

**6 September 2011****Open Letter to Commonwealth Foreign Ministers***Subject: The Commonwealth Heads of Government Meeting (CHOGM) 2013*

We are gravely concerned about the ongoing discussions on holding the 2013 CHOGM in Sri Lanka.

At the 2009 CHOGM, Sri Lanka's candidature for hosting the meeting was deferred from 2011 to 2013 because of concerns about human rights abuses by the Sri Lankan government. While war-time abuses have ended, the situation in Sri Lanka continues to be characterised by serious human rights violations, including assault on democratic institutions, such as the media and trade unions. The Panel of Experts appointed by the UN Secretary-General to advise him on the status of allegations of war crimes during the last weeks of the conflict in Sri Lanka has concluded that serious abuses were committed by the government and by the LTTE, and warrant an international investigation.

Consideration of Sri Lanka as host of the next CHOGM appears grossly inappropriate in the above context. Awarding the next CHOGM to Sri Lanka would not only undermine the fundamental values on which the Commonwealth is based, but also has the potential to render the Commonwealth's commitment to human rights and the promise of reforms meaningless.

At this crucial juncture, when the Commonwealth is seeking to strengthen its legitimacy and relevance, there is an urgent need for the institution to take principled decisions that demonstrate its commitment to the fundamental values of democracy and human rights.

The fact that the host country of the CHOGM goes on to hold the chairmanship of the Commonwealth (from 2013 to 2015) is also a serious concern. Handing over leadership of the Commonwealth to a country with a questionable record in terms of human rights and democracy should not be the outcome of an event that will celebrate the twentieth anniversary of the Harare Declaration.

We note that the Commonwealth Ministerial Action Group (CMAG) is looking into ways in which it can fully implement its mandate to act on "serious or persistent violations" of the Commonwealth's fundamental values.

We urge that the CMAG should call on the government of Sri Lanka to meet a specific set of benchmarks within an agreed upon timeline in order to prove itself worthy of hosting the Commonwealth's emblematic meeting in 2013.

These benchmarks could include:

1. Ensuring meaningful domestic implementation of the international human rights treaties to which the Government of Sri Lanka is party and bringing all legislation in line with international human rights standards;
2. Providing guarantees that all Sri Lankan people will be treated with dignity and respect as equal citizens and live in an environment in which they can enjoy all fundamental rights guaranteed by the Constitution of Sri Lanka;
3. Restoring Constitutional provisions that guarantee separation of powers and re-instating the independence of the three wings of government;

4. Restoring the independence of key government institutions, such as the National Human Rights Commission;
5. Instituting effective mechanisms to protect journalists, civil society groups and human rights defenders who work for the promotion and protection of human rights;
6. Supporting and cooperating with independent and credible domestic and international investigations into all allegations concerning violations of international humanitarian and human rights law in the country, especially related to the conduct of the conflict which ended in 2009; and
7. Committing to collaborate with the Office of the UN Secretary General to initiate the implementation of the recommendations set out in the report of the UN Secretary General's Panel of Experts.

CMAG should conduct its monitoring of these benchmarks in a transparent way, in cooperation with the government and with full participation by civil society.

Sincerely,

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