by CHRI in New Delhi, and attended by Parliamentarians, senior government functionaries and civil society representatives.

An unexpected opportunity arose in the form of an invitation to CHRI from the Director of the Biju Patnaik State Police Academy in Bhubaneswar, to conduct human rights training for 210 newly recruited Sub Inspectors. This was seen as an opportunity to test our existing training materials and techniques with the view to informing the subsequent development of an Equality module for police.

CHRI organised joint campaign with Hindustan for awareness building on Police Reforms started from 2 November 2008. CHRI staff contributed an article, interview section (called Experts opinion) as well as a box on Rights of people vis-à-vis policing every Sunday for 10 weeks. The paper has a large readership, in nearly all the Hindi speaking states. Hindustan also undertook to disseminate CHRI's booklets and pamphlets (on FIR, Interrogation, Legal Aid, Bail, Arrest and Detention, Schedule Castes and Schedule Tribes) on a cost-sharing basis - the newspaper paid for the printing of half the materials distributed and CHRI contributed the other half - in the city of Meerut in Uttar Pradesh where the newspaper undertook an awareness campaign.

➤ Immediate Future Activities

The programme will make interventions in Kerala and expand outreach to Rajasthan, Assam, Tripura, and Uttarakhand. Intensive activities will be undertaken in Kerala in the form of civil society workshops, monitoring of the state and district level PCA, critique/analyses of the two police draft bills and advocacy geared towards ensuring that there is sufficient public consultation before passing a new police legislation. State specific User Guide to the PCAs (in the form of pamphlets) will be developed. State specific reports on the working of each of the functional PCAs will also be developed. Along with this public education material on better policing will also be created.

III. POLICE REFORMS – SOUTH ASIA

In the last two years, CHRI has engaged in scoping out the policing environment in South Asia, held a major regional conference on police accountability, and worked on building relationships with governments and civil society in each of the jurisdictions, which is quite an accomplishment in a region where tensions can escalate at

any moment and throw all plans helter-skelter with last minute visa denials, or such innovations as handing back your passport with valid visa after the last flight you could've taken has left (our partners face exactly the same problems getting here)!

Significant activities this year include: a consultation CHRI organised in July 2008, entitled "From Force to Service: Towards Better Policing in Pakistan" in Islamabad in collaboration with the Consumer Rights Commission of Pakistan; an invitation in August 2008 to attend a retreat conducted by the Police Reform Programme (PRP) in Bangladesh, where CHRI was able to meet with nearly all of the key players working on police reform in Bangladesh, including the UNDP sponsored PRP team and the Additional IG of Police responsible for police reforms; a consultation CHRI organised in November 2008 in conjunction with the Human Rights Commission of Pakistan (HRCPP) in Lahore entitled, "Police Reform in Pakistan: Beyond Analysis"; a scoping visit to the Maldives in April 2009, and a scoping visit to Sri Lanka in June 2008.

To cultivate dialogue on how to go about improving policing CHRI has published two major reports - *Feudal Forces: Democratic Nations – Police Accountability in Commonwealth South Asia (2007)* and *Feudal Forces: Reform Delayed – Moving from Force to Service in South Asian Policing (2008)*. Both have been very well received and will ground CHRI's future in-country advocacy for better policing.

Planned events for this year, in addition to on-going research and networking include: a joint consultation in Bangladesh with the UNDP and a regional conference on police reforms in New Delhi.

IV. RESEARCH AND FUTURE INTERVENTION ON HUMAN RIGHTS DEFENDERS

Closely related to CHRI's activities to enhance police accountability is its work on human rights defenders. This is a relatively new area of work for CHRI. CHRI's Commonwealth wide research to be published by the end of 2009 in time for the Commonwealth Heads of Government Meeting in Trinidad brings out the close links between the poor protection of human rights defenders and police impunity. It also focuses on the poor response of oversight bodies to human rights violations against a group of individuals who by international consensus merit special protections. Besides urging less tolerance for impunity and improved systems to discourage it, the study strongly recommends National Human Rights Institutions across the Commonwealth to a) clearly articulate their policy on human rights defenders; b) work closely with civil society to consultatively develop and implement UN mandated (but rarely obeyed) national human rights plans. Persuading the NHRI's to do so, and building a constituency and momentum for it, would be CHRI's advocacy point in the coming years.

V. PRISON REFORMS

The overall goal stated for this programme was to create an impetus for civil society participation in prison monitoring, and the short term goal was to make visible and revive interest in the possibilities offered by the prison visiting system in countries of South Asia and Africa.

➤ Background

In the reporting period, the prison reforms programme is still restricted to India. CHRI was, however approached by the Afghanistan Independent Human Rights Commission (AIHRC) to organise a four-day training workshop (held in May 2009) for their monitoring and investigation officers on human rights and prisons. The workshop was designed to provide the participants a better understanding of international and national laws on human rights as applicable to prisons, share best practices from across the world, and our own experience in India, with a view to improve prison monitoring, investigation and documentation of human rights violations behind bars.

The programme team along with consultants held a strategy meeting in December 2008, and reviewed the programme's focus on the Prison Visiting System. Following the strategy meeting, the programme decided to go with the emerging shift of focus to the issue of under-trial prisoners. In the course of its work and numerous research studies, CHRI felt a need to refocus its attention to the massive, but addressable problem of unnecessary

detention of mostly indigent prisoners. The reality that they are in prison due to the lack of application of existing provisions (and amendments to the Criminal Procedure Code) that could easily get them out on bail, or released if as under-trials they have served more than half of the maximum sentence awardable to them for their alleged crime, came as a surprise even to prison officials.

Instead of going from prison to prison educating, reasoning with, or threatening concerned officials with action, which could take forever, CHRI will focus on the best way to attack the problem systematically.

➤ **Activities and accomplishments**

Research studies

- CHRI undertook a National Scoping Study, in collaboration with Prayas (Mumbai), which scoped civil society participation and involvement in prisons in 14 states of the country. The study found that a majority of CSOs working in prisons, focussed on humanitarian assistance and spiritual and moral upliftment of prison inmates, while there is a dearth of NGOs working on legal standards and rights of prisoners, or providing legal assistance.
- CHRI has been engaged in a study of the use of jail adalats as a mechanism to address overcrowding in prisons across a number of states. Jail Adalats are a form of fast-track justice delivery mechanism, devised by the district legal services authority, for under-trial prisoners accused of petty offences. It constitutes courts within prison premises, observing reduced procedure to expedite the cases of under-trial prisoners languishing in jail for petty offences, who are willing to plead guilty. Ostensibly it is a well-intentioned measure to provide quick relief from the travails of imprisonment and long-winded court processes, given the huge backlogs in all levels of Court. However, since it is almost always poor prisoners, who do not have access to decent lawyers that plead guilty, and subsequently end up being natural suspects for any crime in the locality, the practice has been severely criticised by rights activists, who see it as one more way in which the State makes the poor and marginalised pay for its own failure (the case-backlogs clogging up the justice system). In addition to critically appraising the mechanism, this report of March 2009, aims to catalyse a public debate about the efficacy, efficiency and (un) justness of jail adalats.
- CHRI published a compilation in March 2009, of the important judicial pronouncements (summarised) of the Supreme Court of India and some from the High Courts, on prisons and prisoners' rights. Decisions included in the compilation relate to prison conditions, grievance redressal mechanisms, legal aid, release of under-trial prisoners on bail, parole procedures for convicts, prison labour and wages, and children who stay in prison with their mothers. The compilation also includes important guidelines/letters by the NHRC on prisoner's rights.
- CHRI is working on the report of a study of Sub-jails in Maharashtra. Sub-jails are jointly governed by the Prisons, Police and Revenue Department. Due to the involvement of several departments, no one feels responsible for them, leading to the most pathetic conditions imaginable. The study examines the management, applicable rules, practices followed, and the condition of the prisoners in 40 of the 108 functioning sub-jails in the state.
- CHRI is working on the report of a study of the conditions and management of prisons in Karnataka, which involved field visits to 40 of the prisons in the state. Interventions on the basis of observations during the field visits resulted in a series of orders in March 2008 covering food, illegal supply of food from outside to prisoners – a source of corruption, provision of facilities for visitors, and the exhibition of information regarding visiting and interview rules and appropriate channels for complaint. These circulars have all referred explicitly to CHRI and have since seen positive implementation, as verified in our subsequent field visits.
- CHRI commenced a study of under-trial prisoners in the state of Orissa in March 2009. We have obtained permission from the prison department to conduct a spot study of under-trial prisoners in the state. The report of the study will contain recommendations for the state government and the subordinate judiciary on how to ensure the implementation of the existing law. It will also contain suggestions for the prison officials, SLSA, and the board of visitors on steps that could be taken to avoid unnecessary detention and overcrowding.

A key target group for the report would be the civil society in state which could play an important role in monitoring the implementation of the existing provisions.

Trainings and Consultations

Following the completion of the National Scoping Study, and before the report was published, a national roundtable was organised on 'Community Participation in Prisons – Lessons Learnt & the Way Forward' on 25 March 2008 in New Delhi. The purpose of the roundtable was to bring together people already working in prisons to understand our work and constraints, and help identify neglected areas in civil society participation in prisons.

A state level consultation 'Monitoring of Prisons' on 17 January 2009 for the District Legal Services Authority (DLSA) Secretaries (judicial officers) in collaboration with the State Legal Services Authority, to train them and address problems faced by them while effectively monitoring prison establishments.

Other interventions

CHRI's consultant based in the state of Andhra Pradesh worked with several branches of the State machinery that have specific duties in relation to the proper functioning of prisons: a) the State and District Legal Services Authorities (whom we dialogue with, train and provide materials); b) the Andhra Pradesh High Court which has since enforced its judicial oversight through orders in ongoing cases (for e.g. the HC issued an interim order to the Secretaries of DLSA to monitor prison conditions and report back to it, following which the District Legal Services Authority secretaries visit and monitor prisons regularly, and which in turn has seen a marked improvement among prison officers in maintaining prison conditions as per rules.); c) the State Human Rights Commission (SHRC accepted the recommendations of CHRI on the prison health system in AP and agreed to give comprehensive direction to the government on prison health care system. In an on-going case filed by CHRI before the Commission concerning the series of deaths in prisons, it had asked the government to file a detailed report); d) the prison department (Some suggestions of CHRI accepted by the prison department include - display boards in front of the prisons providing information on the process of visiting prisoners, which will greatly ameliorate the problems of out-station families trying to visit and returning disappointed for one or another rule they were not aware of; provide regular information to the concerned prisoners on the progress of their cases before the Supreme Court and the High Court by arranging for frequent access to High Court and Supreme Court websites. The suggestion to provide telephone facilities to the inmates of prisons is under serious consideration).

CHRI was invited to resource several trainings including a training course conducted at Jail Training and Research Institute sponsored by BPRD for senior prison officers and newly recruited superintendent of prisons in Bhopal, Madhya Pradesh.

CHRI helped the Department of Prisons, Government of Karnataka in organising a workshop for all senior prison officers on the Juvenile Justice Act. As a result, a system to prevent imprisonment of juveniles was evolved. This is still in the process of being implemented at each prison with the cooperation of Women and Child Welfare Department. A case of a juvenile being chained in Raichur prison was filed with the Karnataka State Human Rights Commission.

The CHRI publication **Community Participation in Prisons – A Civil Society Perspective** has been disseminated to prisons, government officials and civil society representatives across the country. It has received a very good response, prison officers have called in to appreciate and request more copies of the publication. They have acknowledged that the various interventions mentioned in the book have inspired them to introduce new avenues for the welfare of prisoners.

In March 2009, CHRI Consultant was invited to chair a session on *Effectiveness of Existing Prison Reform Strategies* in a National Seminar on Rehabilitation of Prisoners: Preventive, Reformatory Methods and Need for New Intervention. Other team members were also invited to participate in the seminar.

UNDP had requested our Consultant, along with two others, to write strategy papers on different aspects of legal empowerment and access to justice. These papers have been compiled and sent (at the close of Phase I of their 'Strengthening Access to Justice in India' project) to the Ministry of Justice, Government of India, for their consideration. The papers may form basis of the phase-II of the project in case the Government of India decides to collaborate with UNDP on the issue of common man's access to justice.

The first prisons' edition (March – April 2008) of Combat Law (HRLN) published four articles by CHRI Prison Reforms Consultants (Taking Prisoners off the eyes of law by R.K.Saxena ; Hungerstrikes in AP Jail, Lashes of hunger and Video linkage leaves prisoners in cold by Murali Karnam)

A publication of the Open Society Justice Initiative, Spring 2008 on Pre-trial Detention included a write-up on "Catalyst for Change: The effect of prison visits on pre-trial detention in India" by Mr. R. K. Saxena, Consultant, CHRI.

A commentary by Murali Karnam, Consultant, CHRI, on *Deaths in Prison in Andhra Pradesh* was published in Economic & Political Weekly in March 2009

VI. JUDICIAL EDUCATION AND INTERVENTIONS

In our proposal to Ford Foundation, we had said that we expect to continue to orient lower court judges on human rights in the administration of justice, and hope to produce permanent resources that could get incorporated into the curricula of judicial training institutes.

Trainings

Two workshops on 'human rights in the administration of justice' were conducted for fresh recruits (magistrates and junior civil judges) at the Andhra Judicial Academy, and were very well received.

An important learning of the judicial exchanges has been that despite all the available statutory safeguards and guidelines for a fair trial judges and magistrates all too often do not play their gatekeeper roles to ensure that suspects are afforded all due process and victims are not further victimised at the hands of the system. While the reasons for not following statutory safeguards are many, the path of reform advocacy requires that, to begin with, there be renewed efforts to make the available statutory safeguards visible again, put them at front and centre of judicial training and raise questions as to why they are not followed. This has been the endeavour of CHRI for the past several years since it embarked on judicial trainings.

Fair Trial Manual for Judges

In pursuance of its learning from the Judicial trainings, CHRI decided to produce a manual for trial court judges that would inform them of the national and international standards relating to fair trials. The manual would cover rules relating to arrest, detention, trial procedures, and sentencing. For each phase, the manual would describe the a) statutory law and standards, b) what is happening in practice, and c) what should the typical judicial response entail. For this project we collaborated with the Cornell Human Rights Clinic. The draft manual is ready and should be printed by the end of the next quarter. The larger objective of producing this manual is to ensure that it becomes part of the curriculum in all judicial academies.

Impleadment in a petition concerning Extrajudicial Killings in Andhra Pradesh

A direct outcome of the Judicial Colloquia has been the recognition of CHRI's potential of being a primary resource on comparative law. In February this year we were 'encouraged' by the Andhra Pradesh High Court to intervene in an important petition brought up originally by the Andhra Pradesh Civil Liberties Committee (APCLC) in the High Court of Andhra Pradesh on issues relating to police behaviour in "Encounters or Extrajudicial Killings". The court had before it; APCLC the original petitioners, PUCL, the State and the AP Police Officers Association. An amicus was

also appointed by the Court. In our written submissions we handed over researched case-law from the European Court of Human Rights, the Human Rights Committee as well as the Inter American Court. We also included the United Nations basic principles and guidelines on the issue of extrajudicial killings. A few countries like Northern Ireland, United Kingdom, South Africa, Canada and New South Wales also have independent police oversight bodies that take over investigations of all instances of deaths at the hands of police. We did a good compilation of the powers and functions of these bodies and submitted to the court as models that could be replicated. Our prayer was that the Court should not close the matter on making a decision but monitor future investigations into killings and at the very least not decide until the police have provided the court with empirical evidence of how they have proceeded in their internal inquiries and indicating what has happened to the persons involved in the deaths.

The case resulted in a landmark judgement that will impact so much of our work positively (if upheld by the Supreme Court, as the State of AP has gone on appeal to the SC). The judgement explicitly states that:

1. There shall be an FIR in respect of any encounter to be registered under 154crpc for culpable homicide. The Investigation will be carried out under 156 crpc;
2. Exercise of powers by IO and report under 173 crpc will only be an opinion to be considered by the magistrate. It will not be binding and the Magistrate is free to ignore the opinion and himself take up the matter;
3. A magisterial inquiry is not a substitute nor an alternate to an investigation;
4. In view of our answers 1-3 we declare that every offence shall be registered and person asking any information regards the same should be provided with the same. There will be no immunity for any officer in such cases.

Other interventions

- CHRI filed a writ of Habeas Corpus in the Delhi High Court to rescue a 13 year old boy taken as a hostage by the Gujarat police from his home in Delhi when they came looking for his father and could not find him. The boy was brought back after seven days in the custody of the Gujarat police. The High Court came down heavily on both the Delhi Police and the Gujarat police. While pleased with the outcome, we realise that it will need thousands of such interventions to make a dent on the way policing is done. However we hope to follow this case to ensure that the guilty officers are brought to book. This may be a long and tedious process but needed in the wake of our larger police reform programme.
- CHRI undertook trial observations during the trial proceedings of Dr. Binayak Sen, human rights activist. Dr. Sen, who has dedicated his life to the health care of tribal communities in the backward state of Chhattisgarh, was mysteriously arrested without a shred of tangible evidence, under the Chhattisgarh Special Public Security Act, for acting as a courier for Naxalite groups, and kept in prison since May 2007, denied bail until very recently, when finally the Supreme Court granted bail in May 2009. CHRI produced a report following each trial observation which highlights all that is going wrong with the trial; the nature of the evidence and the charges; the standards the practice; and the delays and the potential abuse of anti terror and security legislations.

VII. ACCESS TO INFORMATION

The stated overall goal for this programme is to advocate for the institutionalisation of a regime of transparency at all levels of Government in Commonwealth countries. The short term goals were to provide technical assistance to governments, assist civil society and increase information available in the public domain on right to information. We also had some specific short-term goals for India: to monitor the functioning of independent appellate bodies, to monitor compliance with the Right to Information Act, to develop expertise within civil society networks on all aspects of right to information, to encourage large CSO networks working on governance and social development issues to include RTI in their agenda and to publish and disseminate guidance notes on technical issues associated with the implementation of the access laws.

➤ Background

Only 14 (with Bangladesh being the last to join the group recently) of the 53 Commonwealth Countries have specific information access legislation. Access to Information is one of the core areas of focus of CHRI. Activities include extensive research and publications, engaging in dialogue with communities of influence, analysing draft Freedom of Information bills, creating alliances with other organisations to advocate for legislation and auditing implementation. Presently CHRI is engaged with over 20 countries across the Commonwealth, though we have critiqued all bills (government or civil society) we have known of coming out of any of the Commonwealth countries, and network with advocates in many of the countries.

The programme has kept up with its planned efforts on all fronts namely; training officers to implement the RTI Act; building capacity of large networked CSOs to spread awareness and use the transparency law for securing improved governance and accountability; publishing and disseminating pamphlets to promote the idea of RTI in the Pacific and South Asia (which have been transferred into the local languages with the help of local partners); publishing user guides in the regional languages in India (one of which stayed on the bestseller list for 15 weeks straight); resource workshops organised by governments and civil society to discuss RTI Bills or implementation issues and monitoring compliance with the law amongst duty-holders in India.

➤ Activities and Accomplishments

INDIA

Policy Advocacy

- **Jammu and Kashmir (J&K):** The newly elected State Government (assumed office in January 2009) has replaced the old access law with the *J&K Right to Information Act, 2009* (notified on 20 March 2009) which is closely patterned along the lines of the Central RTI Act. CHRI and its external collaborator Dr. Raja Muzaffar Bhat played a significant role in overcoming the mindset of resistance to enacting a strong access law in the State. CHRI has been working since 2005 with civil society organisations in J&K to strengthen the state law on access to information. The efforts have received widespread coverage in the State and national media through every twist and turn, of which there were many in the last couple of years, with the previous government's Amendments to the 2005 Act failing to bring it on par with the Central RTI Act. CHRI's focus has now shifted to various aspects to engage with in the initial stages of implementation – appointments of information commissioners, awareness building, consultations user guides.
- **Representation on the charging of additional fees under Section 7 (3) of the RTI Act:** Charging of additional fees has become a tool to subvert the very purpose of the Act by making information seeking costs prohibitive through including search wages and such, with the practice catching on. In order to put an end to this, CHRI had made a detailed written submission on the scope and ambit of the section 7(3) of the RTI Act which relates to the charging of additional fees. The Central Information Commission invited CHRI along with a couple of other civil society advocates to make a presentation of its argument before a full bench of the Central Information Commission. The Commission's view at that point seemed to echo with the submissions made by CHRI. However, the Commission subsequently went on to decide that the case be heard again by a larger bench since the issue is important, and invited select PSUs to file written submissions, completely excluding CSOs this time. The pressure on the Commission from a number of CSOs making submissions anyway seems to have induced the CIC to postpone the hearing on the case indefinitely.
- **Analysis of RTI Rules of High Courts in India:** CHRI has analysed the RTI rules of 16 High Courts and found most of them to be wanting, one way or the other. A presentation on the shortcomings of the HC RTI rules was made at the National Consultation on RTI held in Delhi in March. The team will collect and study the rules of the remaining 5 High Courts and publish a detailed analysis with recommendations for change. CHRI will use

this analysis to advocate with the respective Chief Justices to simplify their rules and bring them in line with the rules framed by the Central Government for public authorities under its control.

- **CHRI's submission before the Parliamentary Standing Committee:** The Standing Committee of Parliament of India on Personnel, Public Grievances, Law and Justice sought views from various government organisations, institutions, public undertakings and civil society organisations in the country regarding the implementation of the RTI Act. Even before they made public their invitation to citizens and groups to make submissions on this topic, the Committee invited us to make our presentation on the "use and misuse of the RTI Act." In our written submission we pointed out 23 areas that required improvement for the Act to be better implemented. In September we made an oral submission before the members of the Committee and responded to several queries raised by MPs. The Chairman requested us to come back with additional reference material in support of the points raised during the oral submission. The additional materials were submitted to the Committee a week later. We had circulated the text of our written recommendations to civil society organisations and advocates of transparency before submitting it to the Committee in order to avoid attracting charges of breach of privilege. The members of the committee noted that CHRI had made several practical suggestions that did not require any amendments to the RTI Act. It is hoped that some of these suggestions will find mention in the Committee's recommendations.

CHRI's submission to the Central Information Commission: The Central Information Commission (CIC) recently sought people's views in a matter relating to appeals and complaints cases pending before it, namely, whether elected representatives of the people such as Members of Parliament, Members of the Legislative Assembly and councillors are public authorities under the RTI Act and whether they can be obliged to disclose official information in their custody. In August we submitted a detailed analysis on the subject taking the stand that people's representatives are indeed covered by the definition of 'public authorities' provided in section 2(h) of the RTI Act. It also pointed to the practical difficulties that need to be overcome and the possible solutions if elected representatives of the people are to meaningfully perform their disclosure obligations under the RTI Act. The matter has not been decided yet by the CIC.

Monitoring Compliance

Audit of the information proactively disclosed by public authorities in Delhi: CHRI, along with a few other CSOs, was invited by the Directorate of Training, Union Territory Civil Services, Government of the National Capital Territory of Delhi (GNCT), to conduct an audit of the information proactively disclosed by public authorities in Delhi. CHRI audited the information disclosed by the Delhi Police and the Divisional Commissioner's Office under section 4(1) (b) of the RTI Act. The audit team made several recommendations to improve the quality of the proactive disclosure which are being studied by the Directorate. The audit team came across a wealth of information relating to the norms and regulations that inform the working of Delhi Police. During the coming year we intend to advocate with the Delhi Police for placing all this information on their website as this is a requirement under section 4(1) (b) of the RTI Act.

Appointed to a committee on implementation in Karnataka: In August, our external collaborator Mr. Y.G. Muralidhar was appointed as a member of the "committee for implementation of Right to Information Act" set up by the Karnataka State Legal Services Authority (the Authority) under the aegis of the Karnataka High Court to monitor the implementation of the RTI Act in all courts and district level legal services authorities. The implementation committee recommended that one lakh copies of CHRI's RTI User Guide in Kannada be printed on cheaper paper for distribution through the district legal services authorities at no cost to CHRI.

Audit of information proactively disclosed by institutions of food grain management and distribution in India: In collaboration with PRIA, the team has conducted an exercise of auditing the proactively disclosed information of various public authorities involved in implementing the public distribution system in the States of Assam, Gujarat, Karnataka, Madhya Pradesh and Nagaland with our local partners (in addition to eight states where PRIA did the audit). The report will make policy recommendations for improving transparency in food grain movement, and the public distribution network.

Compliance survey in Gujarat: CHRI has published the report of a survey it conducted in collaboration with Nagarik Adhikar Kendra, Kalol, Gujarat, of compliance with the RTI Act in Panchmahals district which has been chosen for intensive public education and officer training programmes under a UNDP supported project through the aegis of the DoPT, GOI. More than 100 offices with large scale public dealing or which receive large amounts of public funds for development works have been surveyed. The findings of the survey have been highlighted in the Indian Express (Ahmedabad) and Deccan Herald (Bangalore). CHRI and Nagarik Adhikar Kendra have begun disseminating the publications amongst government departments, public authorities and the Gujarat State Information Commission. The team is sharing the survey and ranking methodology with other RTI advocacy groups with a view to encouraging them to use them in their own context. Groups in Karnataka, Madhya Pradesh, Andhra Pradesh, West Bengal and Orissa, have shown interest in replicating this survey locally.

Compliance survey in Karnataka: Our external collaborator conducted an audit of the information proactively disclosed by 44 city municipal councils in Karnataka. The documents were collected with the help of the state-wide network of RTI activists nurtured by CHRI over the years. The audit revealed that in most cases the information was not disclosed in sufficient detail or was obsolete as it had not been updated after it was first compiled. A set of detailed recommendations for improving proactive disclosure were drawn up as an outcome of the study and sent to the State Information Commission and the Department of Personnel and Administrative Reforms for implementation. CHRI's network partners in Karnataka conducted a quick compliance survey targeting more than 250 public authorities that have large scale public dealing in 12 districts and found poor levels of compliance with proactive disclosure and accessibility of PIOs. The findings of the survey were released to the media and handed over to the State Government and the State Information Commission. The State Information Commission held a meeting of the heads of various departments to review steps taken for implementing the RTI Act.

Guidelines for better implementation of the RTI Act in the States: Another initiative recently launched by the team is the advocacy for issuing guidelines for better implementation of the RTI Act in the States. The team has forwarded to the State Governments summaries and copies of eleven office memoranda (OM) relating to various implementation issues brought out by the Department of Personnel and Training, Government of India. The team has written to all State Information Commissions and prominent CSOs and RTI advocates working in various states to press for the adoption and notification of the guidelines contained in the OMs in the local context.

Officer Trainings

Creation of resources for scaling up officer training: CHRI played a pivotal role in bringing together the Department of Personnel and Training (DoPT), Government of India, Centre for Good Governance (CGG), Hyderabad, YASHADA, Pune and the Institute of Secretariat Management, New Delhi to develop a CD-based electronic self-learning kit on the RTI Act. The content of the CD is being prepared. The team participated in two brain-storming sessions and has given comments on the draft content being developed by CGG. As the DoPT is a part of this exercise this self-learning kit has the potential to reach out to millions of public officials who have never been sensitised about the RTI act due to paucity of resources and trainers.

Trainings: We received several requests from public authorities and State governments to resource training workshops for their officers. Trainings were held for officers in Punjab, Uttar Pradesh and Delhi. Our external collaborator was regularly invited by the Chhattisgarh Academy of Administration to train PIOs, APIOs, and departmental appellate authorities on the RTI Act. Our external collaborator in Karnataka was invited by different government departments, public sector organisations including cooperative banks and local elected bodies as also the State Institute of Rural Development and the Secretariat Training Institute, Government of Karnataka to train officers / members for implementing the RTI Act. Our external collaborator in Chhattisgarh organised a state level workshop on RTI in collaboration with Chhattisgarh Information Commission and Chhattisgarh Citizens' Initiative at Raigarh to discuss the implementation of the RTI Act in the state. A detailed report highlighting the issues was submitted to the state government after the workshop. Several training workshops were conducted by our external collaborator in Madhya Pradesh as well. Case studies are being collected and will be circulated when we have all the details.

CHRI and the Chief Information Commissioner of India co-organised a meeting addressed by Mr. David Banisar, on new trends and challenges in Access to Information.

Developing new hubs in Jammu and Kashmir, Bihar

Encouraged by the outcomes of our strategy of creating local level capacity to advocate for and monitor the implementation of the RTI Act in the States of Madhya Pradesh, Karnataka and Chhattisgarh, the programme has added on Jammu and Kashmir (J&K) and Bihar for the creation of similar hubs during the next two years.

Civil Society Capacity Building

One of our strategies has been to develop capacities of other organisations, especially large-networked ones with a view to maximise regional and sector outreach, in order for them to work on RTI and to include it in their on-going activities. CHRI has been invited to resource workshops / trainings by Church's Auxiliary for Social Action-CASA (CHRI has an ongoing collaboration with this large CSO network); Transparency International – India; Consumer Unity & Trust Society- Centre for Consumer Action, Research and Training (CUTS-CART) based at Jaipur, Rajasthan (ongoing, encouraged by the realisation of the utility of RTI in their work); Legal Council for Human Rights (LCHR) at Guwahati, Assam; Providence Convent at Bangalore, Karnataka; JSS Law College, Mysore, Karnataka (workshop for 80 college principals, in which three Information Commissioners participated).

CHRI and its Karnataka partner CREAT held a day-long dialogue on the implementation-related difficulties. The State Information Commissioner participated in this civil society dialogue which was co-hosted by the National Law School University of India, a premier law school in the country. A set of sixteen recommendations to improve the implementation of the RTI act were drawn up and presented to the State Information Commissioner; action on these recommendations will be followed up. CHRI and our external collaborator organised a symposium on RTI and public service delivery in Karnataka, where network participants were familiarised with the budgetary and funds allocation processes under different schemes. They have started filing RTI applications to check whether funds are being spent as per norms in various districts.

CHRI has worked (ongoing) in collaboration with Janadesh in Madhubani district of Bihar building capacity of community level CSOs to understand and use RTI. Results of the collaboration have already begun to show with the network making use of the RTI Act to hold government officers accountable for the underdevelopment and lack of basic amenities in their villages.

Besides, several public education events were organised for different groups (e.g. consumer rights, literature discussion groups, law colleges) in Karnataka. RTI Kiosks were set up in Madhya Pradesh; a stall was set up (pamphlets were distributed, user guides sold and advice provided) at the Kolkata Book Fair with our partner All India Centre for Urban and Rural Development – AICURD, which attracted visits from eminent personalities.

The Director participated in a panel discussion organised by UNDP on 'Tackling Corruption, Transforming Lives'.

Out reach: publications, products and mass media

RTI User Guide: CHRI's publication, *Your Guide to using the Right to Information Act 2005*, has been translated into several major Indian languages. The Kannada version of the RTI User Guide which was published in 2007 in collaboration with a local book publisher and distributor has been on the chart of best sellers in Karnataka for several months. However this constitutes a fraction of the actual number of copies printed and distributed amongst CSOs and government circles at workshops and upon receiving requests. Due to a large demand for this publication, the second edition of the book is being printed this year. The book has been reported and reviewed in the major Kannada dailies published in that State.

The Bengali version of the User Guide is being distributed in West Bengal through our CSO partners. *Aajker Foriaad* a popular Bengali daily published in Agartala, Tripura has published the contents of the User Guide in a series of 17 articles. This is an outcome of the awareness building workshops conducted by CHRI in association with the Tripura Working Journalists Association since 2005. The Tripura State Information Commission had advised us to add to the Bengali version of the User Guide a small booklet based on the revised RTI Rules issued by the State Government. The Information Commission has recommended to the State Institute of Public Administration and Rural Development to pick up 1000 copies of this User Guide set for distribution throughout the State. The Manipuri version of the User Guide has been completed. The document is with the printer for designing and formatting. The Oriya version of the User Guide has also been published in collaboration with our partner, the Centre for Youth and Social Development (CYSO), Bhubaneswar. While CHRI picked up the cost of translation, CYSO has borne the cost of printing and distribution. This link up with both commercial and CSO distributors has increased the outreach of our publications manifold.

RTI Pamphlets: In addition to the English and Bengali pamphlets distributed at the Kolkata Book Fair, we also printed two RTI pamphlets in Urdu for dissemination in Uttar Pradesh and Delhi amongst the Urdu readership segments. These pamphlets are being distributed through *madrasas* in order to reach out to communities whom we do not connect with in our regular workshops. We have received feedback from the *madrasas* appreciating the usefulness of the pamphlets. CHRI is re-printing the RTI pamphlet for Uttarakhand in collaboration with SAMADHAN who has earlier partnered with CHRI's Access to Justice Programme.

Case Study: A success story from our network in Madhya Pradesh was published by Transparency International in its Global Corruption Report – 2008 as an instance of RTI's use to ensure that people's right to access public sources of water remains protected. This is an invaluable recognition for both CHRI and the MP Suchana Adhikar Abhiyan that have been collaborating to spread awareness about the RTI Act and promote its use to hold public authorities accountable for their actions.

Audio-visual slide: CHRI commissioned a 30-second audio-visual slide show highlighting the significance of RTI and the procedure of obtaining information. These slides were exhibited in more than 450 cinema halls in more than 200 towns in 9 Hindi speaking states. In this manner we could reach out to at least 500 cine-goers per day by spending less than 12 paise per cine-goer. We are receiving requests for pamphlets and user guides as our address and post box number were advertised on these slides. The campaign is useful in spreading awareness on the basics of RTI. We are encouraged by NDTV's (New Delhi Television) [India's one of the premier news channels] coverage of the campaign. The animation spot was again aired in December in several cinema halls to dovetail with the road show on police reforms and RTI in Chhattisgarh.

RTI Calendar–2009: Encouraged by the success of the 2008 calendar, CHRI printed a calendar on RTI for 2009 based on the stories of successful use of RTI laws for the protection of human rights. These stories have already been printed in our publication "Our Rights, Our Information" published last year. We disseminated this calendar widely amongst Information Commissions, public authorities and civil society organisations in India and other South Asian countries.

Visibility in the mass media: Several articles were published by staff and external collaborators. For instance, an article written by the Director and the Coordinator of the programme urging withdrawal of a new restrictive rule introduced by the Karnataka Government was published in July. Our external collaborator in Karnataka regularly contributes articles on various RTI-related themes in the popular English and Kannada dailies. The Coordinator was interviewed by Radio Netherlands on the occasion of Right to Know Day on 28th September about the effectiveness of the RTI Act in India. He also participated as a subject expert in a *Janane ka Haq* 30-minute programme dedicated to RTI stories telecast by DD News. Doordarshan telecast recordings of eight case studies on the use of RTI by citizens and CSOs in Chhattisgarh in its programme - *Janane Ka Haq*. Our external collaborator helped the TV channel to identify stories for the recording. He was also invited on two occasions to answer viewers' queries regarding the problems they were having with using the RTI Act.

Other initiatives

National level Conference/Consultation: CHRI collaborated with Human Rights Law Network (HRLN), National Campaign for Peoples Right to Information (NCPRI), Mazdoor Kisan Shakti Sangathan (MKSS), Parivartan, Public Cause Research Foundation (PCRF) and Kabir to organise a two-day national RTI consultation on 21-22 March 2009. CHRI's external collaborators and local partners and volunteers from Madhya Pradesh, Bihar and Gujarat attended this consultation. CHRI made presentations in three sessions namely, problems in implementation of the RTI Act; RTI Rules framed by different public authorities including High Courts and organisations partially excluded under section 24 of the RTI Act. The consultation gave CHRI an opportunity to share its research on the implementation of the RTI Act and also the experiences of its network members who have used RTI in a variety of cases to unearth corruption and poor governance.

Proactive Disclosure of Delhi Development Authority (DDA): Last year CHRI was in serious danger, as were several hundreds of non-governmental organisations in Delhi, of being asked to vacate its premises in view of the sealing drive in residential areas launched by DDA and MCD under orders from the Supreme Court. DDA had not placed its constituting Act and subordinate legislation on its website, without which no citizen could challenge the legality of DDA's actions. An RTI application was made to DDA seeking a copy of the gazette notification of the Delhi Development Act and all Rules made under it. DDA dithered over the issue and the matter was subsequently taken to the Central Information Commission. The appellant from CHRI brought to the notice of the Commission DDA's non-compliance with a 2006 ruling of the Commission in an earlier case he had been party to, that DDA should place all its laws and rules on the website. The Commission ordered that all rules must be uploaded on the DDA website within six weeks as part of its proactive disclosure obligations; the orders haven't been complied with yet again. We will bring this fact of repeated non-compliance to the attention of the Commission and seek stringent orders.

Using RTI in Access to Justice work: As part of a conscious effort to build synergy between the two main areas of our work, the ATI programme has assisted the Prison Reforms programme to file information requests on detention-related matters. The ATI team has also filed an information request for obtaining a copy of a report on the efficacy of narco-analysis prepared by NIMHANS Bangalore. This matter has gone into the complaint stage before the Central Information Commission.

➤ Future

CHRI will continue to monitor compliance of public authorities in collaboration with our partners in the hub states. Promoting implementation of the new RTI Act in J&K will be our major focus during the coming months. We plan to hold an implementation conference in J&K inviting representatives from government, civil society, the media and officer training institutes. Meanwhile our external collaborator has already started organising public education events and meetings on the new RTI Act in colleges and universities. We will intervene in the rule making and Information Commissioner-selection processes demanding that public consultation inform such activities. Later on we will publish a user guide in Urdu and English. We will also publish pamphlets in Urdu, Kashmiri, Hindi and possibly Ladakhi for dissemination at the community level in rural and urban areas.

CHRI will commission a guidance note on the topic 'fiduciary relationship' in the context of the central RTI Act. We will disseminate this note amongst public authorities and Information Commissions in order to educate them about the misuse of this provision for refusing access to all kinds of information stamped 'confidential'.

We are in the process of designing and printing posters on RTI for use in the states where we are working intensively. These posters will link issue of public interest such as health, public distribution system and law enforcement to RTI and educate people on how to make use of the RTI Act to obtain information on such matters.

We hope to do the audit of information proactively disclosed by institutions of food grain management and distribution in Delhi and make policy recommendations for improving transparency in food grain movement, and distribution mechanisms.

The newly appointed State Information Commissioner of Orissa has requested CHRI to take up the task of documenting RTI success stories which were generated as part of the district-level campaign launched by CYSD last year. We have also been asked to study the possibility of setting up an RTI clinic in one of the districts in order to help people use the RTI Act in a strategic manner when they run into difficulties with the criminal justice system. The modalities of setting up and running this clinic will be worked out in the course of discussions with the State Information Commissioner and CYSD. This exercise is an outcome of our efforts to link up our ATJ and ATI work in order to bring about improvements in the criminal justice system.

SOUTH ASIA

Our RTI work has deepened and become more diversified in South Asia in recent months thanks to the support provided by the Friedrich Naumann Foundation, the Open Society Institute and the World Bank Institute.

➤ Policy Advocacy

Bangladesh: The efforts of civil society organisations to secure an information access law in Bangladesh paid off when The Right to Information Bill was passed by the Parliament of Bangladesh on 29 March 2009 making it the 14th commonwealth country to have a RTI Act. CHRI seeded the ideas of a campaign for an access law in Bangladesh in 2004 when it first interacted with Manusher Jonno Foundation (MJF) a civil society initiative cum funding agency that promotes good governance and human rights in Bangladesh. Since then we have closely interacted with MJF and advised them at various stages of the campaign on technical issues and conducted capacity building workshops for advocating the adoption of access legislation. We provided critiques and recommendations for improving the draft legislation drawn up by the Law Commission, the civil society coalition and the government appointed drafting committee at various stages of the campaign. We provided technical advice to MJF during the drafting stage this year on several occasions. We are in the process of providing specific recommendations for developing detailed rules for implementing the RTI law in Bangladesh.

MJF has sought our assistance to develop training curricula for civil society RTI trainers, to build capacity of officers to implement the RTI Act and also develop User Guides for spreading awareness about this new law. Our Coordinator will be visiting Dhaka in April to discuss these activities further.

The World Bank Institute at Washington DC has commissioned our team member to prepare a policy guidance note on the implementation of the RTI Act in Bangladesh. This policy note will be used by Bank officials during their negotiations with Government representatives regards embedding the transparency regime at all levels of the administration.

Pakistan: Pakistan saw some movement moving towards reforming its FOI Ordinance of 2002. The Minister for Information was expected to pilot a Bill to replace the Ordinance soon. Our partners in Pakistan sent a request for analysis of the draft FOI Bill. The team sent a set of 27 preliminary recommendations for improving the draft Bill along with specific replies to some of the technical queries raised by our partners. Our recommendations were discussed at a public consultation where participants agreed to push for improvement in the draft Bill before it is passed by the National Assembly. Our recommendations were also discussed at the launch of our publication *Our Rights, Our Information* held in Islamabad in July 2008.

Sri Lanka: We held a civil society capacity building workshop at Kalutara in Colombo in collaboration with the Institute for Democracy and Leadership (IDL) a local partner organisation with the Friedrich Naumann Foundation – who support our RTI promotional activities in South Asia. Resources persons from the Centre for Policy Alternatives (CPA) and Transparency International Sri Lanka (TI-SL) held special sessions at this workshop. IDL has

decided to incorporate a half-day session on RTI in their regular workshops using the resource materials developed by CHRI.

As part of our civil society capacity building activities in South Asia we organised a short internship visit to India for representatives from CPA, TI-SL, IDL from Sri Lanka and Transparency International- Bangladesh. We organised meetings for the visitors with organisations and activists at the forefront of the RTI movement in India. Meetings were also organised with: Information Commissioners of the Central Information Commission and the Rajasthan State Information Commission; senior faculty members of training institutions that have worked with CHRI to develop training programmes for duty bearers; public authorities whom CHRI advised during the initial stages of implementation; and media representatives reporting on RTI related stories in print and electronic form. The feedback received from the participants has been positive and they have taken back new ideas for strengthening and strategising the work of the RTI campaigns that they have been involved with.

In the current context where right to information legislation does not seem probable in the near future, our efforts will focus on keeping the interest in Right to Information alive in civil society through organising workshops, conducting legislative audits to cull out information access provisions in existing legislation and to encourage civil society to make use of these provisions.

Nepal: Although Nepal is not a Commonwealth country it has begun to appear on our radar in several ways in recent months. We received a request from the World Bank India country office to assist the Nepali Information Commission to develop ideas for taking meaningful steps towards implementing the access legislation that has come into force in 2007. We are working together with the Commission to not only build their capacity but also undertake public education campaigns and help public authorities put in place systems necessary for giving effect to the access law.

SAARC: At the Annual RTI Convention organised by India's Central Information Commission in Delhi, in November 2008, CHRI had proposed that the Commission take up a proactive role in persuading the Government of India to bring transparency in administration high up on the governance agenda of South Asian Association for Regional Cooperation (SAARC). The Commission warmly welcomed the idea. CHRI will work with the Commission and SAHR to push for the adoption of standards of transparency at all levels of government in the SAARC region.

➤ Research and Publications

In 2008 South Asians for Human Rights (SAHR) requested us to undertake research on standards of transparency in parliamentary procedures in South Asian countries. We have completed the data collection and analysis for India, US, Pakistan, Sri Lanka, Nepal and Bangladesh. These countries have been chosen to show the contrast in openness of parliamentary procedures. The study has been completed and a paper on the study will be presented at a workshop being organised by SAHR at Dhaka in April 2009. We have contributed to the preparation of a concept note on the right to transparent governance that will be circulated at this conference.

The World Bank Institute has added our publication "Our Rights, Our Information" to its Outreach Publications list published on its website. The fact that WBI elected to do this without any canvassing from CHRI may be taken as an indicator of the good quality and usefulness of our publications. The Centre for Peace and Development Initiatives- one of our partners in Pakistan has agreed to adapt, translate into Urdu and disseminate the publication in Pakistan. It is also being translated into Bengali by a Bangladeshi partner, Citizens' Campaign for the Right to Information (CCRTI). Both translations are underway and should be published soon.

We are collaborating with Transparency International-Bangladesh to translate the revised edition of our publication- "Implementing Access to Information: A Practical Guide for Operationalising Access to Information Laws" into Bengali for dissemination in Bangladesh within government and civil society circles. As that country is preparing to implement the RTI law this book will be a timely addition to the existing pool of knowledge on RTI.

CHRI's pamphlet on the value and significance of RTI which was translated in Sinhala, Tamil and Urdu has been disseminated in Sri Lanka and Pakistan by our partners through workshops, seminars and public education events. The Bangla version of the basic RTI pamphlet has been printed and disseminated by our partner Manusher Jonno Foundation in Bangladesh. CHRI's case book – "Our Rights, Our Information," a compilation of stories on the use of RTI for the protection of human rights, unearthing corruption and fixing accountability of public bodies – was launched in Islamabad, Pakistan in July and disseminated across South Asia and the Pacific.

We have entered into partnerships with CPA and TI-SL to publish Sinhala and Tamil adaptations of select chapters of our flagship publication on RTI – *Open Sesame* for dissemination within policymaking and civil society circles. These will be used as the vehicles for educating CSOs working at the community level in rural and urban areas and encouraging them to join the campaign for demanding access legislation.

CHRI was invited to resource a workshop in March 2008 for civil society advocates of South Asia organised by the Public Affairs Centre (PAC), Bangalore designed primarily for participants to share their experience of working on RTI in their own countries. CHRI was invited to resource a workshop for civil society advocates of Pakistan organised by the World Bank Institute, Islamabad in June 2008.

New networks formed

The South Asian Right to Information Advocates Network (SARTIAN) has been receiving regular postings from our partners in Pakistan and Bangladesh apart from updates on RTI related issues. During the advocacy efforts on the Bangladesh FOI Bill SARTIAN served as a platform for dialogue between members and for updates on the public consultation of the FOI Draft Bill. The total number of members is 48. CHRI's staff's relocation to Suva, Fiji helped us develop contacts with more civil society organisations, media persons working in the region valuable to expand our work in the Pacific.

➤ Future activities and challenges

Our interventions in South Asia in 2009 will increase and intensify as we have received assured support for activities from the Open Society Justice Initiative, Friedrich Naumann Foundation, and the World Bank Institute. In addition to the follow up of regular programmatic activities which have been described above we aim to open up a new front of advocacy targeting SAARC. This is being done with the aim of bringing the agenda of developing common standards for openness and accountability to be adopted by all member countries. This is uncharted territory for CHRI and we hope to do our research and develop a competent strategy for achieving our objectives. Developing contacts has been an area of difficulty as its Secretariat is based in a non-Commonwealth country. Our Coordinator will use the opportunity of the World Bank mission visit to Kathmandu to develop contacts with officials in the Secretariat so that CHRI may send submissions and make interventions on the topic of RTI during the ministerial and summit meetings.

Africa

No new country in Africa has adopted access legislation during the reporting period, but a handful of them are on the brink of doing so. While we continue to work with partners towards securing access legislation we are in the process of equipping them with new tools for deepening their campaigns and testing out information disclosure provisions contained in existing laws.

➤ Advocacy Research and Capacity Building

Ghana: In January 2009, CHRI organised a two-day *People's Access to Information: West Africa Regional Workshop* in Accra, Ghana. CHRI presented the findings of the legislative audit that was commissioned last year in Ghana to study information access provisions contained in laws, rules and regulations relating to the criminal justice system, parliamentary procedures, declaration of assets and liabilities by political leaders and bureaucrats and local

government mechanisms in urban and rural areas. The workshop was attended by more than 30 RTI advocates and campaign leaders from Ghana, Sierra Leone, Liberia, Nigeria and the Gambia.

The presentation on the study initiated deep discussion about the need to test similar provisions in other laws and in other West African countries. The Nigerian representative informed the group that a similar study covering laws related to the development sector was being undertaken in the participating countries. It may be recollected here that CHRI had seeded this idea of undertaking legislative audits during a presentation made at the East Africa Regional Conference on RTI organised by HUIRNET-Uganda last year.

Participants at the workshop presented papers on the state of the RTI campaign in their respective countries which led to an intensive discussion on the lessons learnt and the need for deepening the campaigns by moving from elite circles to the grass roots level. CHRI presented the Indian experience of campaigning for implementing the RTI Act. An exercise in drafting RTI applications was held as part of the workshop's capacity building efforts. Participants and the representative of the funder were appreciative of the value added by this workshop. The funder representative assured all participants resource support for their RTI campaigns through their respective offices. He also assured continued support for CHRI's work in Africa. These positive outcomes ensured that the workshop had been a productive exercise for all participants in addition to the experience and knowledge-sharing sessions.

In June 2008, CHRI's Africa office organised a two-day capacity building workshop for leading CSOs working in various fields. The team in Delhi assisted with the design of the workshop, prepared resource materials for distribution, made presentations and chaired some of the sessions. A detailed critique of the Draft RTI Bill along with recommendations for strengthening the Bill to international best practice standards have been submitted jointly by the Delhi team, the Africa Office team and the Ghana RTI Coalition.

Uganda: In September 2008, CHRI organised an internship visit from our partner Human Rights Network - Uganda (HURINET), which coincided with the visit of interns from South Asia, and included meetings with various people associated with the RTI movement in India. We have also formalised a long term partnership with HURINET to build their capacity to become a local resource organisation on RTI in order to cater to the requirements of both demand and supply segments of the information chain.

Tanzania: We have been working with the RTI coalition in Tanzania since 2006 helping them develop an access law that incorporates international best practice standards. We had an opportunity to interact with them when we resourced the East Africa Regional Freedom of Information Conference organised in Kampala from April 21 - 23, 2008. At a sensitisation workshop organised by the Embassy of Sweden in December 2008 for MPs in Tanzania, CHRI was invited, on the recommendation of our local partners Media Council of Tanzania, to make a presentation on the RTI movement in India and the implementation experience.

➤ **Publications**

CHRI was invited to contribute seminal articles on openness in governance to the e-magazine published by ActionAid International. The team has written well researched articles on topics such as – openness in the legislative, executive and judicial spheres of the State and in local government bodies; resistances to and opportunities for entrenching transparent governance and tips to CSOs for lobbying policymakers to adopt access legislation. This newsletter is circulated within the ActionAid network in more than 30 countries spread over Asia, Africa and Latin America. We hope to generate interest of their partners to take up RTI campaigns in the countries that do not have access legislation.

➤ **Future activities and challenges**

We are keen to build on our work in Africa to deepen and expand our reach in collaboration with our Accra office. The quantum of funding will have a bearing on our ability to reach and impact, though we have some positive indications for future support.

Europe, Northern America and the Caribbean

We have been active in promoting RTI in these parts of the Commonwealth despite not having project funding. Email and the electronic media has been the primary means through which we have engaged in the process of dialogue with governments and civil society. We have participated in the consultation process surrounding the review of Canada's access legislation three decades after its enactment. Barbados in the Caribbean has put up its draft RTI legislation for public consultation in which we have participated. None of these processes have been completed yet leading to the enactment of new laws. We are in touch with local partners through email and continue to monitor the developments through media scan.

➤ Policy Advocacy

Cayman Islands: Following the technical assistance provided to the Cayman Islands Government, the Cayman Islands Government invited CHRI to resource a Freedom of Information Retreat in July 2008 to sensitise Principal Officers, Ministers and Information Managers. Our team member made several contributions to the discussion based on our experience of the implementation of the RTI Act in India.

Cook Islands: In the Pacific, CHRI submitted a joint critique of the Cook Islands draft Official Information Bill alongside Pacific Centre for Public Integrity (PCPI) and UNDP.

Canada: In response to an open invitation posted on the website of the Office of the Information Commissioner of Canada we reviewed Canada's *Access to Information Act* (1982) and submitted concrete recommendations for modernising the Act in light of the experience gathered from other Commonwealth countries. Our submission has been posted on the website of the Office of the Information Commissioner for comments from other stakeholders.

Malta: CHRI has been closely monitoring the development of RTI legislation in Malta. The Government of Malta tabled the Bill entitled the Freedom of Information Act 2008 in Parliament after holding two rounds of public consultation based on a white paper. CHRI submitted a detailed analysis of the 2007 draft Bill, and made several recommendations for improvement. This was acknowledged in the second version of the consultation paper released in July 2007 under which, for instance, the definition of "document" was expanded to include in the list of examples electronic data, images, scale models and other visual representations, and audio or video recordings, and section 9, concerning fees, was significantly modified in accordance with our suggestions. The Freedom of Information Bill went through two readings and was enacted by Parliament in December 2008.

With a view to replicating in Malta its programme of assisting governments with the implementation of RTI laws CHRI sought resource support from the Commonwealth Foundation. Under the proposed project CHRI expects to bring to Malta its extensive knowledge base and expertise in assisting governments with the drafting of Rules and regulations and the implementation of the RTI Act. Simultaneously, CHRI will use its experience of training CSOs to build capacity of civil society actors to advocate for effective implementation of the transparency law and spread awareness about this law at the community level. If and when approved, this project will be rolled out of the London office with guidance and support from the Delhi office.

Barbados: CHRI submitted to the Government of Barbados several practical recommendations on its draft Bill for bringing it up to internationally agreed standards. CHRI shared with other NGOs in Barbados, including CARITEL and the Barbados Association of NGOs (BANGO), its recommendations for improving the draft legislation for Barbados. Unfortunately, the Bill is yet to become law and CHRI has been in communication with the Barbados Association of NGOs (BANGO), regarding the next steps that need to be taken, including possible public awareness campaigns, and sending an outline of CHRI's recommendations to Members of Parliament.

Bermuda: Our critique of the Barbados Draft Freedom of Information Act 2008 has found us friends in Bermuda, which has been waiting for a promised freedom of information bill for a long time. An article we had published in *Caribbean Net News* on the Barbados draft FOI Act prompted the response in an article in *Vexed Bermoothes*

(<http://www.vexedbermoother.com/bermuda-chri-barbados-pati/>), an online publication based in Bermuda, which says “Several [Caribbean countries] have drawn upon the expertise of the Commonwealth Human Rights Initiative in drafting their laws...If Bermuda is serious about forming a public access to information law, it must be a bipartisan and transparent effort, and we should enlist the assistance of external experts in the field such as CHRI and Article XIX”.

➤ **Resourcing RTI workshops**

CHRI conducted a workshop on empowering civil society through right to information at the four-day CIVICUS World Assembly held in Glasgow, UK in June.

➤ **Publications**

Bermuda: We learnt of the conclusions of United Kingdom Parliament’s Select Committee on Foreign Affairs’ contained in its Seventh Report released in June 2008, that “all Overseas Territories which have not yet done so to introduce freedom of information legislation”. At about the same time, we also learnt of a media campaign entitled ‘A Right to Know: Giving People Power Campaign’, having come across a number of articles in the *Royal Gazette* online news publication on the proposed access legislation in Bermuda. We have published several articles in the *Royal Gazette* on the utility of access legislation in Bermuda. We have recently, learnt that the Office of the Attorney General of Bermuda is preparing a draft access Bill for submission to Parliament. The *Royal Gazette* has promised us a copy of the Government ‘Green Paper’ when it is disseminated publicly, so that we may work with them on preparing submissions. We hope to work for the promotion of RTI in all Overseas Territories of Commonwealth countries that have autonomous governance structures.

➤ **Future activities and challenges**

We will continue to promote RTI in Commonwealth Europe and the Caribbean. However resource constraints are a major dampener to our efforts as we are unable to travel to interact with civil society and governments which is a necessary element of any hands on advocacy intervention.

The Pacific

The project for promoting people’s right to information in Commonwealth Pacific Island Countries supported by NZAID, has come to a close on 31 March 2009. Claire Cronin, responsible for completing the activities under this project has been based in the office of the Regional Rights Resource Team in Suva, Fiji since last year. The last four months have been hectic in terms of activities geared towards building relationships with governments, civil society and the media and spreading awareness about RTI and the need for having access laws or disclosure policies in these Island countries. We continue to work closely with the Pacific Centre for Public Integrity (PCPI), the Pacific Regional Rights Resources Team and the local UNDP office to synergise each other’s efforts to promote transparency regimes in this region.

➤ **Scoping visits and workshops**

Our team member visited Vanuatu, the Solomon Islands and Nauru late last year in order to prepare for the country focused workshops that were promised under the project. She interacted with government and civil society representatives to understand the extent of openness in government and information-sharing with people on development and governance-related issues.

Cook Islands: The Cook Islands, an overseas territory of New Zealand became the first Commonwealth Pacific Island since the 1980s to enact an RTI law. CHRI had participated in the consultation process around the draft legislation even though the government did not put in a serious effort to collect people’s views on its provisions. However, the Office of the Ombudsman, which has been tasked with oversight of this law, has a dedicated team

that is committed to ensuring effective implementation in a manner that is responsive to the unique needs of the Cook Islands people.

The Ombudsman of the Cook Islands had requested CHRI to assist in the development of a training schedule regarding the implementation of the Official Information Act, to commence in early 2009. CHRI helped design the training schedule and Claire travelled to the Cook Islands for the week 23rd – 27th March along with the Executive Director of PCPI. They resourced three district council consultations in Rarotonga, gave a presentation on the access law to the Red Cross and NGOs from the Outer Islands Communities. They also provided training to NGOs on the new law at a day-long capacity-building workshop. Later they helped to facilitate a discussion session between heads of Ministries at the Cook Islands media. CHRI were twice interviewed in the Cook Islands News – and the local television channel receiving prime coverage.

In Nauru and the Solomon Islands, CHRI collaborated with UNDP, the Pacific Islands Forum Secretariat (PIFS), PARBICA, and the Regional Rights Resource Team to conduct two advocacy workshops on RTI. As a result of the in-depth discussions held at the workshop in Nauru, the government agreed to consider amending the proposed constitutional provision that protects Cabinet information from disclosure to include a harm test. In the Solomon Islands workshop the Deputy Prime Minister promised to come up with a draft RTI Bill by the end of 2009.

In Vanuatu, CHRI and PCPI conducted a series of stakeholder meetings with key government officials. Claire Cronin, Sohini Paul and Angie Heffernan worked alongside the Media Association of Vanuatu (MAV) and Transparency International-Vanuatu, giving a presentation to 20 MPs, in Parliament, on the value and significance of RTI legislation. A stakeholders meeting was held to create a steering committee on FOI for Vanuatu. The members of the steering committee are being finalised by MAV.

These workshops and meetings have helped to increase the visibility of RTI as being a topic central to governance and development, impressed governments to promise drafting of appropriate laws and catalysed civil society interest in campaigning for an effective transparency regime.

➤ **Research and Publications**

Ma'a Fafine mo e Famili Tonga, one of our partners in Tonga has worked with CHRI to produce a Tongan version of our basic RTI pamphlet disseminated in the Pacific last year. This pamphlet is being printed and will be disseminated by our partner next month. Our colleague working in the Pacific published an article in PACNEWS (printed by Pacific Island News Association) on the occasion of anti-corruption day in Papua New Guinea.

The team is currently working on a status report on access to information in Pacific Island countries which is a deliverable under this project. The report will identify existing information access mechanisms and bottle necks to information flows and make recommendations for improving people's access to governance and development-related information. We developed questionnaires on the subject of access to information and circulated them widely within government and civil society circles. Responses have trickled in. Another focus of the report is to track in-country interest, particularly with government departments, civil society and the media, and assess the potential for a formal access to information regime, noting the obstacles to the establishment of RTI laws. The team hopes to submit this report along with a project completion report by the end of April.

➤ **Future activities and challenges**

The NZAID project has done reasonably well despite the many difficulties that it has been through due to visa problems and inflexible response of the funder in the last few months. With a change in Government priorities in NZAID are also shifting from a governance focus to development focus. This is a new area where CHRI lacks specialisation. The momentum produced by the back to back workshops and visits held under the project needs to be sustained if credible progress is to be made towards adoption of RTI laws in these countries. The funding situation is not likely to become clear until the end of the year. CHRI is being invited to a regional workshop on RTI in Palau

in June this year but cannot participate due to lack of travel funds. The main challenge would be to work out how best to overcome resource constraints to continue work in the Pacific.

VIII. HUMAN RIGHTS ADVOCACY

The stated goals of the programme in the Commonwealth are to advocate around police reforms, human rights defenders and impunity with commonwealth agencies, to highlight human rights situations and provide a platform for human rights in the Commonwealth during the CHOGM 2009, and to assist Commonwealth Secretariat in its efforts to implement the Commonwealth Model National Plan of Action for Human Rights. At the UNHRC, the programme aimed at accountability for Commonwealth members of the UNHRC, encourage cooperation among Commonwealth members, cross-regional initiatives to strengthen the UNHRC and train CSOs on UNHRC and UPR.

In the United Nations

CHRI has been an active member of the Human Rights Council Network (HRCNet), an informal, cross-regional network of CSOs committed to the strengthening of the Human Rights Council as a more effective body to address human rights violations, and to protect and promote human rights worldwide. HRCNet recognises the critical need to enhance the voice of “southern” NGOs within the HRC to demonstrate that concerns over human rights abuses are legitimate and universal, and that “Southern Solidarity” should not block the Council from addressing them. NGO voices are also needed to address the lack of commitment and accountability of states which are reluctant to address country situations which implicate their allies, reinforcing the idea that western states apply double standards when engaging on human rights issues. It is important to address the legitimate tensions which arise from the North - South divide and the need for Western nations to engage openly with Southern based states in order to create a healthier climate for the work of the HRC. CHRI participated in the annual strategy meeting for a collective of NGOs working on the UNHRC in New York, and in the second strategy meeting on civil society participation in the UN Human Rights Council, organised by Conectas and International Service for Human Rights, in Sao Paulo, Brazil. CHRI also resourced and participated at the VIII International Human Rights Colloquium in Sao Paulo.

Though CHRI could not afford a continued presence in Geneva, staff made two trips to the UN Human Rights Council in Geneva – the first to train with other human rights defenders in advocacy at the UN with the International Service for Human Rights (ISHR), and the second to participate in the advocacy around and observe the first session of the UPR, including the review of India and the UK. CHRI presented at a Commonwealth session at the UN Human Rights Council during March 2008 and whilst doing so received a commendation from the Permanent Representative for the UK for the positive initiatives CHRI has been advocating for civil society engagement in the UPR Process. Earlier it organised two country-consultations in UK and Ghana (worked collaboratively with CHRI's Accra Office), for ensuring civil society consultation at the country level ahead of the UPR, a new network was established from these consultations. CHRI is bringing out a second updated edition of the report *'Easier Said than Done'* on the performances of the Commonwealth members of the UN Human Rights Council (the first edition of this one of its kind study was very well received encouraging us to bring out a second updated edition)), which is to be used as an advocacy tool for our newly established networks as a result of our work with the Human Rights Council.

CHRI's expertise on the UNHRC and its mechanisms, especially the UPR was recognised more widely and brought us an invite to resource the Commonwealth Secretariat's Caribbean Regional Seminar on the Universal Periodic Review (UPR) in Barbados.

CHRI's Director was invited to participate in a civil society meeting that was convened when the new UN High Commissioner for Human Rights, Navi Pillay was in New Delhi in March 2009. It was extremely heartening that she took all the concerns expressed at the meeting on board and incorporated them in her speech at the National Human Rights Commission the next day.

In the Commonwealth

CHRI continued to engage with the Commonwealth at every possible opportunity. We continued to send out weekly e-mails, including the weekly news update and weekly analysis of Commonwealth situations to the Commonwealth Human Rights Network and the Human Rights Unit of the Commonwealth Secretariat in time for their Monday meetings; made submissions to CMAG in respect to the situation in Fiji and Sri Lanka's non-inclusion on the CMAG Agenda; was invited to present at the Commonwealth Civil Society Meeting on Rwanda's bid for membership in Kigali, Rwanda; released a Report on Rwanda to the Human Rights Unit of the Commonwealth Secretariat (this report has in turn led to the development of a fact-finding mission to Rwanda, with Prof. Yash Ghai, internationally recognised expert based in Nairobi, and member, CHRI Advisory Commission); was invited twice to speak at the Commonwealth Secretariat Asia Youth Programme Regional Workshop in Chandigarh, India; participated in the Commonwealth Youth Programme "Joint-Action/Partnership" talks in Delhi

Mr. Kamalesh Sharma, then Secretary General designate (has now taken over as Secretary General) of the Commonwealth visited CHRI's office in New Delhi and met with the Director.

Human Rights Defenders Forum and Other Activities

CHRI was invited to speak at the Third Regional Human Rights Defenders Forum in Bangkok, Thailand; invited to participate in the India People's Tribunal on Torture; participated in the India ICC campaign in Jaipur, Rajasthan; invited to begin engaging collaboratively with Peoples Watch Tamil Nadu, on trainings for Indian Human Rights Defenders; was invited to a Geneva training on quantitative data collection for human rights violations; participated in a Training and Strategy Seminar on Instruments of Corporate Accountability, organised by FIDH and Kenya Human Rights Commission.

CHRI's Director participated in an expert conference to mark the 15th anniversary of the World Conference on Human Rights at Vienna, Austria.

CHRI received an African delegation from UNDP, a delegation of Irish Parliamentarians, and a delegation of women lawyers from Tajikistan and Afghanistan (CHRI facilitated their meetings with a number of organisations in Delhi and Jaipur). Among the many visitors to CHRI, who met and interacted with staff were Prof. Yash Ghai, distinguished scholar and member of our International Advisory Commission, Mr. I. A. Rehman, Human Rights Commission of Pakistan; Friedrich-Naumann-Stiftung für die Freiheit's future Head of Asia Department, Dr. Christian Taaks alongwith Ms. Katrin Bannach; Dr. Fred Rooney, Project Leader, Community Legal Resource Network, School of Law, City University of New York (CUNY); Dr. K. S. Subramanyam, expert on policing, author of *Political violence and the Police in India*.

New networks formed

In the period under review, CHRI:

- Has consolidated its membership within the Human Rights Council Network of international organisations working with/on the HRC and UPR.
- Has begun the development of new country-based civil society networks for our work on the HRC – collectively referred to as the "Global South HRC Net".
- Has begun work on building a network of human rights defenders across the Commonwealth – collectively referred to as the "Commonwealth Human Rights Defenders".
- Build inter-network partnerships for working on human rights defenders and the HRC.

The programme will continue to build on our political and human rights analysis of Commonwealth countries and contexts so as to position ourselves as a natural capacity-building programme within the Commonwealth.

Civil Society Capacity Building Programme for India partners

CHRI organized a capacity building programme from 24 – 27 February 2009 in New Delhi for its core partners in India across programmes, and from across the country. One objective of the workshop was to network partners from all our programmes, as also bring about cross fertilization. For instance, partners working on RTI had an opportunity to understand what the prison reforms programme was trying to do, the issues the programme was addressing and its strategies for intervention; and partners working on prisoner's rights got an opportunity to reflect on and learn how they can use the right to information to further their work on prison reforms. The programme also emphasized the need for thorough knowledge of relevant provisions of the law for all activists, including non-lawyers, for the law is an important tool activists must learn to use to their advantage. This was an angle several participants appreciated, in addition to the cross-issue learning opportunity it afforded.

Some of our RTI partners were moved by the issues being addressed by the police and prison reforms teams and were keen to undertake police and prisons related research using RTI. Similarly, other partners have realized RTI could be a good tool if one learnt the most effective way of using it. Practical guidance on how to write an application and how to write an appeal, what bottlenecks are likely to be encountered and how to avoid or deal with them was also appreciated.

The programme also provided inputs on the international human rights framework and mechanisms, and pointed to opportunities for engagement with it for NGOs working at the grassroots, such as with the universal periodic review process of the UN Human Rights Council and the UN special rapporteurs. Strategies for advocating for human rights and their effectiveness also formed part of the discussions.

The civil society capacity building programme was initially envisaged as an internship programme for key partners of individual programmes, but the effort to bring together partners of various programmes for a joint capacity building effort has been extremely rewarding. We are likely to follow the same model for the one planned for next year as well.

IX. INSTITUTIONAL

GOVERNING BODIES

INTERNATIONAL ADVISORY COMMISSION

Sam Okudzeto is Chair of CHRI's International Advisory Commission and a member of the Commonwealth Lawyers Association. He is a member of the Board of International Bar Association and also a member of the Bank of Ghana Board and Chairman of the University of Ghana College of Health Sciences Council. He has also been a member of the Prisons Service Council, General Legal Council and the Judicial Council, Chairman of the Public Accounts and Judicial Sub Committee of the Parliament of Ghana, and President of the Ghana Bar Association.

B.G. Verghese is Chair of CHRI India's Executive Committee and formerly associated with the Commonwealth Journalist Association (CJA). A columnist and author, he is a former Information Advisor to the Prime Minister of India, former editor of Hindustan Times and Indian Express, Member of several official commissions and committees on water, security, the media, the Northeast and served on the boards of a number of public sector enterprises.

Neville Linton is Chair of CHRI's Executive Committee, United Kingdom, is a consultant on political affairs, specialises in democratisation and human rights issues in transition societies. Previously he was a political scientist at the University of the West Indies before serving as a senior official at the Commonwealth Secretariat. Currently he is a Senior Adviser with Transparency International and works on corruption issues in Africa and the Caribbean.

Eunice Brookman-Amissah is a former Minister of Health in Ghana and former Ambassador to the Netherlands. She has been associated with the Commonwealth Medical Association in her capacity as Vice-President of the Ghana Medical Association. She has been active in women's rights for many years and is currently Vice-President of IPAS in Africa.

Murray Burt is past president of the Commonwealth Journalists Association. He is a former City and National Editor of The Globe and Mail in Toronto, and a former Managing Editor of the Winnipeg Free Press. He is on the Board of Governors of the National Newspaper Awards in Canada and a past president and life member of the Canadian Association of Newspaper Editors.

Yashpal Ghai is a scholar in constitutional law. He is the head of the Constitution Advisory Support Unit of the United Nations Development Programme in Nepal and 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.

Alison Duxbury is a Senior Lecturer at the Law School of the University of Melbourne where she teaches International Humanitarian Law and Constitutional and Administrative Law. She is a member of the Advisory Board of the Melbourne Journal of International Law; the International Humanitarian Law Advisory Committee, Australian Red Cross (Vic); the Asia Pacific Centre for Military Law; and the Australian and New Zealand Society of International Law.

Zohra Yusuf is a writer and editor on media and human rights issues. She has been a Council Member of the Human Rights Commission of Pakistan since 1990, was Vice-Chairperson (Sindh Chapter) from 1990-1993 and Secretary-General for two terms. She is also a Collective Member of Shirkatgah Women's Resource Center, a founding member of Women's Action Forum and a member of the Steering Committee of Aga Khan Foundation's NGO Resource Centre.

Maja Daruwala is Director of CHRI and is a barrister actively advocating for human rights. She is on the board of Civicus, Open Society Justice Initiative, International Women's Health Coalition, South Asians for Human Rights, Voluntary Action Network of India and Chairperson, Multiple Action Research Group.

EXECUTIVE COMMITTEES

Executive Committee (India): B.G. Verghese – Chairperson. Members: Anu Aga, B.K.Chandrashekar, Bhagwan Das, Nitin Desai, K.S. Dhillon, Harivansh, Sanjoy Hazarika, Poonam Muttreja, Ruma Pal, R.V. Pillai, Kamal Kumar and Maja Daruwala – Director.

Executive Committee (Ghana): Sam Okudzeto – Chairperson. Members: Anna Bossman, Neville Linton, Emile Short, B.G. Verghese, and Maja Daruwala - Director.

Executive Committee (UK): Neville Linton – Chairperson; Lindsay Ross – Deputy Chairperson. Members: Austin Davis, Meenakshi Dhar, Derek Ingram, Claire Martin, Syed Sharfuddin and Elizabeth Smith.

CHRI STAFF PROFILE – APRIL 2009**HEADQUARTERS, INDIA**

Mr. Mohan Sundaram: *Secretary to the Director*, has a Bachelor of Arts qualification. He has worked in various government organizations. He maintains and updates CHRI's data base and provides secretarial assistance across the office.

Ms. Vinu Sampath: *Coordinator, Planning*, holds a Doctorate in International Politics from Jawaharlal Nehru University, New Delhi. She has worked for ten years in the development sector. Ms. Vinu assists the Director with her liaison with other CHRI offices, reporting to governing bodies, fund raising and proposal writing, networking, correspondence, and recruitment.

HUMAN RIGHTS ADVOCACY PROGRAMME

Ms. Lucy Mathieson: *Coordinator* has a Masters in International Law from the Victoria University in New Zealand. She has rich experience having associated with the National Consultative Committee on Disarmament, Institute for International Mediation and Conflict Resolution, UK, Charities Advisory Trust. She has worked with Peace Brigades International, Nepal, South Asian Forum for Human Rights, India, Ministry of Immigration in New Zealand and UNHCR. She is coordinating the activities of our Advocacy unit.

Mr. R. Iniyan Ilango: *Consultant* has an LL.M degree from the National Law School of India University, Bangalore. Iniyan coordinates the Commonwealth Human Rights Network and developed CHRI's research and advocacy work related to UN Human Rights Council.

Ms. Heather Collister: *Coordinator*, CHRI's report to CHOGM 2009, is a national of the United Kingdom and has completed her doctorate in Political Philosophy. Heather has started work will coordinate CHRI's report to CHOGM 2009.

Ms. Marisa Dowswell: *Intern*, has a Bachelor of Arts (Honours) degree in Philosophy and International Development a Master of Arts in International Relations (thesis on international law regarding the use of force in Iraq) and a Bachelor of Laws, specialization in international and domestic human rights law. She is working on the 2009 CHOGM Report.

MEDIA AND COMMUNICATION

Ms. Aditi Datta: *Media & Communications Officer* holds an M.Phil degree in Political Science, and has previously worked as a journalist in India Abroad News Service, Indo-Asian News Service, Katha Publishing House and Centre for Science and Environment. Our bridge to the world of communiqué, her current assignments involve communicating CHRI's advocacy concerns into the mass media across the Commonwealth, and catalyzing journalists to write frequently on issues of human rights concerns on the newswires and list serves. She has been working for CHRI since 2003.

ACCESS TO INFORMATION PROGRAMME

Mr. Venkatesh Nayak: *Coordinator, Access to Information Programme*, is presently a key public training resource on Right to Information across South Asia, Africa & the Caribbean. He has trained more than 6000 officers of government and more than 600 executives of public sector enterprises for implementing India's new transparency law. Previously a Doctoral Research Fellow in History, he has authored research and public education documents

on the right to information, the basic structure of the Indian Constitution, issues of social justice, electoral reforms, efficacy of public audit mechanisms and fact-finding mission reports on human rights violations.

Ms. Sohini Paul: *Project Officer, Access to Information Programme* has a Masters Degree in Geography and another in Regional Planning. She is an experienced trainer and has worked with PRIA previously. Her present tasks include conducting capacity building for civil society organizations on Right to Information and researching access to information issues as they relate to local governance. She has written and published books on the Panchayati Raj laws and the right to information for different states, some of which have been translated into Hindi as well.

Ms. Reshmi Mitra: *Project Officer*, has an LL.M degree from the National Law School of India University, Bangalore and is working in our Access to Information Programme. She has previously worked in ActionAid. She undertakes the research and writing on the legal dimensions of RTI and other laws in India and across the Commonwealth.

Ms. Claire Cronin: *Programme Officer* (relocated to Fiji) has a Masters Degree in Understanding and Securing Human Rights from the University of London and a BA in English Literature from the University of Oxford. She has worked for more than a year with CHRI's International Access to Information Programme. She has previously worked at The Prince's Trust, monitoring development in youth related legislation and policy, and as a Criminal Intelligence Officer for the UK Environment Agency.

Ms. Namrata Yadav: *Research Associate*, has a LLB degree from University of Mumbai. She worked in a legal & management consultancy firm Deloitte Haskins & Sells, Mumbai prior to joining CHRI.

Ms. Laura Halligan: *Research Associate* holds Bachelors degrees in Arts (Political Science and Philosophy) and Law from Victoria University in Wellington, and is a qualified lawyer in New Zealand. She has experience in employment and accident compensation law, providing legal advice to refugees, and in disputes resolution at the New Zealand Human Rights Commission. She is part of the Access to Information team focusing on both Commonwealth Pacific Islands and India.

Mr. James M. Ferguson: Intern, from Canada, received degrees in mechanical engineering and law from the University of Western Ontario in London, Ontario, Canada in 2007. After completing his legal articles in Halifax, Nova Scotia, Canada, and being called to the bar of that province in June 2008, James joined CHRI for a six month internship starting in July 2008. James has been placed with the Access to Information (ATI) programme, with a focus on Commonwealth Member States in Europe and the Americas, as well as providing support to work undertaken in South Asian and African countries.

Mr. Y. G. Muralidharan: *External Collaborator, Access to Information Programme, Karnataka, India*, is a Commerce Graduate with a Post Graduate Diploma in Journalism. He has worked for the Bharat Heavy Electricals Limited for 20 years. He has established the Consumer Rights Education and Awareness Trust (CREAT), and is actively engaged in holding workshops, seminars, training and capacity building Programmes for consumers, women groups, and lobbying with the local government for the implementation of RTI Act. He also writes weekly columns in many daily newspapers and conducted talks regularly on All India Radio.

Dr. Rakesh Ranjan: *External Collaborator, Access to Information Programme in Madhya Pradesh* is an experienced journalist and runs an NGO called Sandhan. He is also the convenor of the Madhya Pradesh Suchana Adhikar Abhiyan a network of CSOs and activists working to spread awareness about the RTI law in that state. He conducts sensitization and awareness building workshops for government officers, CSO and media representatives.

Mr. Prateek Pandey: *External Collaborator, Access to Information Programme in Chhattisgarh, India*, holds a Post Graduate Diploma in Sociology and presently pursuing a Diploma in Human Rights. He has provided training to the government officers on RTI Act and is also working as a State Coordinator for the Chhattisgarh Citizens' Initiative (CGCI), a state level voluntary network to achieve the object of 'Good Governance'.

Dr. Muzaffar Bhatt: *External Collaborator, Access to Information Programme in Jammu and Kashmir, India*, is a dentist by profession. Dr. Bhatt has been advocating with the state government for proper implementation of the State RTI Act.

ACCESS TO JUSTICE PROGRAMME

Police Reforms

Ms. Shobha Sharma: *Coordinator*, has a Masters in Social Work from TISS as well as Graduate Diplomas in Business Administration and Communication from Universities in Australia. She has worked extensively in non government organizations in the fields of domestic violence and sexual assault in Australia. She also worked for the New South Wales police as a Senior Police Officer on crime prevention, cultural diversity, and domestic violence and youth issues. She is coordinating the activities of the Police Reforms team.

Mr. Sanjay Patil: *Programme Officer*, has earned a Bachelor of Environmental Studies and Bachelor of Laws from York University (Toronto, Canada). He was called to the Bar in 2003, has travelled extensively throughout the world and has a deep commitment to the protection of human rights. He has experience working with Human Rights Watch (Canada) and the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. He is presently working on police reform issues across South Asia.

Dr. Pushkar Raj: *Programme Officer*, has a Ph.D. in Political Science, after having completed his M.A. and M. Phil. also in the same subject. He was in Army for a short while and later taught Political Science in Delhi University for six years. He has been associated with the social sector being the National Secretary of PUCL and Delhi State Coordinator of Lokniti at CSDS. He works closely with the Coordinator on police reforms matters in India.

Ms. Ebba Martensson: *Programme Officer*, has a Masters of Law. She worked in India with Lok Satta in the field of police and justice reforms prior to her joining CHRI. She has also worked on a short term contract with the International Criminal Court (ICC) and volunteered with the Swedish Section of International Commission of Jurist (ICJ-S). She is working on police reforms in India.

Ms. Louise Edwards: *Programme Officer*, holds Bachelors in Arts (Arabic) and Law from Deakin University and is a qualified Australian Lawyer. She has advocacy experience, high level of legal research skills and networking with fund raising bodies, having worked in commercial and community legal sectors. She is working on police reforms in East Africa and the Pacific.

Chhattisgarh Project

Mr. Anshuman Jha: *Project Officer, Chhattisgarh*, holds a Masters in Human Rights, and another in Public Administration. He has also done M.Sc. and B.Sc in Mathematics. Previously worked with Fountain of Development Research and Action (FODRA) as a Programme Executive, his work responsibilities include conducting field work for Community Policing Programme, coordinating with public, police, administration, civil society and State Human Rights Commission as well as media networking at the Chhattisgarh office.

Mr. Sunil Kumar: *Project Assistant, joined the Chhattisgarh project* in June, 07. He studied M.A. in Criminology from National Institute of Criminology and Forensic Science (MHA), New Delhi.

Gujarat Project

Ms. Navaz Kotwal: *Coordinator, Gujarat* holds a Masters in Microbiology. She has been with CHRI since 2000, has developed the Gujarat project after the communal violence in Gujarat, to include, besides legal assistance with cases of victims of the communal violence, paralegal and lawyers trainings, and right to information. She also coordinates the judicial colloquium programme of CHRI. She was honoured with the Nani Palkiwala Civil Liberties

award, awarded a fellowship to the Bellagio study centre and was nominated to the Yale University human rights fellowship in 2008, in recognition of her untiring efforts and work in Gujarat.

Ms. Prajakta Sarpotdar: *Sr. Programme Assistant*, holds a BA, MA in Psychology and has worked with various social service organizations in India. She assists the Gujarat project in para-legal training and community liaison.

Mr. Moinuddin Sikandershah Diwan: *Consultant*, is an advocate of six years standing. He assists the Coordinator of our Gujarat Office with the various legal cases.

Mr. Prakash Oza: *Assistant*, assists the Gujarat team in organizing workshops, accounts and administrative tasks, and designing of publications.

Prison Reforms

Ms. Swati Mehta, *Coordinator*, has an LLM degree from Kings College, London. She received the Chevening Fellowship. Swati was with CHRI's police reforms programme before she went on study leave. She is a lawyer with over seven years' experience, who has worked on women's rights issues and criminal justice system reform. She co-authored the CHRI Advisory Committees' 2005 CHOGM report on police accountability and published many other articles and reports arguing for systemic reforms in policing. She was actively involved in assisting with the drafting of the new Police Act and represented CHRI at the Police Act Drafting Committee meetings and proceedings, as well as in the Public Interest Litigation on police reform in the Supreme Court.

Mr. Shishir Singh: *Consultant*, has a BA degree from Allahabad University and an LLB Degree from Delhi University. Shishir has many years of experience as a practicing lawyer at different courts including the Delhi High Court. He has earlier worked with Pradhan.

Ms. Priti Bhardwaj: *Sr. Project Assistant*, has a Bachelor of Science degree with a major in Computing Science and Criminology from University of Vancouver, Canada. She has worked with the Royal Canadian Mounted Police in their Major Crime Section as well as with the Department of Criminology. She presently works in our prison reforms unit and assists our Consultant.

Mr. R.K. Saxena: *Consultant*, is a retired Inspector General of Prisons. He has been a Director in the All India Committee on Prison Reforms (1980 – 83) and is at present, the Vice President of People's Union for Civil Liberties (PUCL). He has completed a full study on Prison Conditions and the Prison Visiting System in Rajasthan.

Dr. Murali Karnam: *External Collaborator*, holds a Doctorate in prisons, prisoner's rights and politics of reformation, a Post Graduate Diploma in Human Rights, and a M.A. and M.Phil in Political Science. He has worked extensively on various human rights issues with the state and NGO's in his state – Andhra Pradesh. He was project Coordinator in World Solidarity and has authored many articles and publications. He is presently coordinating the entire prisons Programme in his home state.

ADMINISTRATION, FINANCE & ACCOUNTS

Mr. N.P. Ramachandran: *Senior Administrative Officer*, worked with the Initiative since its inception in India in charge of recruitment, administration and matters pertaining to governing board meetings and documentation.

Mr. K S Rautela: *Manager-Accounts*, has over 10 years experience of keeping accounts in the commercial sector and is responsible for designing and implementing systems for maintaining of accounts keeping in view the statutory/donors and individual project requirements. He oversees the audits and the day-to-day flow of finances into the programmes.

Mr. Swayam Cheta Mohanty: *Manager –IT*, has a Master Degree in Computer Application. Best Worker Awardee for his noteworthy work as a System Executive at Deepalaya, an NGO, he looks after setting up workstations;

hardware maintenance and software procurement and management; website maintenance; trouble-shooting and response to users; maintenance of server and group wise E-mail system of the office.

Mr. Chenthil Kumar Paramasivam: *Administrative Assistant* worked with CHRI previously and has recently rejoined us. He has a Diploma in Electronics and is assisting the organization in its publications work and also assists the police reforms team as administrative assistant.

Mr. P. Prasad: *Senior Accounts Assistant*, has a B.Com degree from Kerala University. Prasad has 13 years experience in accounts.

Mr. Bruce Lee: *Accounts Assistant*, has an M.Com degree from Kerala University. Bruce has 2 years experience in accounts.

Mr. Subhash Kumar Patra: *Office Assistant*, renders his priceless help to all office staff in routine works. He mainly handles the photocopy section of the office.

Ms. P. Ajay Babu: *Office Assistant*, renders his invaluable help to all office staff in all routine works. He mainly handles postage and courier department of the office.

Ms. R. Rajeshwari: *Office Help*, who looks after hygiene and cleanliness of the office and ensures good hospitality to the visitors.

Mr. Sunil Kumar Chhattriya: *Office Assistant*, *Chhatisgarh* provides support and coordinates closely in the community policing project in Maana police station area; he is also involved in routine office related work; has previously worked for a World Bank Project in Raipur, India on water management.

UNITED KINGDOM OFFICE, LONDON

Mr. William Attfield: *London Liaison and Programmes Officer*, will volunteer his services to CHRI's UK office in London for a year, after which he will take up Msc. in Human Rights at the London School of Economics in the academic year 2009-2010. Attfield deferred his admission in order to get some real work experience in human rights.

AFRICA OFFICE, ACCRA

Ms. Nana Oye Lithur: *Programme Co-ordinator*, she is a Barrister and Solicitor of the Supreme Court of Republic of Ghana. She was the Director, governing Board of Internal Revenue Services of the Republic of Ghana and worked as a Senior Associate with Law Trust Company. She is the overall in charge of Ghana office and her duties include developing CHRI's programme in Africa fund raising and managing the office at Ghana.

Mr. Joseph Kingham Ochill: *Administrative Officer*, holds a Bachelors Degree in Psychology from the University of Ghana. Previously worked with Porter, University of Ghana, Joseph helps in keeping of books of accounts along with providing research assistance at the Africa office.

Ms. Wilhelmina Mensah: *Project Officer*, Police Accountability project, Msc Development studies, London South Bank University, England, Diploma Public Relations/Advertising, Ghana Institute of Journalism. Wilhelmina is Coordinating the police accountability project at the Africa Office in Ghana.

Ms. Florence Emily Nakazibwe: *Project Officer*, Access to Justice Monitoring, has an LLM in Public International Law from the University of Nottingham, England and an LLB (Hons) from Makerere University, Kampala. Florence coordinates the access to justice project of the Africa Office.

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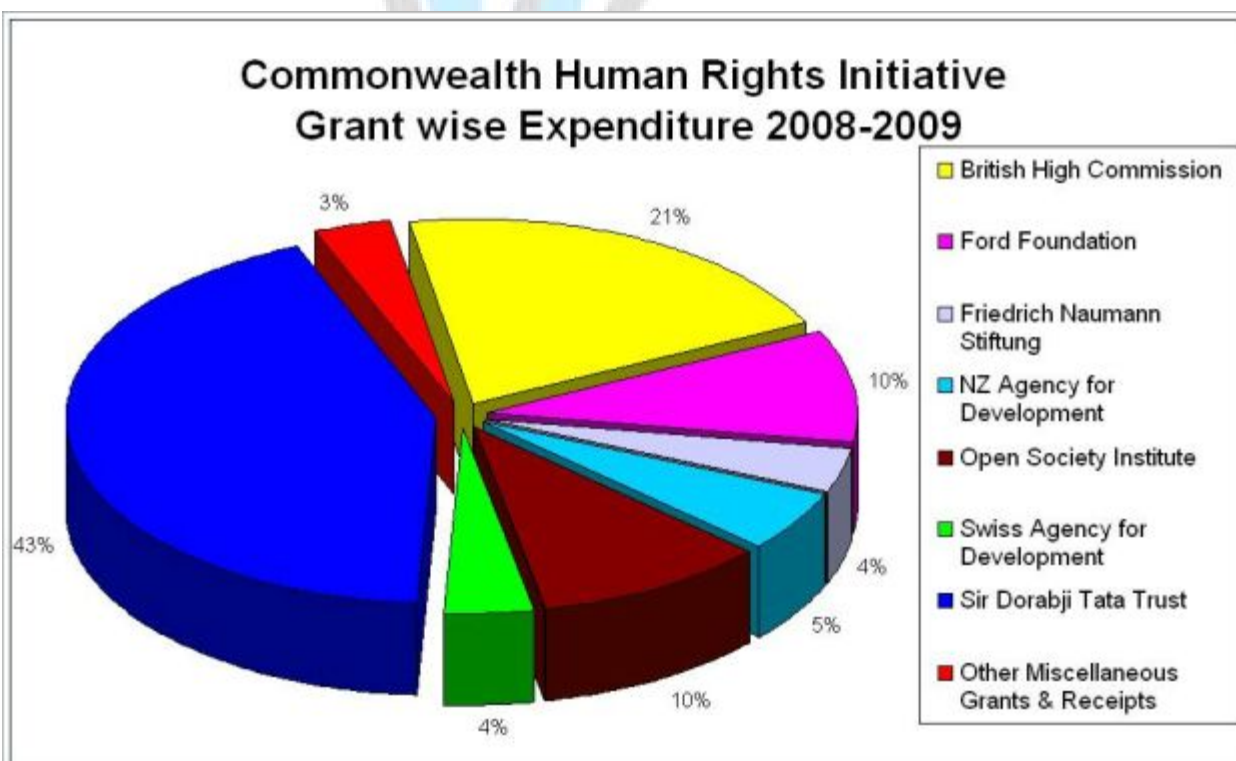
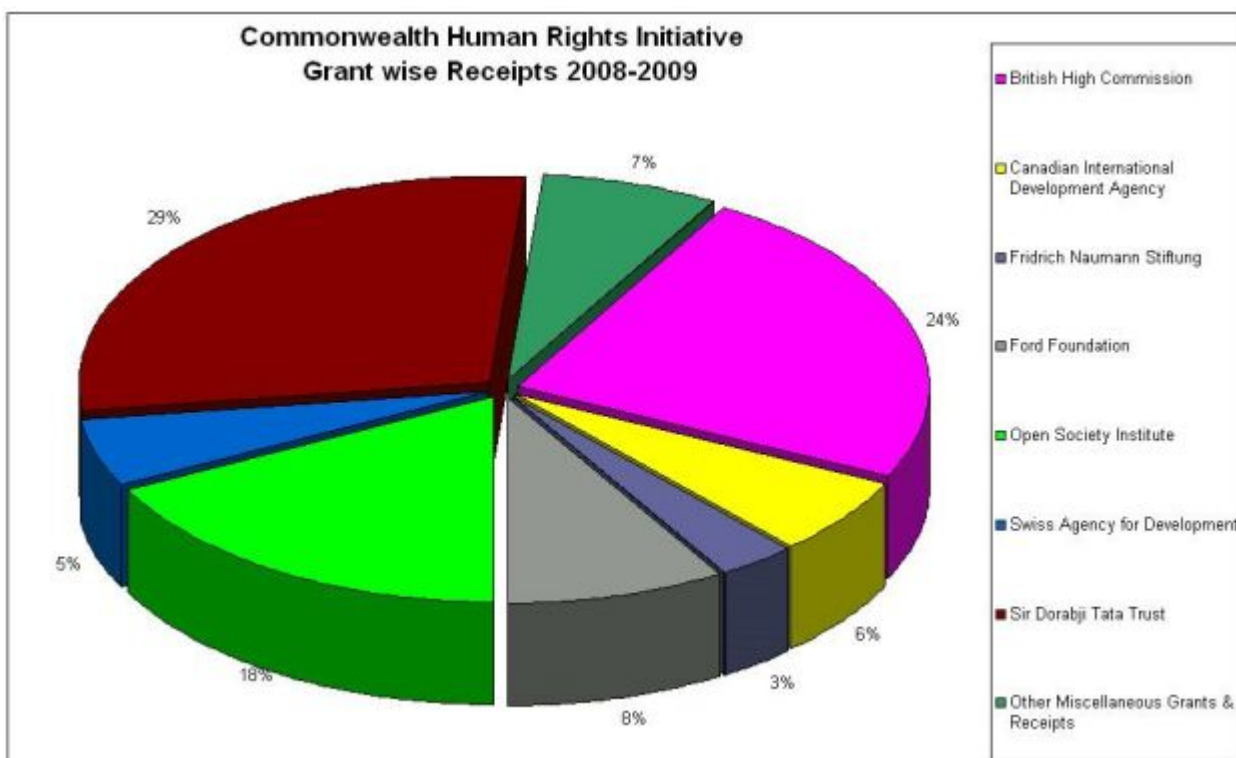
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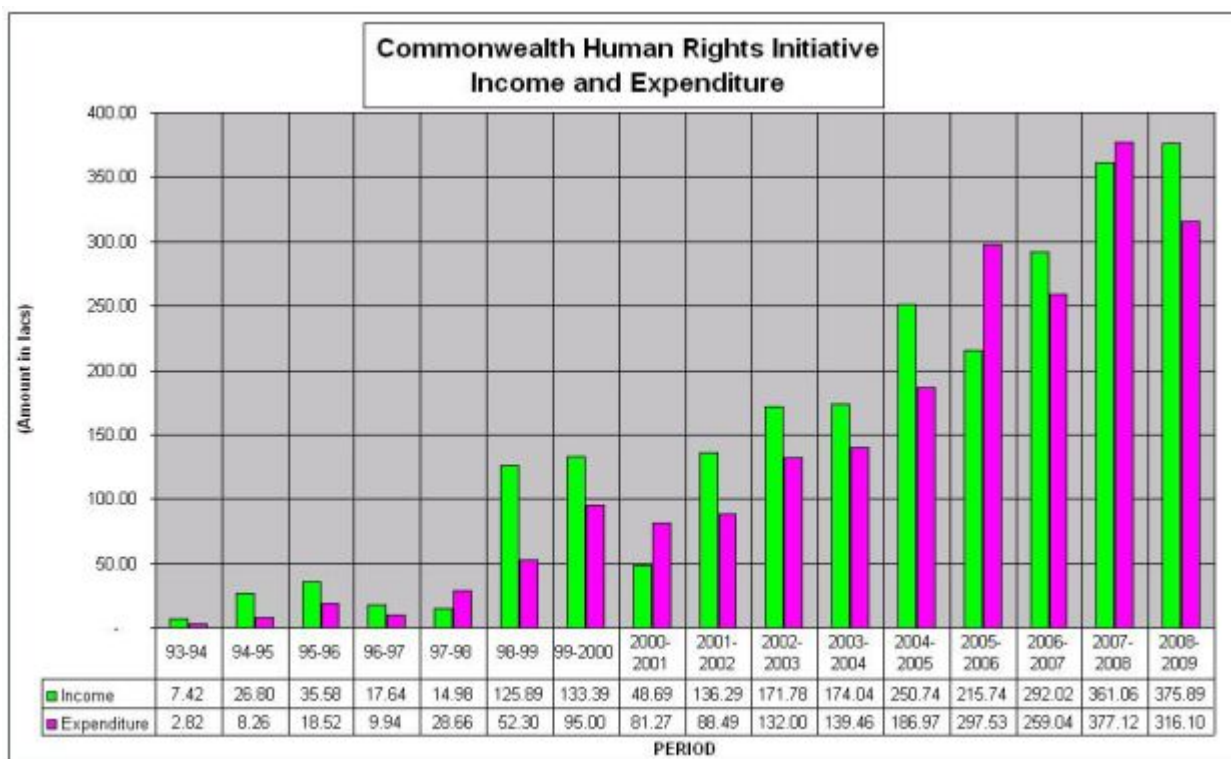
List of funding organisations

Ford Foundation, New York
Ford Foundation, Lagos
Sir Dorabji Tata Trust, Mumbai
Foundation Open Society Institute, Zug
Commonwealth Foundation, London
Australian High Commission, Accra
British High Commission, New Delhi
Friedrich Naumann - Stiftung für die Freiheit, New Delhi
Embassy of the Kingdom of the Netherlands, New Delhi



CHRI INCOME & EXPENDITURE FOR THE YEAR 2008-09

CHRI Income & Expenditure up to 2009



Audit Report under section 12A(b) of the Income Tax Act, 1961

We have examined the consolidated balance sheet of Commonwealth Human Rights Initiative as at 31st March, 2009 and the income and expenditure account for the year ended on that date which are in agreement with the books of account maintained by the said Society.

We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purposes of the audit. In our opinion, proper books of account have been kept by the Head Office of the above named Society visited by us so far as appears from our examination of the books, and proper returns adequate for the purposes of audit have been received from branches/offices not visited by us subject to the comments given below :

In our opinion and to the best of our information, and according to the explanations given to us, the said accounts give a true and fair view:-

- (i) in the case of the balance sheet, of the state of affairs of the above named Society as at 31st March, 2009 and
- (ii) in the case of the income and expenditure account, of the surplus of its accounting year ending on 31st March, 2009.

The prescribed particulars are annexed hereto.



Place : New Delhi

Date : 12/08/2009

for AWATAR & CO.
Chartered Accountants

Sanjay Agrawal

(SANJAY AGRAWAL)
Partner

ANNEXURE
STATEMENT OF PARTICULARS
COMMONWEALTH HUMAN RIGHTS INITIATIVE, NEW DELHI
ASSESSMENT YEAR 2009-10

- I. Application of income for charitable or religious purposes**
1. Amount of income of the previous year applied to charitable or religious purposes in India during that year. Rs. 3,16,15,885/-
2. Whether the trust/institution* has exercised the option under clause (2) of the Explanation to section 11 (1)? If so, the details of the amount of income deemed to have been applied to charitable or religious purposes in India during the previous year. NO
3. Amount of income accumulated or set apart*/finally set apart for application to charitable or religious purposes, to the extent it does not exceed 15 per cent of the income derived from property held under trust wholly*/in part only for such purposes. Rs. 56,35,821/-
4. Amount of income eligible for exemption under section 11(1)(c) [Give details] NIL
5. Amount of income, in addition to the amount referred to in item 3 above, accumulated or set apart for specified purposes under section 11(2) Rs. 5,00,000/-
6. Whether the amount of income of mentioned in item 5 above has been invested or deposited in the manner laid down in section 11(2)(b)? If so, the details thereof. Not Applicable
7. Whether any part of the income in respect of which an option was exercised under clause (2) of the Explanation to section 11(1) in any earlier year is deemed to be income of the previous year under section 11(B)? If so, the details thereof. NIL
8. Whether, during the previous year, any part of income accumulated or set apart for specified purposes under section 11(2) in any earlier year :-
 - a. has been applied for purposes other than charitable or religious purposes or has ceased to be accumulated or set apart for application thereto, or NO
 - b. has ceased to remain invested in any security referred to in section 11(2)(b)(1) or deposited in any account referred to in section 11(2)(b)(1) or section 11(2) (b) (iii) or NO
 - c. has not been utilised for purposes for which it was accumulated or set apart during the period for which it was to be accumulated or set apart, or in the year immediately following the expiry thereof? If so, details thereof. NO



II. Application or use of income or property for the benefit of persons referred to in section 13 [3].

9. Whether any part of the income or property of the *trust/institution was lent, or continues to in section 13(3) [hereinafter referred to in this Annexure as such person]? If so, give details of the amount, rate of interest charged and the nature of security, if any. NIL
10. Whether any land, building or other property of the *trust/institution was made, or continued to be made, available for the use of any such person during the previous year? If so, give details of the property and the amount of rent or compensation charged, if any. NO
11. Whether any payment was made to any such person during the previous year by way of salary allowance or otherwise? If so, give details. NO
12. Whether the services of the *trust/institution were made available to any such person during the previous year? If so, give details thereof together with remuneration or compensation received, if any. NIL
13. Whether any share, security, or other property was purchased by or on behalf of the *trust/institution during the previous year from any such person? If so, give details thereof together with the consideration paid. NIL
14. Whether any share, security, or other property was sold by or on behalf of the *trust/institution during the previous year to any such person? If so, the details thereof together with the consideration received. NIL
15. Whether any income or property of the *trust/institution was diverted during the previous year in favour of any such person? If so, give details thereof together with the amount of income or value of property so diverted. NIL
16. Whether the income or property of the *trust/institution was used or applied during the previous year for the benefit of any such person in any other manner? If so, give details. NIL

III. Investment held at any time during the previous year(s) in concerns in which persons referred to in section 13(3) have a substantial interest.

Sl. No	Name and address of the concern	whether the concern is a company No. and class of shares held	Nominal value of the investment	Income from the investment	Whether the amount in Col. 4 exceeded 5% of the capital of the concern during the previous year-say. Yes/No
1	2	3	4	5	6
	NIL	NIL	NIL	NIL	NIL
Total					



For AWATAR & CO.
Chartered Accountants

Sanjay Agrawal
(SANJAY AGRAWAL)
Partner

Place : New Delhi
Date : 12/08/2009

COMMONWEALTH HUMAN RIGHTS INITIATIVE



BALANCE SHEET AS ON MARCH 31, 2009
(CONSOLIDATED ACCOUNT)

LIABILITIES				ASSETS		
As at 31.03.2008 (Amount Rs.)	Particulars	As at 31.03.2009 (Amount Rs.)	As at 31.03.2008 (Amount Rs.)	Particulars	As at 31.03.2009 (Amount Rs.)	As at 31.03.2009 (Amount Rs.)
25,951,420	General Fund		3,784,903	Fixed Assets (As per Schedule-1)		4,319,384
	Balance as per last year	25,951,420				
	Add: Fixed Assets purchased during the year	1,080,956		Current Assets		
	Add: Excess of Income over Expenditure	5,039,820	32,072,196	a) Fixed Deposits		
				- Bank of India	5,207,055	
				- State Bank of India	2,628,907	
				- ICICI Bank Ltd	12,195,296	20,031,258
	SPECIAL PROJECT FUND (u/s 11(2) of the Income Tax Act, 1961)			b) Investment in Mutual funds		
	Accumulated during the year	500,000		(As per Schedule-3)		3,500,000
				c) Bank Balances		
				In accounts with:		
				- State Bank of India	1,783,898	
				- Bank of India	1,094,345	
				- HDFC Bank	440,750	
				- Bank of India - UNDP SAJI-1	6,534	
				- Bank of India - SDTT	1,318,884	4,644,411
25,951,420	Total c/f	32,572,196	25,654,446	Total c/f		32,495,053



LIABILITIES				ASSETS			
As at 31.03.2008 (Amount Rs.)	Particulars		As at 31.03.2009 (Amount Rs.)	As at 31.03.2008 (Amount Rs.)	Particulars		As at 31.03.2009 (Amount Rs.)
25,951,420	Total b/f		32,572,196	25,654,446	Total b/f		32,495,053
	<u>Current Liabilities :</u>				<u>d) Cash Balances</u>		
1,809,177	Sundry creditors for expenses		1,809,831	113,300	- Cash in hand	183,974	
				177,754	- Foreign Currency in hand	148,719	332,693
				203,815	e) Tax Deducted at Source		241,814
				1,611,282	f) Sundry Debtors (Considered good receivable in cash or in kind)		1,312,467
27,760,597	Total		34,382,027	27,760,597	Total		34,382,027

As per our report of even date



For Awatar & Co
Chartered Accountants

Sanjay Agrawal

(Sanjay Agrawal)
Partner M. N. 087786



For and on behalf of Commonwealth Human Rights Initiative

Chairperson & Treasurer *Director*

Chairperson & Treasurer

Director

Place : New Delhi

Date : 12/08/2009

COMMONWEALTH HUMAN RIGHTS INITIATIVE



INCOME & EXPENDITURE ACCOUNT FOR THE YEAR ENDED MARCH 31, 2009 (CONSOLIDATED ACCOUNT)

2007-2008 (Amount Rs.)	Expenditure	2008-2009 (Amount Rs.)	2007-2008 (Amount Rs.)	Income	2008-2009 (Amount Rs.)
	Grantwise Expenses - As per Schedule -2			Grant Receipts	
-	Action Aid-Developing Capacity & Resource on Right to Information	838,265	549,815	Action Aid-Developing Capacity & Resource on Right to Information	296,065
7,104,820	British High Commission - Effective Implementation of RTI Laws in India	-	6,014,460	British High Commission - Effective Implementation of RTI Laws in India	3,677,320
3,675,203	British High Commission-Access to Justice-Gujarat	3,652,176	3,831,614	British High Commission - Access to Justice - Gujarat	3,679,183
-	British High Commission-Promoting equality before the law for disadvantaged groups	2,287,663	-	British High Commission-Promoting equality before the law for disadvantaged groups	1,655,917
2,082,558	Canadian International Development Agency-CHRF Meeting	-	-	Canadian International Development Agency-CHRF Meeting	2,223,571
791,225	Commonwealth Foundation- CHRF Meeting	9,680	806,300	Commonwealth Foundation- Police workshop in Ghana and CHRF Meeting	-
402,582	Friedrich Naumann Stiftung - Promoting RTI and Police reforms in South Asia	1,240,497	14,724	Friedrich Naumann Stiftung - Building Awareness on Right to Information	1,209,837
6,977,011	Ford Foundation- New York - Institutional Grant	2,947,993		Ford Foundation- New York - Institutional Grant	3,164,859
623,244	NZ Agency for International Development- Right to Information Programme- Pacific	1,634,273	2,111,334	NZ Agency for International Development- Right to Information Programme- Pacific	-
407,032	Open Society Institute - Institutional Grant.	3,014,081	4,540,230	Open Society Institute - Institutional Grant.	5,464,490
1,616,802	Swiss Agency for Development & Cooperation-Police Reforms- Chattisgarh	1,193,031	1,279,544	Swiss Agency for Development & Cooperation-Police Reforms- Chattisgarh	2,003,207
242,943	PACS-Capacity Building for Civil Society Organisation on Right to Information	-	453,000	PACS-Capacity Building for Civil Society Organisation on Right to Information	-
1,232,860	CHRI Ghana - AC Meeting and CHOGM Expenses	-	1,158,607	CHRI Ghana - AC Meeting and CHOGM Expenses Reimbursement	89,881
25,156,260	Total c/f	16,817,638	20,759,628	Total c/f	23,464,330



2007-2008 (Amount Rs.)	Expenditure	2008-2009 (Amount Rs.)	2007-2008 (Amount Rs.)	Income	2008-2009 (Amount Rs.)
25,156,260	Total b/f	16,817,638	20,759,628	Total b/f	23,464,330
120,285	Institute of International Education- CHRF Meeting	-	120,285	Institute of International Education- CHRF Meeting	-
3,390	Trustee Committee- East Africa Project	-	-	Open Society Institute - RTI	1,174,449
1,655,273	Canadian High Commission -Radio Series on Police Public Interface	-	2,780,000	United Nations Development Programme - SAJI-1 - Legal Literacy through Media	-
538,576	Ford Foundation - India - Constitutional Reforms	-	9,500,000	Sir Dorabji Tata Trust - Institutional Grant	10,700,000
2,695,878	United Nations Development Programme - SAJI-1 - Legal Literacy through Media	-	33,159,913	Other Receipts :	
6,351,982	Sir Dorabji Tata Trust - Institutional Grant	13,219,781		Interest on :	
202,960	General Expenses	491,885	1,373,913	- Fixed Deposits (TDS - 95708)	1,527,812
36,724,604			130,405	- Saving Bank Accounts	159,639
-	Special Project Fund U/S 11(2) of the Income Tax Act, 1961	500,000	-	Donation Received	29,500
988,153	Fixed Assets transferred to Balance Sheet out of Grants- As per contra (Schedule-1)	1,080,956	915,627	Dividend From Mutul Funds	100,538
40,350	Loss on sale of Assets	445,776	381,350	Miscellaneous Receipts	213,164
438,970	Refund of Grant	5,625	144,899	Publications Receipts	232,049
-	Excess of Income over Expenditure transferred to General Fund	5,039,820	2,085,970	Excess of Expenditure over Income transferred to General Fund	-
38,192,077	Total	37,601,481	38,192,077	Total	37,601,481

As per our report of even date

For Awatar & Co
Chartered Accountants

Sanjay Agrawal

(Sanjay Agrawal)
Partner M. N. 087786



For and on behalf of Commonwealth Human Rights Initiative

Chairperson & Treasurer

Chairperson & Treasurer

Director

Place : New Delhi

Date : 12/07/2009

COMMONWEALTH HUMAN RIGHTS INITIATIVE



RECEIPTS & PAYMENTS ACCOUNT FOR THE YEAR ENDED MARCH 31, 2009

(CONSOLIDATED ACCOUNT)

2007-2008 (Amount Rs.)	Receipts	2008-2009 (Amount Rs.)	2007-2008 (Amount Rs.)	Payments	2008-2009 (Amount Rs.)
	Opening Balance :		1,635	Audit Expenses	875
409,129	State Bank of India	2,992,559	3,025	Advertisement Expenses	588,649
292,149	Bank of India	153,604	5,264,005	Broadcasting Expenses	504,000
162,022	Bank of India - UNDP-SAJI-1	2,475	25,581	Bank Charges	71,312
-	Bank of India - SDTT	3,088,170	2,833,112	Boarding & Lodging Expenses	2,606,125
453,297	HDFC Bank	286,041	71,603	Books & Periodicals	57,919
58,163	Cash in hand	113,300	5,302,077	Consultancy Charges	3,823,610
205,351	Foreign Currency in hand	177,754	812,834	Conveyance Expenses	898,238
22,781,814	Fixed Deposits	11,846,694	353,458	Electricity & Water Charges	439,091
-	Investment in Mutual Funds	3,500,000	353,955	Equipment Hire Charges	53,788
24,361,925		22,160,597	362,382	Honorarium	503,596
	Grants Received :				
3,831,614	British High Commission - Access to Justice - Gujarat	3,679,183	5,861	Insurance Expenses-Office	8,296
6,014,460	British High Commission - Effective Implementation of RTI Laws in India	3,677,320	104,585	Insurance Expenses-Staff	130,933
	British High Commission-Promoting equality before the law for disadvantaged groups	1,655,917	342,883	Internet Expenses	399,928
549,815	Action Aid-Developing Capacity & Resource on Right to Information	296,065	107,000	Leave Encashment	117,123
-	Canadian International Development Agency - CHRF Meeting	2,223,571	496,444	Legal & Professional Charges	559,269
9,500,000	Sir Dorabji Tata Trust - Institutional Grant	10,700,000	11,190	Miscellaneous Expenses	33,950
806,300	Commonwealth Foundation - Police workshop in Ghana and CHRF meeting	-	15,215	Medical Expenses	1,600
14,724	Friedrich Naumann Stiftung - Building awareness on RTI	1,209,837	174,626	Meeting Expenses	-
-	Ford Foundation -New York -Institutional Grant	3,164,859			
-	Open Society Institute - RTI	1,174,449	296,955	Office Expenses	366,122
4,540,230	Open Society Institute - Institutional Grant	5,464,490	478,608	Postage & Telegrams	601,966
49,619,068		55,406,288	17,417,034		11,766,390
49,619,068	Total c/f	55,406,288	17,417,03	Total c/f	11,766,390



2007-2008 (Amount Rs.)	Receipts	2008-2009 (Amount Rs.)	2007-2008 (Amount Rs.)	Payments	2008-2009 (Amount Rs.)
49,619,068	Total b/f	55,406,288	17,417,034	Total b/f	11,766,390
1,279,544	Swiss Agency for Develop. & Cooperation - Police Reforms - Chattisgarh	2,003,207	280,658	Per-diem Expenses	598,332
2,111,334	NZ Agency for International Development - Right to Information programme-Pacific	-	3,432,152	Printing & Publications	3,242,436
453,000	PACS- Capacity building Grant for Civil Society Organisation on Right to information	-	1,427,900	Rent, Rates & Taxes	1,912,782
1,158,607	CHRI Ghana - AC Meeting and CHOGM Expenses reimbursement	89,881	6,504	Recruitment Expenses	2,000
120,285	Institute of International Education-CHRF Meeting	-	380,558	Repair & Maintenance	512,566
2,780,000	United Nations Development Programme - SAJI-1 - Legal Literacy through Media	-	5,939,553	Salary & Benefits	7,061,397
57,521,838		57,499,376	25,050	Staff Training Expenses	13,480
	<u>Other Receipts</u>		30,000	Software Expenses	21,158
	Interest :		75,900	Security Expenses	123,996
1,373,913	Interest on Fixed Deposits	1,527,812	411,276	Telephone Expenses	483,294
130,405	Interest on Savings Bank Accounts	159,639	7,176,654	Travelling Expenses	4,556,841
381,351	Miscellaneous Receipts	213,164	-	Visa Expenses	78,065
144,899	Publications Receipts	232,049	151,365	Venue Charges	156,566
9,500	Sale of Assets	100,699	539,050	Computer and Printers	518,376
-	Donation Received	29,500	137,009	Furniture & Fixture	111,655
915,627	Dividends	100,538	-	Fridge Account	8,400
		2,363,401	-	Home Appliances	9,400
2,955,695		654	16,194	Office Equipment	17,247
670,397	Increase/Decrease in Sundry Creditors	260,816	-	Printer	76,000
-	Increase/Decrease - Sundry Debtors		-	Software	14,750
			265,900	UPS & Invertor	325,128
			835,606	Increase/Decrease - Sundry Debtors	-
			438,970	Refund of Grant	5,625
61,147,930		60,124,247	38,987,333		31,615,884
61,147,930	Total c/f	60,124,247	38,987,333	Total c/f	31,615,884



2007-2008 (Amount Rs.)	Receipts	2008-2009 (Amount Rs.)	2007-2008 (Amount Rs.)	Payments	2008-2009 (Amount Rs.)
61,147,930	Total b/f	60,124,247	38,987,333	Total b/f	31,615,884
				<u>Closing Balance :</u>	
			2,992,559	State Bank of India	1,783,898
			153,604	Bank of India	1,094,346
			2,475	Bank of India - UNDP	6,534
			3,088,170	Bank of India - SDTT	1,318,884
			286,041	HDFC Bank	440,750
			113,300	Cash in hand	183,975
			177,754	Foreign currency in hand	148,719
			11,846,694	Fixed Deposits	20,031,258
			3,500,000	Investment in Mutul Funds	3,500,000
			22,160,597		28,508,363
61,147,930	Total	60,124,247	61,147,930	Total	60,124,247

As per our report of even date



For Awatar & Co.,
Chartered Accountants
Sanjay Agrawal
(Sanjay Agrawal)
Partner M. N. 087786



For and on behalf of Commonwealth Human Rights Initiative

Chairperson & Treasurer

Director

Place : New Delhi

Date : 12/08/2009

CHRI Programmes

CHRI's work is based on the belief that for human rights, genuine democracy and development to become a reality in people's lives, there must be high standards and functional mechanisms for accountability and participation within the Commonwealth and its member countries. Accordingly, in addition to a broad human rights advocacy programme, CHRI advocates access to information and access to justice. It does this through research, publications, workshops, information dissemination and advocacy.

HUMAN RIGHTS ADVOCACY: CHRI makes regular submissions to official Commonwealth bodies and member governments. From time to time CHRI conducts fact finding missions and since 1995, has sent missions to Nigeria, Zambia, Fiji Islands and Sierra Leone. CHRI also coordinates the Commonwealth Human Rights Network, which brings together diverse groups to build their collective power to advocate for human rights. CHRI's Media Unit also ensures that human rights issues are in the public consciousness.

ACCESS TO INFORMATION: CHRI catalyses civil society and governments to take action, acts as a hub of technical expertise in support of strong legislation, and assists partners with implementation of good practice. CHRI works collaboratively with local groups and officials, building government and civil society capacity as well as advocating with policy makers. CHRI is active in South Asia, most recently supporting the successful campaign for a national law in India; provides legal drafting support and inputs in Africa; and in the Pacific, works with regional and national organisations to catalyse interest in access legislation.

ACCESS TO JUSTICE

Police Reforms: In too many countries the police are seen as oppressive instruments of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that police act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

Prison Reforms: The closed nature of prisons makes them prime centres of violations. CHRI aims to open up prisons to public scrutiny by ensuring that the near defunct lay visiting system is revived.

Judicial Education: CHRI facilitates judicial exchanges focusing on access to justice for the most vulnerable. Participating judges get a rare opportunity to hear from activists and experts, focus on pressing issues specific to their region and familiarize themselves with recent legal and procedural, as well as social and scientific, developments relevant to their judicial work. The work was begun with INTERIGHTS some years ago. CHRI now works independently to orient lower court judges on human rights in the administration of justice.