



# Commonwealth Forum of National Human Rights Institutions

## 2015 Biennial Meeting

Intercontinental Hotel, Malta  
23 –25 November 2015

### Outcome Statement

1. The Commonwealth Forum of National Human Rights Institutions, (CFNHRI) met at the Intercontinental Hotel, St Julian, Malta from 23 to 25 November 2015.
2. The CFNHRI is an informal and inclusive body of Commonwealth National Institutions for the Promotion and Protection of Human Rights and other national accountability mechanisms with a human rights mandate. National Human Rights Institutions (NHRIs) play an important role in ensuring that internationally accepted human rights standards result in improved enjoyment of human rights on the ground within their respective countries.
3. Delegates shared experiences and good practices in monitoring, protecting and advocating for human rights including the use of international, regional and national systems and identified constraints and challenges faced by NHRIs in the Commonwealth. The meeting enabled participants to exchange experiences of protecting and promoting human rights in existing and emerging areas of concern in the Commonwealth, including freedom of expression, association and assembly, migration, strengthening relationships between independent institutions, and child, early and forced marriage (CEFM) in furtherance of the Kigali Declaration. The meeting adopted the *St Julian Declaration on Climate Justice* as representative of the views of Commonwealth NHRIs to the COP21 process.
4. The Forum welcomed the establishment of a National Human Rights Institution in Samoa and recognised steps taken towards establishment in Grenada and Jamaica.
5. The CFNHRI reaffirmed its commitment to promoting interaction and dialogue among NHRIs, with regional bodies and civil society, and within other NHRI gatherings and the UN human rights mechanisms; and allowing for collective expressions of support, encouragement or concern in relation to particular events and developments in individual Commonwealth NHRIs for the better promotion and protection of human rights.

### *Commonwealth National Human Rights Institutions*

6. *Reaffirm* commitment to the Commonwealth Charter and the values and principles therein.
7. *Call* on Commonwealth Heads of Government to strengthen human rights protection and promotion in the Commonwealth in compliance with their obligations under international human rights treaties and mechanisms.



8. *Call* on Commonwealth Heads of Government to respect, promote and embrace diversity and pluralism and strengthen the protection and promotion of the rights of children, young people, elderly people, women and girls and vulnerable groups including people with disabilities, ethnic, religious and cultural minorities, indigenous peoples, migrants, refugees and asylum seekers, and LGBTI persons.

9. *Call* on Commonwealth Heads of Government to seize the opportunity to prioritise human rights in their discussions and recognise the links between human rights and migration, climate change, sustainable development, peace and security.

10. *Note* the adoption of the 2030 Agenda for Sustainable Development which aims to eradicate poverty in all its dimensions and ensure no one is left behind. In this regard, they *call* on Heads of Government to lead implementation of the 2030 Agenda guided by a rights-based approach and the principle of equality and non-discrimination on any grounds.

11. *Call* on Commonwealth Heads of Government to support the establishment, operationalisation and strengthening of National Human Rights Institutions in the Commonwealth in compliance with the Paris Principles, to respect their independence and autonomy, and enable their effectiveness through adequate resourcing.

### *Child, Early and Forced Marriage*

12. *Commend* the adoption of the *Kigali Declaration* by NHRIs in Kigali, Rwanda, and *encourage* NHRIs that have not yet done so, to sign the Declaration.

13. *Note* the work of the Commonwealth Secretariat to prevent and eliminate CEFM in the Commonwealth and *encourage* efforts to continue in the areas of comparative advantage identified by the Secretariat and particularly: working with NHRIs, parliaments and parliamentarians; working with traditional leaders and their governance structures; mobilizing men and boys; and working with and through regional platforms.

14. *Note* that victims of CEFM who are widows are one of the vulnerable groups identified in the Kigali Declaration.

15. *Commend* the launch of the Commonwealth champions against child marriage as a network of young men and women who have been subjected to CEFM. The network will be made up of individuals who have fled such marriages or related harmful, traditional practices that lead to these kinds of marriages. The champions against child marriage will act not only as a network but a platform for these young men and women, ensuring their voices are heard. It will provide them with the space and capacity to take on innovative advocacy roles where they can contribute to the prevention and elimination of CEFM.



16. *Commit* to strengthen their efforts to prevent and eliminate CEFM by implementing in the Kigali Declaration.

*Freedom of expression, association and peaceful assembly*

17. *Reaffirm* the importance and value of an independent and vibrant civil society and the importance of safeguarding the ability of civil society to operate freely, openly and safely.

18. *Note* with concern the narrowing of civil society space in parts of the Commonwealth and attempts to curtail the lawful activities of civil society.

19. *Reaffirm* that freedom of expression, freedom of religion and belief, freedom of peaceful assembly and freedom of association are fundamental rights that form the basis of the full enjoyment of other rights.

20. *Reaffirm* that these rights are a cornerstone of democratic societies, indispensable conditions for the full development of the person and are at the heart of an active, free and engaged civil society.

21. *Commit* to strengthen the role of NHRIs in safeguarding these rights and freedoms and supporting civil society through *inter alia*: advising State institutions on compliance with international human rights instruments and good practices, through human rights education of individuals and institutions, through monitoring and research and through, where appropriate, use of legal and regulatory powers to protect and promote these rights;

22. *Commit* to contribute to, advocate for and ensure the protection of human rights defenders and civil society in their respective countries.

*Migration*

23. *Note* with concern the dangers migrants face including: perilous journeys, exploitation by criminal networks, dangerous interception practices, and the ill treatment experienced by migrants, particularly irregular migrants, in countries of destination such as discrimination and marginalisation, arbitrary decision-making, prolonged detention, difficult working and living conditions, and lack of basic social services.

24. *Note* particularly challenges and perils faced by refugees, asylum seekers, internally displaced persons, unaccompanied minors, and other persons of interest for the United Nations High Commissioner for Refugees.

25. *Note* that the in the 2030 Agenda for Sustainable Development, States committed to '*Cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status, of refugees and of displaced persons*'; and *note* that



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the draft COP16 document states are invited to adopt ‘measures to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation, where appropriate, at the national, regional and international levels’.

26. *Urge* Commonwealth member states to become party to the Convention relating to the Status of Refugees and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to consider the elaboration of a rights-based global migration governance framework.

27. *Commend* NHRIs that have pro-actively protected and promoted the rights of migrants, asylum seekers, refugees, unaccompanied minors and internally displaced persons.

28. *Underscoring* the unique role NHRIs can play in protecting and promoting the rights of migrants, *commit* to learn from each other in regard to effective interventions to protect and promote the rights of migrants *inter alia*, through a Commonwealth Roundtable for NHRIs on the rights of migrants.

29. *Commit* to advocate for the rights of migrants at the national, sub-regional, regional and international levels and to advocate for the elaboration of a rights-based global migration governance framework.

### Strengthening cooperation between governance institutions

30. *Note* that *Goal 16* commits states to: ‘Promote peaceful and inclusive societies for sustainable development; provide access to justice for all and build effective, accountable and inclusive institutions at all levels’ and particularly target 6: ‘develop effective, accountable and transparent institutions at all levels’.

31. *Note* the leadership of CFNHRI members in promoting rights based approaches to governance and championing collaboration with other institutions, particularly independent oversight institutions, to ensure these are effective, accountable and transparent.

32. *Commit* to share good practice on strengthening collaboration between NHRIs and other independent institutions including anticorruption authorities, election management bodies, ombudsman institutions, police complaints commissions and regulatory bodies, with, where appropriate, the support of the Commonwealth Secretariat.

33. *Commit* to strengthen collaboration and engagement with parliaments to advance rights based governance in furtherance of the Belgrade Principles.

34. *Commit* to implement Goal 16 and target 6 within their institutions, ensuring they are effective, accountable and transparent, in compliance with the Paris Principles, as assessed by the International Coordinating Committee of National Institutions’ accreditation process.



*In conclusion CFNHRI members:*

35. *Note* with gratitude and appreciation the leadership of SUHAKAM, the Human Rights Commission of Malaysia as outgoing Chair of the CFNHRI.

36. *Look forward* to working with the incoming Chair, the Northern Ireland Human Rights Commission and appreciated the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland for the funding provided to the Forum for the next two years through the NIHRC.

37. *Note* with appreciation the ongoing support of the Commonwealth Secretariat and the proactive engagement of the members of the Forum.