



Commonwealth Human Rights Initiative

Submission to the 2024 Commonwealth Heads of Government Meeting (CHOGM)
Samoa, October 2024
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INTRODUCTION

The Commonwealth Human Rights Initiative (CHRI) is an independent, international non-governmental organisation working for the practical realisation of human rights in the Commonwealth. Since 1987, CHRI's research, advocacy, capacity building, and mobilisation efforts have aimed to raise awareness of human rights issues, demand accountability for human rights violations, push for policy reforms and evidenced-based interventions, and empower communities by amplifying the voices of those who are marginalised.

CHRI is deeply concerned about the erosion of democratic space, the rise of authoritarian tendencies, and persistent human rights violations across the Commonwealth. In recent years, the integrity of democratic institutions, including in traditional strong democracies, has come under significant strain. Despite the Commonwealth's commitment to uphold the principles of democracy, human rights, and the rule of law, we are witnessing alarming trends that undermine these foundational values as enshrined in the Commonwealth Charter¹ and the Commonwealth (Latimer House) Principles.²

The Commonwealth's strength lies in its shared values and collective commitment to democracy and human rights. The decline of democracy within the Commonwealth is a threat not just to individual Member States but to the entire organisation's standing as a champion of democratic ideals. We urge Commonwealth leaders to recommit to upholding the Commonwealth's shared values and principles at CHOGM 2024 and to address the following critical issues:

- **Shrinking Civic Space:** A hallmark of a healthy democracy is a vibrant civil society. However, in many Commonwealth countries, civil society organisations (CSOs) face an increasingly restrictive environment. Legal hurdles, bureaucratic burdens, and limitations on access to 'foreign' funding stifle their ability to operate freely. Intimidation, harassment, and violence against human rights defenders further silence critical voices. Online repression, including surveillance and censorship, restricts the flow of information and hinders communication channels for CSOs.
- **Erosion of Democratic Institutions:** We are witnessing the weakening of democratic institutions and processes, including attacks on the independence of the judiciary, restrictions on the freedom of the press, and the undermining of free and fair elections.

¹ [CharteroftheCommonwealth.pdf \(production-new-commonwealth-files.s3.eu-west-2.amazonaws.com\)](#)

² [commonwealth-latimer-principles-web-version.pdf \(cpahq.org\)](#)

These actions hinder civil society participation, reduce accountability for government actions, and erode public trust in democratic processes.

- **Human Rights Violations:** In many Commonwealth countries, freedom of expression, assembly, and association are curtailed. Crackdowns on peaceful protests and the criminalisation of dissent silence opposition and weaken democratic space. Discrimination and violence against marginalised and vulnerable groups, including minorities, women, and human rights defenders, remain prevalent. Human rights violations related to modern slavery and human trafficking remain a significant issue in the Commonwealth. These violations include forced labour, sexual exploitation, and domestic servitude, affecting millions of vulnerable individuals, particularly women and children. Weak enforcement of anti-trafficking laws, corruption, and socio-economic disparities exacerbate this problem. Victims often face severe abuse, restricted freedom, and inhumane living conditions, with limited access to justice and support services. Commonwealth institutions, such as the CMAG and the Commonwealth Secretariat, have failed to prioritise and take concrete action to protect and promote human rights despite stated commitments to democracy and good governance. There is a lack of robust mechanisms to monitor and address human rights violations within Member States.
- **Challenges to the Rule of Law, Accountability and Good Governance:** The rule of law, a cornerstone of democracy, is undermined by political interference in the judiciary, lack of access to justice, access to information, and impunity for corruption. Undermining judicial independence jeopardises protections against arbitrary detention, torture, and unfair trials. A lack of transparency and accountability fosters corruption, hinders development, and erodes public trust in governance. Furthermore, the Commonwealth is at a critical juncture marked by growing economic distress and widening inequality, casting a long shadow over progress towards the Sustainable Development Goals (SDGs).
- **Impact of Conflict and Insecurity:** Ethnic tensions, and rising violence threaten human rights and democratic institutions. The breakdown of law and order creates a climate of fear and impunity. Armed conflicts disproportionately impact civilians, leading to displacement, forced migration, trafficking and sexual exploitation, and humanitarian crises. CSOs working in conflict zones face immense challenges, with their safety and security under constant threat.
- **Impact of Climate Change:** The climate crisis poses a significant threat to human rights and development in the Commonwealth. Rising sea levels, extreme weather events, and resource scarcity disproportionately affect vulnerable communities. Climate change exacerbates existing inequalities, pushing people into poverty and displacing populations. This has a disastrous impact on livelihoods, forcing families and individuals to make perilous decisions which increase their vulnerability to modern slavery including human trafficking, forced marriage, and forced labour. Climate-induced modern slavery particularly affects the Commonwealth where 25 out of 56 states are small island developing states (SIDs) (constituting 66% of all SIDs globally) and are particularly vulnerable to the devastating effects of climate change.

RECOMMENDATIONS

CHRI calls on Commonwealth Member States to:

1. **Uphold the Commonwealth's Core Values:** Commonwealth leaders must renew their commitment to the Commonwealth's core values of democracy, human rights, and the rule of law. This requires creating an enabling environment for civil society to operate freely and engage in constructive dialogue with governments. The Commonwealth Secretariat should commit more resources to protecting and promoting human rights and review the functioning of CMAG to make it a more effective mechanism for all human rights, not just free and fair elections.
2. **Promote Human Rights:** Heads must ensure that human rights abuses are promptly addressed and that there is clear, accessible recourse for victims and survivors. Furthermore, take active steps to promote gender equality and combat all forms of discrimination, with particular attention to those who are marginalised and most vulnerable, including the girl child. Heads must also honor their commitment to SDG 16, furthering the rule of law and ensuring equal access to justice. The Commonwealth *Principles on Freedom of Expression and the Role of the Media in Good Governance*, together with the Latimer House Principles, constitute an integral part of the fundamental political values of the Commonwealth. The adoption of the Principles demonstrates the value of a robust partnership between Commonwealth civil society organisations and Member States. We urge Member States to take concrete and meaningful steps to implement the Principles within their domestic frameworks. Finally, the Commonwealth Secretariat should be charged to establish robust monitoring mechanisms and hold Member States accountable for upholding Commonwealth values.
3. **Take urgent steps to eradicate contemporary forms of slavery and human trafficking:** This requires placing greater emphasis on rights-based, survivor-centred, participatory and gender-and-age-sensitive approaches that address the drivers of modern slavery. This should include mainstreaming modern slavery issues into development plans at all levels through strategies that promote gender equality, protect women and children in their diversity from violence and exploitation, and foster their access to education, healthcare, resources, and opportunities for decent work. Such an approach must also incorporate effective criminal justice, survivor support and evidence-based decision making.
4. **Protect Civic Space:** Genuine dialogue and collaboration with civil society are essential for democratic governance and human rights protection. Commonwealth States should create enabling environments for civil society organisations and ensure their meaningful participation in policy-making processes. Commonwealth Member States should repeal restrictive legislation, ease bureaucratic burdens, and guarantee freedom of expression, assembly, and association. Additionally, end harassment, intimidation, and violence against CSOs, media workers, and human rights defenders.
5. **Strengthen Rule of Law and Democratic Institutions:** Commonwealth States must prioritise the establishment and enhancement of independent electoral commissions tasked with overseeing and ensuring free, fair, and transparent elections. These

commissions must be granted full autonomy from political interference, equipped with adequate resources, and empowered to enforce electoral laws and regulations impartially. Additionally, Commonwealth States must protect the independence of the judiciary, and uphold the rule of law. Finally, the Commonwealth Secretariat's Human Rights Unit must be strengthened by increasing resources and expanding its mandate to mainstream human rights in the work of the Secretariat, and to promote and support compliance with human rights principles and standards by Member States.

6. **Uphold the Principles of Fair Trial:** Commonwealth States should commit themselves to and deliver on the practical realisation of constitutional guarantees of a fair trial. States should enact enabling legislation that uphold the principles of fair trial and undertake efforts to address the increasing use of pre-trial detention across the Commonwealth. Some key measures include periodic reviews of persons arrested or detained, access to appropriate remedies to compensate individuals for unlawful detentions, access to legal representation, disclosure of information on arrested and detained individuals and reports on progress made on SDG Target 16.3.2.
7. **Fight Corruption:** Commonwealth States should implement and enforce comprehensive anti-corruption laws that include the establishment of independent anti-corruption agencies with the authority to investigate and prosecute corruption cases across all levels of government. These agencies must be provided with sufficient resources, legal powers, and autonomy to operate without political influence. Additionally, States should promote transparency through mandatory public disclosure of assets by public officials, regular audits, and the use of digital technologies to track public expenditures. Furthermore, States must ensure public access to information and hold those responsible for corruption accountable.
8. **Promote Peace and Security:** Address the root causes of conflict such as economic inequality, ethnic tensions, and lack of political representation, through inclusive dialogue, respect for human rights, and addressing grievances. States should invest in community-based peacebuilding initiatives that empower local leaders and civil society organisations to mediate conflicts and foster dialogue among diverse groups, and endorse international instruments on peace.
9. **Address Climate Change:** States should take urgent action to mitigate climate change and adapt to its inevitable impacts. In doing so, States must prioritise the needs of vulnerable communities and ensure their participation in decision-making processes. States must ensure that responses to climate change considers issues related to loss of livelihood, migration, and increased vulnerability to modern slavery, human trafficking, and exploitation.

Promoting and protecting human rights in the Commonwealth is not just a moral imperative, but a practical necessity for achieving peace, stability, and sustainable development. The diverse nature of the Commonwealth presents unique challenges, but also opportunities for mutual learning and cooperation. By strengthening democratic institutions, protecting civic space, ensuring access to information and accountability, fostering inclusive dialogue, promoting peace and security, addressing climate change and other specific challenges, the Commonwealth can make significant strides in promoting and protecting human rights. This collective effort will contribute to a more just, equitable, and prosperous future for the Commonwealth family.