

Regional Analysis of Commonwealth Human Rights Information

The country pages summarise information for each Commonwealth member in turn, offering a snapshot for each individual state. In 2010, data has been included on ratifications of the Rome Statute (for the International Criminal Court) and the Optional Protocols that relate to the eight core treaties that we have chosen to review. The graphs that follow offer analyses of country information, grouped by Commonwealth region: Africa – with 19 member states, Caribbean (13) (including Canada), Europe–Asia (11) and the Pacific (11).

Figure 1: Ratification rate (%) – Treaties and Protocols

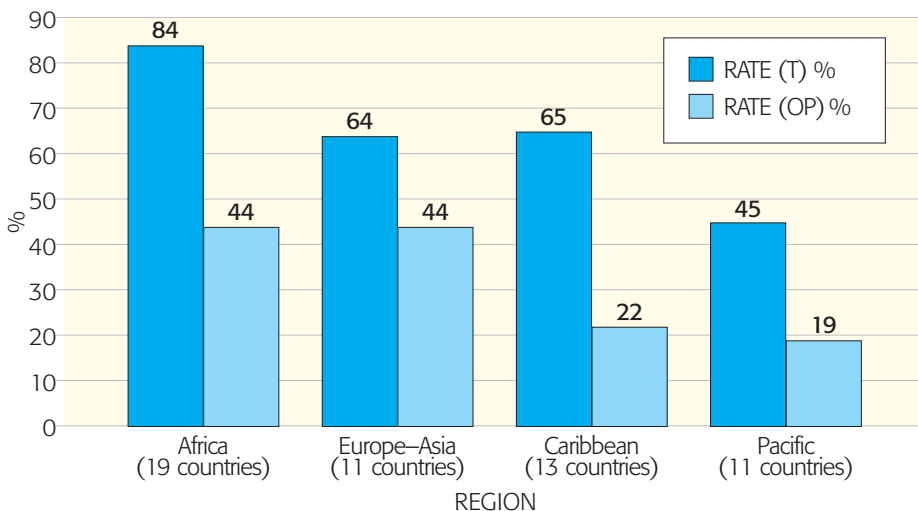


Figure 1 shows the extent of ratifications against the total possible, with regard to the nine Treaties (the eight core treaties plus the Rome Statute) and seven Optional Protocols.

Treaties: This has been calculated by considering the number of countries in each region, the nine treaties that could potentially be ratified by all, and comparing this to the actual number of ratifications. So, for Africa for example, there are 19 members and nine treaties, making the full number of potential ratifications 171. The actual number is 143 which gives an impressive rate of 84 per cent. For Europe–Asia the rate is 64 per cent, for the Caribbean it is 65 per cent and for the Pacific region 45 per cent.

Optional Protocols: This figure has been calculated in the same way, with the base figures being, for Africa, a total potential ratification of seven protocols for 19 countries, giving a sum of 133. The actual number for the region is 59, giving a rate of 44 per cent, the same as for Europe–Asia. The rate for the Caribbean is 22 per cent and for the Pacific is 19 per cent.

Figure 2 (opposite) – Ratification of treaties, by region (%)

Figure 2 shows how widely each treaty has been ratified in each region. As in 2008, the Convention on the Rights of the Child is the only treaty that enjoys universal ratification in the Commonwealth, with CEDAW coming a close second. The treaty that codifies the rights of Migrant Workers and their Families has the least support. The newest treaty – on the rights of persons with disabilities – is enjoying a speedy take up.

As it was two years ago, Africa remains the region with a consistently high ratification record across all the nine treaties reviewed here.

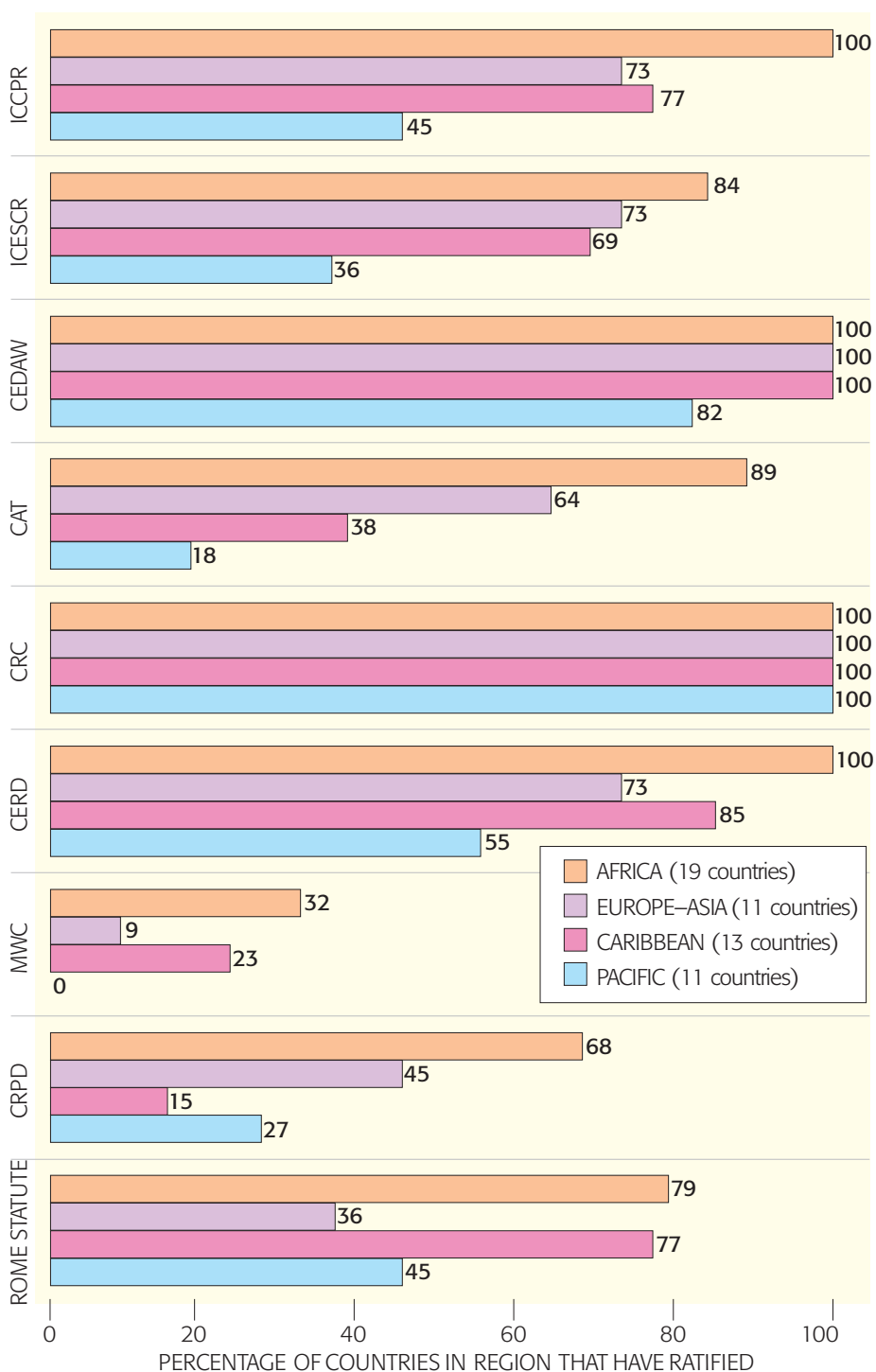


Figure 3 – Ratification of protocols (%), by region

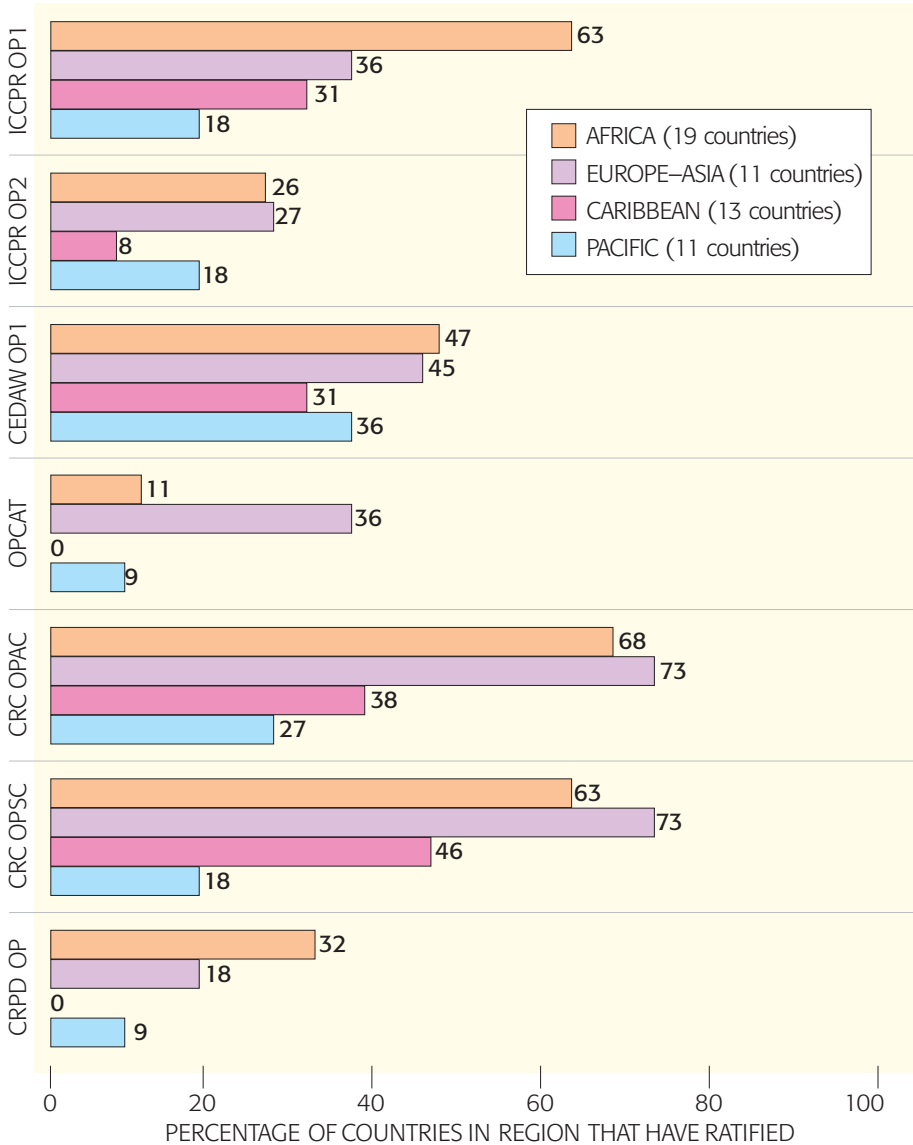


Figure 3 records the percentage of countries in each of the four Commonwealth regions that has ratified each of the seven Optional Protocols under consideration. The levels of ratification are considerably lower than for the treaties, with no region reaching above 73 per cent (Europe-Asia).

The highest rates are for the two Protocols relating to the Convention on the Rights of the Child: one on armed conflict and the other in relation to sexual exploitation.

Figure 4 – Highest number of ratifications, by region

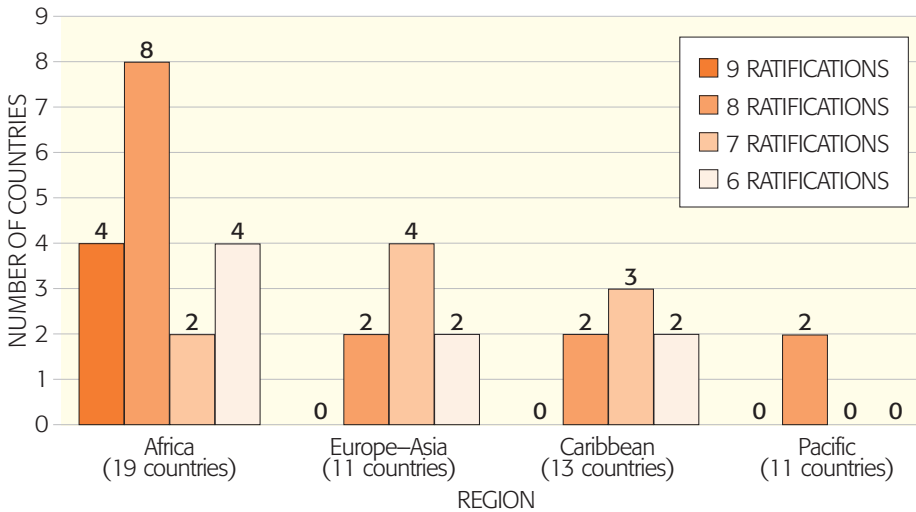


Figure 4 shows by region the countries that have the widest ratifications, across the 8 core treaties under consideration and the Rome Statute. In 2008 we noted just 1 state that had ratified all 8 core treaties – Uganda. Two years later, there are now 5 that have done so – all in Africa. These are Lesotho, Nigeria, Rwanda, Seychelles and Uganda. Of these, 4 have also ratified the Rome Statute, that is 9 in total.

In Africa there are 7 states that have ratified 8 treaties which includes the Rome Statute and 1 state that has ratified 8 treaties not including the Rome Statute. Two states have ratified 7 treaties including the Rome Statute. Two states have ratified 6 treaties including the Rome Statute and 2 states have ratified 6 of the core treaties, excluding the Rome Statute.

In Asia-Europe 2 states have ratified 8 treaties which includes the Rome Statute. Two states have ratified 7 of the core treaties which includes the Rome Statute and 2 states have ratified 7 of the core treaties, excluding the Rome Statute. Two states have ratified 6 of the core treaties, excluding the Rome Statute.

In the Caribbean 2 states have ratified 8 treaties which includes the Rome Statute. Two states have ratified 7 treaties including the Rome Statute and 1 state has ratified 7 treaties excluding the Rome Statute. Two states have ratified 6 core treaties including the Rome Statute.

In the Pacific two states have ratified 8 of the treaties including the Rome Statute.

Figure 5 – Reservations (No.) against core treaties, by region

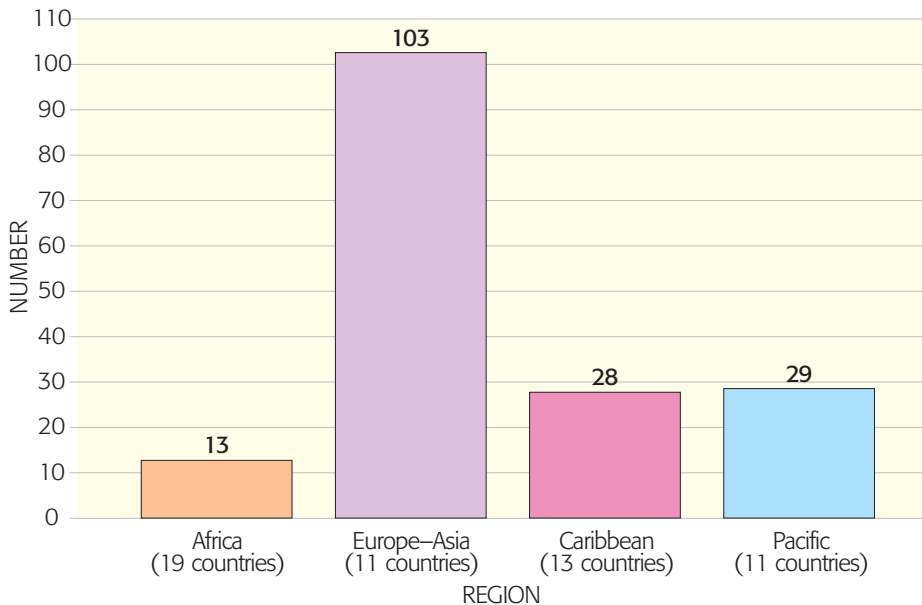


Figure 5 notes the number of reservations against the nine core treaties by region. In Africa a total of 13 reservations

have been entered, in Europe–Asia there is a total of 103, with 28 in the Caribbean and 29 in the Pacific.

Africa, with the most member states and the highest number of ratifications, has entered the smallest number of reservations. The range of reservations is 0–29, with 24 states having no reservations at all. Distribution across the range is shown in Figure 6.

Figure 6 – Distribution of reservations, by region

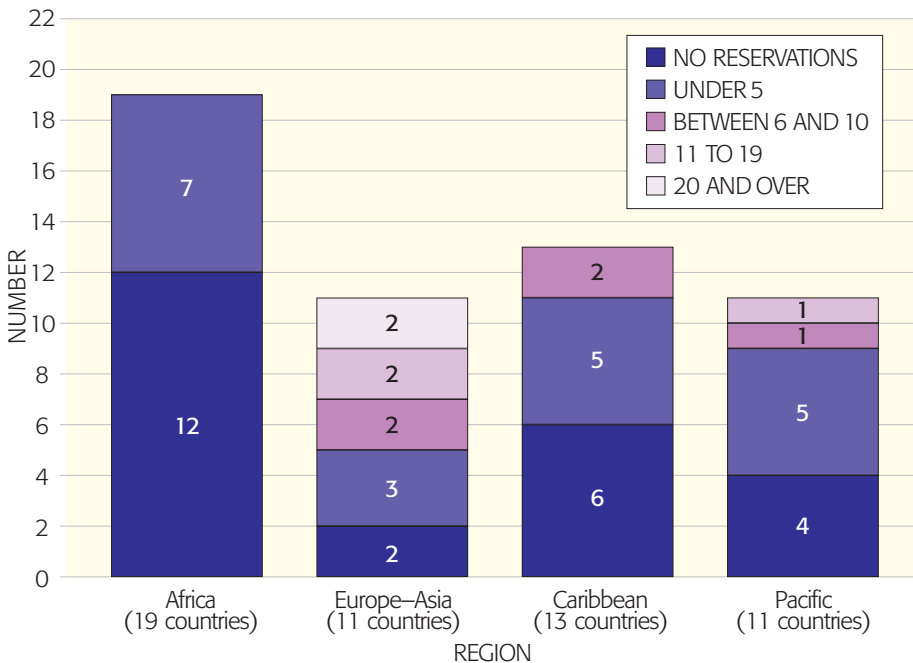


Figure 7 (overleaf) – National Human Rights Institutions (No.), by region

Figure 7 shows the spread of national institutions that have a human rights brief, across the Commonwealth. Africa has 13 such institutions, Europe–Asia has 7, the Caribbean has 1 and the Pacific has 3.

Figure 7– National Human Rights Institutions (No.), by region

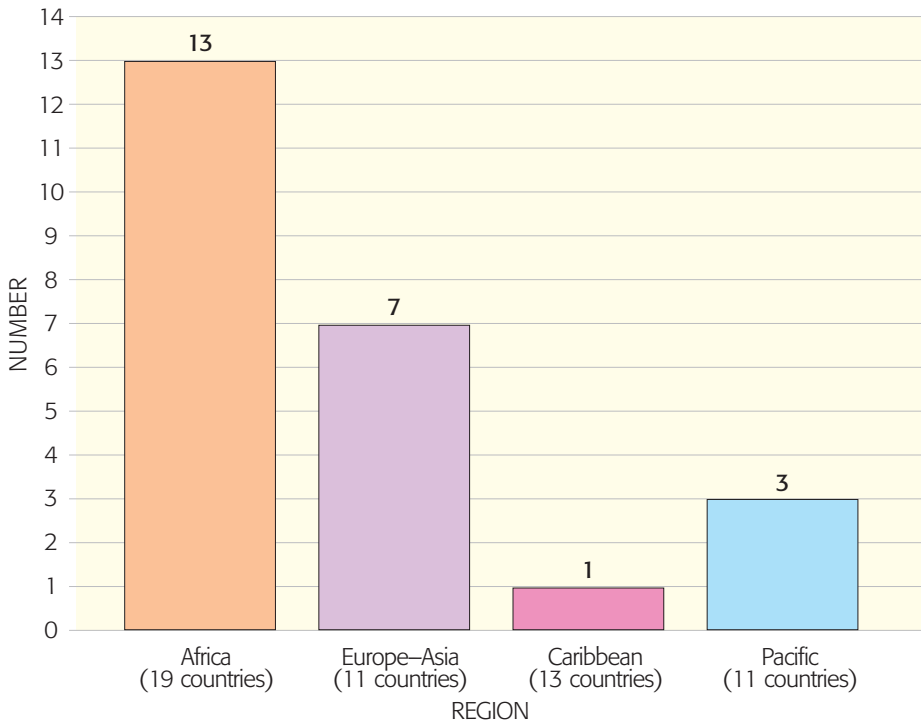
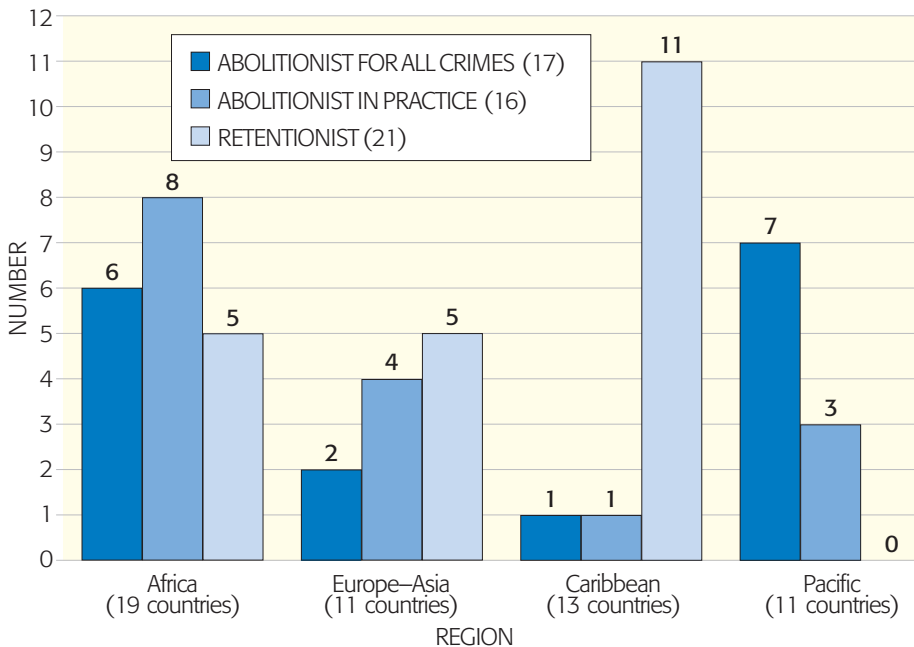


Figure 8 (opposite) – Position on the death penalty, by region

Figure 8 maps in three categories and by region the current position of Commonwealth states in relation to a significant human rights issue – the death penalty. ICCPR and its OP2 both make clear the connections between the right to life, prohibitions on cruel and inhuman treatment or punishment, and the death penalty. The three categories most commonly used in these discussions are: countries that have fully abolished the death penalty (abolitionists), those that retain the penalty on statute but have not carried out any executions in at least the previous ten years (abolitionist in practice), and those that both retain the penalty on the statute and continue to execute (retentionists).

Figure 8 – Position on the death penalty, by region



The data shows that in Africa 6 countries are abolitionist, 8 are abolitionist in practice and 5 continue to execute. In Europe-Asia, 2 are abolitionist, 4 are abolitionist in practice and 5 continue to execute. In the Caribbean, 1 is abolitionist, 1 is abolitionist in practice and 11 continue to execute. In the Pacific, 7 are abolitionist, 3 are abolitionist in practice and none continues to execute. Fiji is abolitionist for ordinary crimes only.

In total, 21 members continue to execute while 33 no longer do so.