

Checklist for monitoring CA Consultations

February 2009

1. Preparations

- How and when were participants informed of the consultation?
- What information were participants provided with in advance of the consultation on its purpose and the issues to be discussed?
- What information were participants provided with in relation to human rights aspects of the Constitution (eg on Fundamental Rights, Directive Principles, Judiciary, NHRC)?
- How were the questionnaires explained?
- Were the questions explained?

2. Participants

- Who was present at the meeting? Please provide as much detail as possible on participants, including overall number, whether there was geographic representation and whether there was representation of ethnic and indigenous groups, religious minorities, caste, women, children, NGOs, civil society, political parties, local government, judiciary or others?
- Did participants seem informed about the Constitutional process?

3. Facilitators/Facilitation

- Who facilitated the meeting?
- What was the format of the meeting? Was time taken to explain the objectives of the meeting, why suggestions were being sought, what they would be used for?
- How much time was spent on presentation and how much on questions and/or receiving suggestions? Was there sufficient time for discussion?
- Were the facilitators able to adequately explain key concepts relating to the Constitution?
- Were facilitators able to respond adequately to questions from participants?
- What efforts were made to ensure that the views of all participants were represented?
- What consideration was given to security?
- Were any measures taken to allow for confidential or later submission of suggestions?
- Were any separate arrangements made for private consultations with persons/groups (eg consultation with women offered)
- Was the consultation 'accessible' to all: in terms of language, written versus oral contributions
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4. Content

- What were the key issues presented at the meeting relating to human rights issues:eg

- relating to which rights should be included in the Constitution (individual rights called for: including rights in general, and rights of groups)
- the nature of the State obligation
- coverage of non-State actors
- role of the judiciary
- role of the NHRC, and/or Women's Commission, Dalit's Commission, NFDIN
- transitional justice questions

Or relating to the processes being adopted by the CA

- level of public consultations
- information concerning the constitutional process

- Were persons able to express their views there? What was done about the questionnaire?
- Were there persons on hand to assist persons in relation to the questionnaire?
- Which participants spoke (did women, victims or other more marginalized or vulnerable groups speak)?
- Did participants speak in an individual capacity or as representatives of political parties?

6. Follow-up

- Did the facilitators explain what the next steps would be/how participants would be informed the findings of the consultations and how they could participate in the next steps of the process?
- Were the proceedings recorded? Notes taken?