

info@jfga.org.uk



Mr John Dauth AO LVO  
Australian High Commission  
Strand  
London WC2B 4LA

12 October 2011

Dear Mr. Dauth,

I am writing you at this very important time in the life of the Commonwealth as Australia prepare to host the Heads of Governments from across the 54 member-states. It would be a proud moment for you and for all of us who are bound as allies in common and mutual respect to support and motivate each other towards better democracy.

Australia helps to lead the Commonwealth when it comes to strengthening democratic values as regards upholding of the equality and non-discrimination of her citizens. As a country that is among the most highly respected democracies of the world, hosting CHOGM at a time like this could not be more of a blessing for the entire Commonwealth but more so for the oppressed and victims of violence, discrimination, state-sponsored intimidation and unfair criminalisation.

It is therefore an opportunity, as Australia hosts this great gathering, to use it to advance equality and to impact on the citizens of the Commonwealth. I am convinced that as the Commonwealth gathers in Australia at the end of October this year, the affected communities are waiting in expectation that Australia will create the occasion to touch on issues that have been neglected for far too long.

It is based on this high expectation that Justice for Gay Africans (JfGA) is calling on your respectable office to make use of this once-in-a-lifetime chance to put the Commonwealth on a forward-moving track. As the host-nation, we know that you have a greater input into the agenda of CHOGM taking into account other proposals by other Foreign Ministers.

In the last two years, we have worked closely with the Human Rights Unit in the Commonwealth Secretariat and recently, following the Secretary General's (SG) public statement at the Commonwealth Law Ministers' gathering in Sydney, we met with the office of the SG represented by Deputy SG, Mmasekgoa Masire-Mwamba, at the Secretariat to discuss ways forward.

Many grassroots groups in the Commonwealth have done a great deal of work and the level of need for a positive change on the issue of criminalization of homosexuality in the Commonwealth could not be more important as it is now.

To achieve this, the Commonwealth Secretariat itself needs a clear mandate in the form of encouragement to move forward in guiding necessary change. And in that vein, we know that the next and only level is to bring this issue to discussion in a CHOGM gathering.

All the stakeholders in the Commonwealth, from civil society to the recently-formed Eminent Persons Group (EPG) have been engaged and are aware of the rising necessity for this discussion to happen.

It is with this sensitivity that we call on you to impress upon the Australian Foreign Minister, The Honourable Kevin Rudd, and the Australian Prime Minister, as the host of the oncoming CHOGM and saddled with the responsibility of drawing up the agenda, to bring LGBT Rights issue to CHOGM, to be held in Perth, Australia in October.

In doing so, we would respectfully ask that you consider the following points of note as highly importance for a constructive discussion at the meeting:

1. Removing laws that criminalise homosexuality
2. Ensuring member states fulfil their pledges in various Treaties and Declarations, including the Principles of the Commonwealth, all of which suggest non-discrimination of citizens based on sex, gender, race, age and other natural features.
3. Promoting the protection of LGBT people from violence, intimidation, and denial of access to services (i.e. health).

The above would be consistent with the human rights values endorsed by the Commonwealth in the Lusaka Declaration in 1979, Harare Declaration 1991 and the recent 2009 Port of Spain Declaration.

In the light of the above, we know that the Commonwealth has yet to take a decisive public position about these sufferings hence disregarding its own principles of “democracy, freedom, peace, the rule of law and opportunity for all”. This meeting would be the right time considering the level we have come on this. That would also be keeping in line with the 21<sup>st</sup> century when the world should be a freer and fairer place. We would implore you to bring this to bear.

I am of no doubt that your intervention and pushing for the above issues with your Australian counterpart at this CHOGM would yield a milestone result. This would also be acceptable to former British colonies as a respectful way of approaching the issues on a level playing ground.

Thanking you in anticipation.

Yours sincerely,



**Godwyns Onwuchekwa**  
Chair  
*Justice for Gay Africans*  
London, UK