Организация Объединенных Наций A/HRC/14/NI/10

Генеральная Ассамблея

Distr.: General
3 June 2010
Russian
Original: English

Совет по правам человека
Четырнадцатая сессия
Пункт 6 повестки дня
Универсальный периодический обзор

Информация, представленная Азиатско-Тихоокеанским форумом национальных правозащитных учреждений (АТФ)

Записка Секретариата

Секретариат Совета по правам человека настоящим препровождает сообщение, представленное Азиатско-Тихоокеанским форумом национальных правозащитных учреждений* и воспроизводимое ниже в соответствии с правилом 7 b) правил процедуры, содержащихся в приложении к резолюции 5/1 Совета, согласно которому участие национальных правозащитных учреждений основывается на процедурах и практике, согласованных Комиссией по правам человека, включая резолюцию 2005/74 от 20 апреля 2005 года.

* Воспроизводится в приложении в полученном виде только на том языке, на котором оно было представлено.

Просьба отправить на вторичную переработку

Annex

Statement of the Asia Pacific Forum of National Human Rights Institutions

Asia Pacific Forum of National Human Rights Institutions: UPR Good Practice Compilation

On 2-3 March 2010, in Sydney, Australia, the Asia Pacific Forum of National Human Rights Institutions (APF) hosted a Workshop on the Universal Periodic Review mechanism (UPR), in partnership with the Australian Human Rights Commission.

The Workshop brought together representatives from a number of APF member institutions that have been examined under the UPR (Afghanistan, India, Indonesia, Jordan, Malaysia, New Zealand, the Philippines, the Republic of Korea, and Sri Lanka). The Australian Human Rights Commission also participated.

The Workshop provided a platform for APF member institutions to exchange their UPR experiences with a view to developing good practices, and to explore ways to improve the contribution of national human rights institutions (NHRIs) to the UPR process.

The Workshop's chief outcome was the development of a UPR Good Practice Compilation. The compilation aims to inform NHRIs of the many participation and contribution opportunities available to them at various stages of the UPR process.

The 'UPR Good Practice Compilation' follows:

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS UPR GOOD PRACTICE COMPILATION

A. Contribution opportunities in advance of country reviews

In preparation for the UPR an NHRI can:

1. Provide information and offer assistance to its Government and other interested stakeholders on the UPR process and their particular roles in relation to it. This could include the development of activities to increase public awareness of human rights and the country's human rights situation and public education programs on the UPR.

2. Adopt the practice of offering assistance to its Government in formulating voluntary pledges and commitments in advance of the country review.

3. Encourage its Government to undertake a process of national consultation towards the preparation of the State report by providing opportunities for broad public participation in and contributions to this process. A key focus of the consultation should be the identification of shared priorities for a common strategy to improve human rights performance. An NHRI can take steps to ensure that such consultation captures the diversity of experiences in the country. It should address particularly the inclusion of marginalised groups, such as Indigenous peoples and minorities.

4. Encourage the use of existing research, studies and reports, including its own reports, in the preparation of UPR reports by the State, the NHRI and non-governmental organisations (NGOs).

5. Encourage its Government to disseminate a draft of the State report for public comment, including comment by the NHRI.

6. Consider providing opportunities for public contribution to and participation in the preparation of its own UPR report. This could include consultation with other national mechanisms, including state, provincial and local human rights bodies, and specialised domestic institutions.

7. Share a draft of its UPR report with national NGOs and other interested stakeholders for comment and, where appropriate, seek expressions of support for the content of the NHRI submission.

8. Where appropriate, address issues of international humanitarian law in its UPR report.

9. Broadly disseminate its UPR report to: national actors and organisations, including parliamentarians, governmental bodies and departments, civil society actors and other interested stakeholders; other NHRIs; member and observer States in the Human Rights Council; regional organisations; and relevant international and United Nations (UN) agencies, bodies and mechanisms.

10. Seek information and advice on and technical support towards the UPR process from the Asia Pacific Forum of National Human Rights Institutions (APF) and the Office of the UN High Commissioner for Human Rights (OHCHR).

B. Contribution opportunities at the UPR Working Group

Before and at the interactive dialogue with the State in the UPR Working Group an NHRI can:

11. Produce, and make available to States and other relevant stakeholders, a briefing paper on its State's review. This paper could include a list of proposed questions and recommendations that States may wish to present during the country's review.

12. Attend the session of the UPR Working Group at which its State is reviewed.

13. With the assistance of the Geneva representative of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), meet with key UN officials, State missions, and international NGOs in Geneva to discuss its State's review. An NHRI can also encourage these actors to make a practice of requesting such meetings with NHRIs.

14. If an 'A-status' institution, host a briefing or similar parallel events at the Working Group session at which the State will be examined.

15. Encourage national stakeholders to watch the webcast of its country's review. An NHRI can also use the webcast as a tool for raising human rights awareness generally.

C. Contribution opportunities immediately after the UPR Working Group

Between the session of the UPR Working Group and the plenary session of the Human Rights Council an NHRI can:

16. Conduct an audit of recommendations presented by States during the UPR Working Group to ensure their consistency with international human rights law and, where appropriate, international humanitarian law and report on the results of that audit.

17. Advise its Government of the UPR recommendations that it supports, and encourage the Government to accept these recommendations and to develop a strategy for their implementation with specific concrete targets and strategies.

18. Prepare a short briefing paper for States and other interested stakeholders which provides an assessment of the Working Group report and recommendations.

D. Contribution opportunities at the Human Rights Council

At the plenary session of the Human Rights Council during which the UPR report on its State is adopted an NHRI can:

19. Attend the Human Rights Council (HRC) session at which the Working Group report on its State is considered and adopted.

20. With the assistance of the ICC representative in Geneva, meet with key UN officials, State missions, and international NGOs in Geneva to provide them with an assessment of the Working Group report and recommendations. An NHRI can also encourage these actors to make a practice of requesting such meetings with NHRIs.

21. If an 'A-status' institution, make an oral statement during the HRC's consideration of the Working Group report on its State. Where unable to attend HRC sessions, an NHRI could consider preparing an oral statement that could be delivered on its behalf by the ICC representative in Geneva.

22. If an 'A-status' institution, adopt the practice of hosting a UPR-specific parallel event or briefing at the HRC plenary session at which the UPR report is discussed.

23. Encourage national stakeholders to watch the webcast of the adoption of the report on its country.

E. Contribution opportunities after the review and in preparation for future reviews

Following the completion of the UPR for its State an NHRI can:

24. Work to raise awareness of the review process and its outcomes in government and parliamentary fora, as well as in the broader community.

25. Use UPR outcomes, as appropriate, to inform and to drive its national activities. Where appropriate, an NHRI can also use UPR recommendations rejected by its Government to inform its own national activities.

26. Encourage its Government to use UPR outcomes to inform the development of national strategies, policies and priorities, including a National Human Rights Action Plan.

27. Where appropriate, assist its Government to develop concrete, targeted, and time-bound strategies to implement and achieve UPR outcomes.

28. Monitor and report on the Government's implementation of UPR outcomes.

29. Adopt the practice of encouraging and assisting its Government to report periodically on the implementation of UPR outcomes at HRC sessions in the standing agenda item on the UPR.

30. If an 'A-status' institution, adopt the practice of reporting periodically on its State's implementation of UPR outcomes at future HRC sessions in the standing agenda item on the UPR. Where unable to attend an HRC session, an NHRI could consider preparing an oral statement that could be delivered on its behalf by the ICC representative in Geneva.

31. Incorporate relevant UPR outcomes into the shadow or alternative reports that it prepares for the UN human rights treaty bodies and in briefings for Special Procedures, and incorporate treaty body and Special Procedure recommendations into its reports in future UPR cycles.