



Chair's Report 2018 - 2020

Message from the Chair

The Equality and Human Rights Commission (EHRC) became Chair of the Commonwealth Forum of National Human Rights Institutions (CFNHRI) in April 2018. Our ambition was to build on the exceptional legacy of previous Chairs to expand the influence of the CFNHRI, to support members to further their own objectives, and to take a member-led approach to further developing the Forum's governance and strategic priorities.



We are sharing this Chair's report under unusual circumstances: the Commonwealth Heads of Government meeting has been postponed and our 2020 Annual Meeting has been cancelled due to COVID-19. This prevents us all from meeting face-to-face and has delayed the handover of Chair of the Forum to the Rwandan National Commission on Human Rights.

Despite this, it has been a privilege to witness and contribute to the progress the Forum and its members have made to protect and promote human rights across the Commonwealth during our term. The achievements laid out in this report testify to the amazing support, enthusiasm, and dedication to the CFNHRI by its members, and highlight the incredible value of our network.

A significant area of the Forum's work, proposed by members at the Biennial Meeting in 2018 and adopted into the 2019-2021 Strategic Plan, was to build the capacity for NHRIs to progress work on Sexual Orientation and Gender Identity (SOGI) rights. Over the course of our term, the CFNHRI has hosted two international seminars for members on SOGI rights, and collaborated with members to produce an animated film promoting the work and role of NHRIs on this issue. Through shared learning at international events, and through contributions to the Forum's resources and programme activities, NHRIs are demonstrating how they are their unique powers to advance the rights of Lesbian, Gay, Bisexual, Transgender, and Intersex people across the Commonwealth. The diversity of issues and approaches of NHRIs in this area show not only a willingness to progress SOGI rights, but also that there is already a wealth of knowledge and expertise to do so within our membership.

Ensuring that the Forum has robust governance continues to be a collective effort. We have created Terms of Reference that ensure all members can participate fully and fairly in decision-making. An exciting and significant development from this work, and an additional research project, has been the decision to strengthen the foundations of the Forum and make it a truly independent and sustainable network.

We hope that over the coming months, as we continue in our role as Chair of the CFNHRI, we can secure seed-funding for the Northern Ireland Human Rights Commission and the Rwanda National Commission for Human Rights to establish a permanent secretariat. I have great confidence that, with the support of our members, this initiative will be a success that will help the Forum to grow from strength to strength, and provide valuable opportunities for technical and programme support for Commonwealth NHRIs.

Finally, the coronavirus pandemic has presented challenges on a number of fronts, not only for the operational capacity of our institutions but for the rights and wellbeing of the people we serve. The way members of the Forum have responded to the crisis has been commendable. We understand perhaps better than anyone the risk that the pandemic has on further entrenching inequality for already marginalised individuals and communities, and for protecting the rights of those who have long been subjected to violence and discrimination. The CFNHRI recognises the challenge ahead in responding to the crisis, and the role our network can play in shaping future policy and service provision that helps our nations create a fairer and safer future for all citizens.

Let me close with a thank you to all of the members of this Forum for your ongoing support, to the Government of the United Kingdom for its investment in the CFNHRI during our term as Chair, and to the team at the EHRC for their hard work and dedication.



Rebecca Hilsenrath
Chief Executive
The Equality and Human Rights Commission

Robust Governance

Strategy

We agreed the strategic direction of the Forum for our term as Chair through engagement with a working group. The three key areas which were identified as core foundations of our strategic activity centred on:

- 1) Robust Governance
- 2) Exemplar Communications
- 3) Creating Change

'Creating Change' included prioritising capacity-building and awareness activity on Sexual Orientation and Gender Identity, and the rights of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people across the Commonwealth.

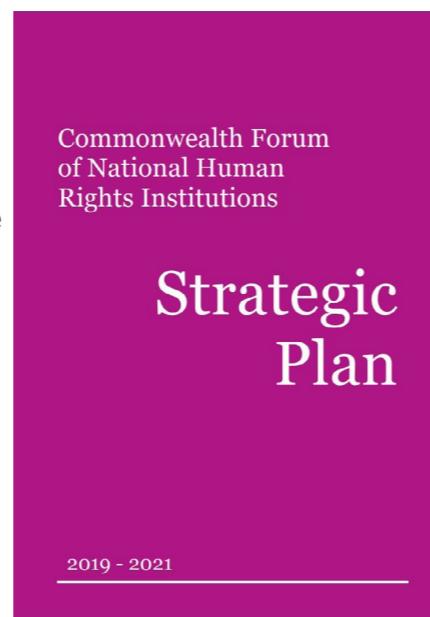
We decided on this priority following membership workshops and discussions from the Biennial Meeting in April 2018. The Strategic Plan was adopted at the CFNHRI Annual Meeting in March 2019.

Governance

In our first year as Chair of the CFNHRI we undertook a governance review to assess what changes were needed to support the Forum to achieve its aims of increasing inclusivity and representation in the network, and clarifying its governance structures. We established a working group that reviewed the governing documents and amended the CFNHRI's Terms of Reference to improve the accountability of the Chair to the membership, and transparency of decision making. The changes were presented and discussed by members at the Annual Meeting in March 2019.

Notably, following further discussion on the issue of participation of 'A' status and 'B' status NHRIs, the membership decided that all NHRIs in the Commonwealth should be able to participate equally in meetings regardless of the accreditation status of their institution, and voted to adopt a single membership category.

The Forum retains the requirement for the Chair of the Forum to be an 'A' Status institution. These significant changes create an exciting new era for the Forum, providing an effective way to ensure the Forum maintains its influence and credibility, whilst providing an open space for membership participation.



Sustainability

Evaluation of our first year of Chair underlined a number of risks associated with the long-term sustainability of the Forum. Between June and September 2019, we undertook a scoping project to research options that could strengthen the Forum's governance and accountability, and provide more opportunities for growth and capacity building support to its members.

The scoping project identified that establishing a permanent secretariat for the Forum would be the most appropriate avenue to address these issues. Following the scoping review, we consulted with members who were unanimous in their approval of this way forward. Four NHRIs expressed their interest in hosting the secretariat.

Given the interest in this opportunity, we established a formal process so the members could vote on where they want the permanent secretariat to be established. We set up a working group, Chaired by the Nigerian NHRI, and invited those interested to submit proposals. The working group supported and oversaw this process to ensure fairness and transparency.

Members voted for a joint bid from the Northern Ireland Human Rights Commission and the Rwanda National Commission for Human Rights. The next steps for establishing a permanent secretariat, such as identifying and securing seed funding, are under way and will continue to be progressed during our extended term of Chair.

Special thanks to the strategy and governance working group members

Australian Human Rights Commission
Canadian Human Rights Commission
Commission On Human Rights And Administrative Justice Ghana
Ombudsman of Namibia
National Human Rights Commission of Nigeria
New Zealand Human Rights Commission
Northern Ireland Human Rights Commission
Rwanda National Commission for Human Rights
Samoa National Human Rights Commission
SUHAKAM (NHRI of Malaysia)
Uganda National Human Rights Commission

Newsletter

Feedback at the Biennial Meeting in April 2018 indicated the membership was keen to receive more regular communications. In August 2018 we set up a regular CFNHRI forum newsletter that needs to be online for accessibility and summarises Forum and membership activity, examples of best practice, signposting to new and relevant resources, and details of events and training opportunities.

In line with the Strategic Plan, the newsletter specifically includes information on Sexual Orientation and Gender Identity rights such as:

- work undertaken by member NHRIs and civil society organisations operating in the Commonwealth;
- statements and reports from UN experts or committees;
- developments on issues relating to discrimination and changes to legislation, and;
- guidance and research produced by members and relevant stakeholders.

Membership communications

We have strived to ensure that information about the Forum's activity is communicated quickly, clearly and effectively to members. As much as is possible, we have aimed to be respectful of differences in time zones and the capacity of members to contribute to requests for content and to review documents. We ensured that all meeting documentation, event information and travel advice was circulated to members well in advance of international events.

Recognising the different mediums NHRIs use to communicate, we set up WhatsApp groups as alternative means to share information with members. This was particularly effective at events where we used the platform to coordinate attendees and share scheduling information.

Social media

Commonwealth Forum members are active across a variety of social media platforms. During our term as Chair we have made strides to post more frequently on the Forum's social media channels.

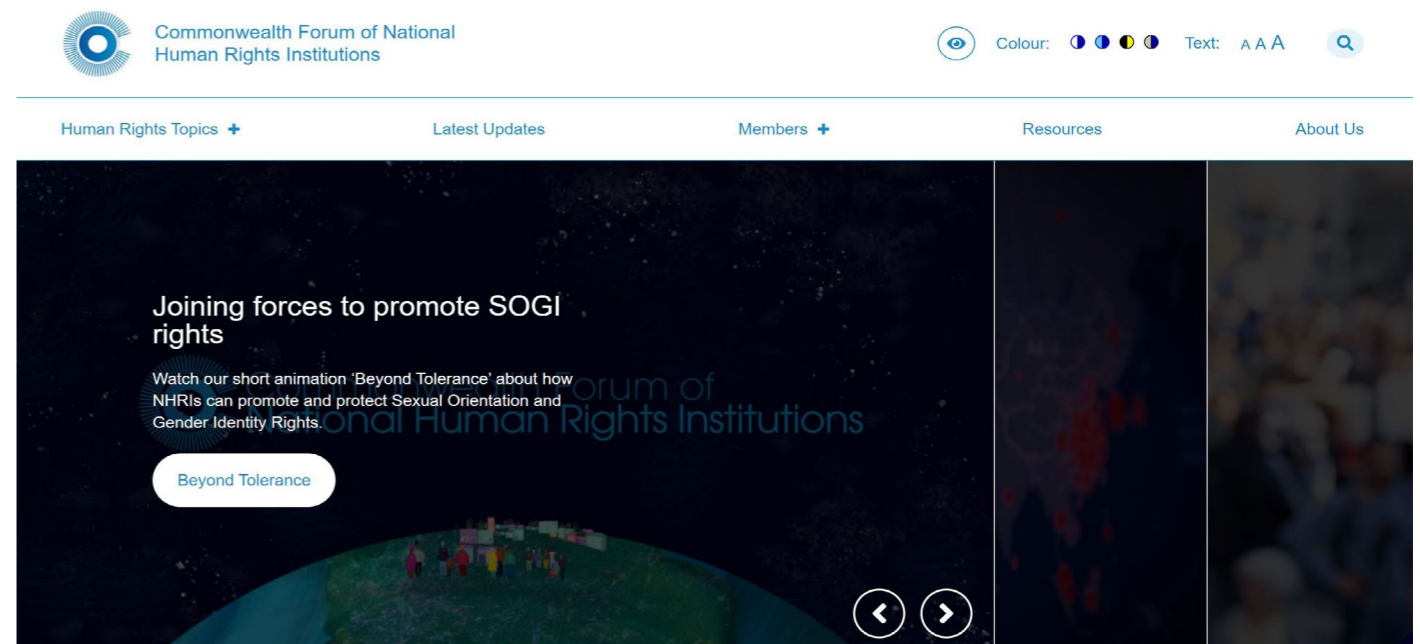
We have used Twitter in particular to post content from the website, engage with international awareness days, promote activity of members, share statements and engage stakeholders.

3100+

Likes, shares, retweets on Twitter

39%

Newsletter average open rate (above industry standard)



Website

The CFNHRI website promotes the human rights expertise and programme activity of the Forum and its members. It is an important source of information both for members and for external stakeholders who want to understand what the Forum is and does, the role of NHRIs in protecting and promoting human rights, and the human rights priorities across the Commonwealth. Maintaining and updating the website can be challenging, particularly when resourcing for this work can vary depending on the capacity of the Chair.

In our second year as Chair we made some updates to the website to address this issue, which included:

- moving the site to a more universally used and supported Content Management System (CMS);
- simplifying the design for accessibility and improved user experience;
- promoting member activity in multiple locations across the site in various ways through side-bar menus, recommended articles, and within the membership directory;
- creating a new resources hub designed to expand over time as resources from members and external stakeholders are added; and
- ensuring the website is compliant with the General Data Protection Regulation (GDPR).

60+

News articles published

30+

Resources uploaded

18+

SOGI rights resources uploaded

5

Thematic pages created

Creating Change

At the Biennial Meeting in April 2018 members identified Sexual Orientation and Gender Identity rights as a priority issue for the CFNHRI to work on throughout the EHRC's term as Chair.

Many people across the Commonwealth experience discrimination, violence and abuse because of their sexual orientation and/or gender identity (SOGI). Furthermore, people who identify as Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) often face additional barriers accessing health care, education and employment.

Discrimination against LGBTI people can result from stigma and misunderstanding, occur at familial, community, or societal level, and be reinforced at State level through punitive and discriminatory laws. Approximately two-thirds of countries in the Commonwealth criminalise same-sex activity between adults.

CFNHRI members are addressing the rights of LGBTI people in different contexts and from different starting points. Our aim when designing programme activity on this issue was to be led by members and informed by their expertise in the social and political context that they operate in.

Our international events provided an opportunity for members to share their work on SOGI rights issues such as access to justice and employment, access to health care and education, and participation in sport. They also demonstrated how engagement with international human rights mechanisms can be used to better monitor implementation of recommendations to advance protections of LGBTI people.

On the new CFNHRI website, we also created a library of SOGI resources. As this database grows, we will continue to support knowledge exchange and education on issues that specifically affect LGBTI people.

By hosting international events, creating a library of relevant resources and an educational animation on the issue, we provided opportunities to develop the capacity of institutions to work on this issue safely, while raising visibility of the issue and the unique powers NHRIs can use to advance, protect and promote SOGI rights across the Commonwealth.



Speakers: Leanne MacMillan, Stonewall; David Isaac, GB Equality and Human Rights Commission; Kazi Reazul Hoque, Bangladesh National Human Rights Commission; Ross La Jeunesse, Google.

Working with business on SOGI Rights

The CFNHRI hosted an event in December 2018, at the UN Forum on Business and Human Rights that brought together representatives from NHRIs, Civil Society Organisations and Business to discuss how to protect and promote Sexual Orientation and Gender Identity (SOGI) rights.

Business holds huge power to drive change, and the wider business community is increasingly recognising that respect for human rights is good for business as well as the right thing to do. Businesses can create safe, inclusive and supportive workplaces for LGBTI staff and create cultures of acceptance internally as well as the communities they work in.

The seminar focussed on how we can combine the influence of business with the human rights expertise of NHRIs, and the local knowledge of NGOs, to move beyond rhetoric and actually change policy and practice. Attendees identified the need to be bold and create the space for conversation; build stronger and more innovative partnerships; hold decision-makers to account; leverage reputation and expertise, and take action through collective advocacy.

By hosting this event alongside the UN Forum on Business and Human Rights the CFNHRI maximised value added to member attendees, as it provided further opportunities to engage with topical discussions on business and human rights and the role of NHRIs in this space.

6 members funded to attend UN Forum on Business and Human Rights and CFNHRI Business and SOGI rights seminar

35 attendees at CFNHRI Business and SOGI rights seminar from GANHRI, ENNHRI, CFNHRI, and Civil Society Organisations.

Advancing rights through monitoring and implementation

The CFNHRI organised two side events during the Global Alliance of National Human Rights Institution's 2019 General Assembly that focussed on NHR engagement with the UN human rights mechanisms. The aim of these sessions was to provide members with an opportunity for share examples of engagement with the Universal Periodic Review to advance minority rights, and learn about innovations in the field of monitoring and implementation and strategic approaches to the UPR process.

NHRIs from Great Britain, Kenya, Northern Ireland, Samoa, and Uganda presented examples of best practice in engaging with the UPR process to advance minority rights, and enhancing tracking, monitoring and implementation of UPR recommendations. Some of the case studies provided examples of how NHRIs can work with government, law enforcement, and civil society to translate UPR recommendations into concrete measures to advance sexual orientation and gender identity rights.



8 members funded for Annual Meeting and UPR seminars

5 CFNHRI members as panelist contributors

NHRI speakers were joined by Gianni Magazzeni, Chief of OHCHR's UPR Branch and experts from the Sexual Rights Initiative, Pacific Commonwealth Equality Project, UPR Info.

The inclusion of guest speakers from Office of the United Nations High Commissioner for Human Rights (OHCHR) and civil society organisations, provided opportunities for attendees to build new partnerships, and raised the visibility of NHRIs and their expertise in monitoring and implementation. By hosting the seminars alongside GANHRI's General Assembly, the CFNHRI maximised member attendance to our Annual Meeting and seminars. We supported improved capacity building through the funding of some members to attend GANHRI's General Assembly, providing opportunities to attend regional meetings, and contribute to GANHRI's programme of workshops and discussions.

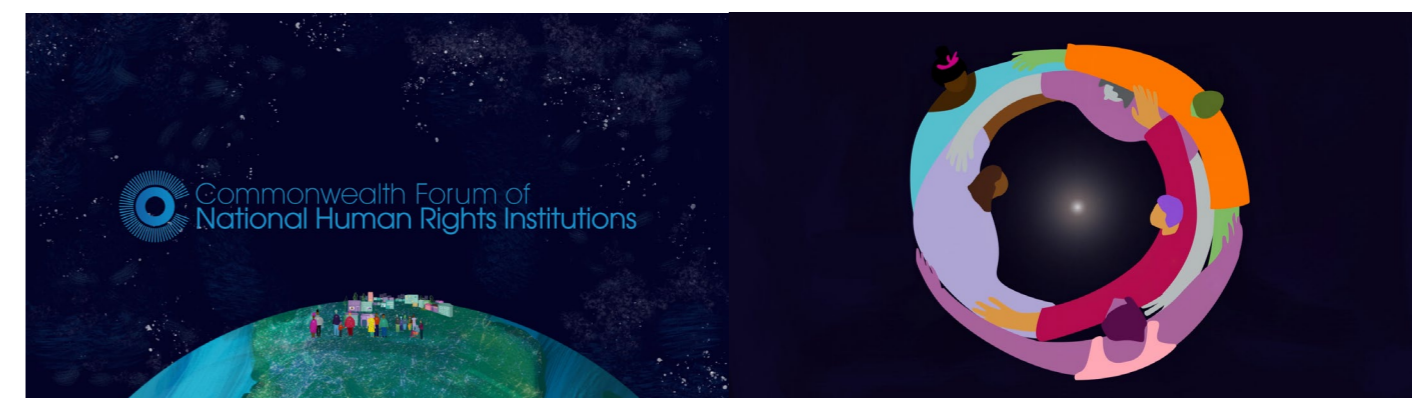
Beyond Tolerance

To mark International Day Against Homophobia, Biphobia and Transphobia 2019, the CFNHRI launched an animated film, 'Beyond Tolerance', which brought together the testimony of members to highlight the important role NHRIs can play in upholding, protecting and promoting the human rights of LGBTI people.

The animation underscores that acceptance and inclusion are vital foundations of strong, rights-respecting societies where everyone can thrive, and no one is left behind. The film was narrated by the UN Independent Expert on SOGI, Victor Madrigal-Borloz, who also recorded a video message for the CFNHRI highlighting the disproportionate impact of COVID-19 on LGBTI individuals and communities, and how NHRIs can respond.

The launch campaign included case studies from CFNHRI members from Samoa, Cyprus and Eswatini, detailing their work to advance the rights of LGBTI people in areas such as access to healthcare, advancing legislation on gender recognition, and improving education and awareness on sexual orientation and gender identity rights.

In a blog supporting the campaign David Isaac, Chair of the EHRC, spoke of the importance of networks such as the CFNHRI in supporting collective approaches to tackling the disproportionate impact of COVID-19 on marginalised groups, and specifically LGBTI people.



"It was my great honour to narrate this video produced by CFNHRI on LGBT lives and the essential role of NHRIs in the promotion and protection of their rights. Thank you for your trust!"

Victor Madrigal-Borloz, UN Independent Expert on SOGI



15
member NHRIs attended

7
members funded to attend by CFNHRI



Sport and human rights

In September 2019, delegates from 15 NHRIs and Ombudsman offices gathered in Kigali, Rwanda to attend a workshop on sport and human rights, led by the Northern Ireland Human Rights Commission in coordination with the CFNHRI and Rwanda National Commission for Human Rights.

Building on adoption of the London Declaration on Sport and Human Rights by the CFNHRI in April 2018, this workshop was aimed at considering the potential for NHRIs to embed human rights in sport, through commitments made in the Declaration. The Rwandan and Australian NHRIs provided examples of how they have used of sport as a platform to promote human rights on issues as diverse as racism, homelessness and domestic violence. The Australian Human Rights Commission also shared information about their guidelines on gender equality in golf and inclusion of transgender and gender diverse people in sport.

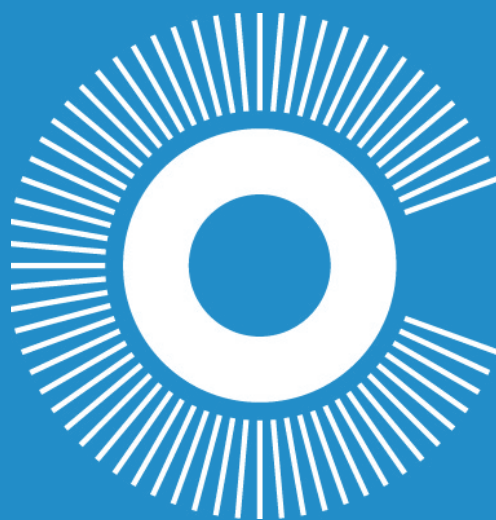
Held alongside Commonwealth Sport's (formerly the Commonwealth Games Federation) annual meeting, the workshop maximised value for CFNHRI members, by providing an opportunity for dialogue between NHRIs and their respective Commonwealth Games Associations (CGAs) and their representatives of networks and organisations.

With the assistance of the Centre for Sport and Human Rights, the CFNHRI delivered an engaging programme for NHRI delegates where they could exchange knowledge and experience with those who had not yet explored the area of sport and human rights. The workshop also helped to raise the profile of the CFNHRI as

a valuable human rights network amongst local, international and Commonwealth sporting bodies and rights institutions.

The focus on sport and human rights built on the legacy of the Northern Ireland Human Rights Commission during their term as Chair. As such, it improved continuity between the terms of Chairs of the CFNHRI, highlighting that key human rights issues can have longevity within the Forum, and allow for progress and meaningful advances to be made over time.





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