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Información presentada por el Foro de Instituciones Nacionales de Derechos Humanos de Asia y el Pacífico*

Nota de la Secretaría

La Secretaría del Consejo de Derechos Humanos transmite adjunta la comunicación presentada por el Foro de Instituciones Nacionales de Derechos Humanos de Asia y el Pacífico**, que se reproduce a continuación de conformidad con el artículo 7 b) del reglamento que figura en el anexo de la resolución 5/1 del Consejo, según el cual la participación de las instituciones nacionales de derechos humanos se basará en las disposiciones y prácticas convenidas por la Comisión de Derechos Humanos, incluida la resolución 2005/74, de 20 de abril de 2005.

* La institución nacional de derechos humanos tiene la acreditación de la categoría "A" ante el Comité Internacional de Coordinación de las Instituciones Nacionales para la Promoción y la Protección de los Derechos Humanos.

** Se reproduce en el anexo como se recibió, en el idioma en que se presentó únicamente.

Anexo

[Inglés únicamente]

Asia Pacific Forum of National Human Rights Institutions (APF) collaboration with and contributions to United Nations agencies and fora, 2011-2012[1]

This written statement provides an update on the Asia Pacific Forum of National Human Rights Institutions' (APF) collaboration with and contributions to United Nations (UN) agencies and fora, 2012-2013. It is submitted to the 23rd regular session of the Human Rights Council to complement the 'Report of the Secretary-General on national institutions for the promotion and protection of human rights' pursuant to Human Rights Council resolution 20/14.

1. **During the period of 1 April 2012 to 31 March 2013, the APF either completed or initiated capacity assessments with the Australian Human Rights Commission (April to May 2012), the Commission on Human Rights of the Philippines (June to July 2012), and the New Zealand Human Rights Commission (August 2012).** The APF also conducted follow-up visits to the Commission on Human Rights of the Philippines and the **Afghanistan Independent Human Rights Commission** in January and February 2013 respectively. The capacity assessment program is an initiative that supports the APF's member institutions to identify the capacities that they have and those they need to develop in order to fulfil their respective mandates to promote and protect rights at the national level. The assessment proposes strategies to strengthen national human rights institutions as a whole, to develop the capacities of staff members, and to make the internal processes of national human rights institutions more efficient and more effective.

2. The objective of the program is to assist national human rights institutions in the region to generate an understanding of their capacity strengths and needs, and to develop strategies to fill capacity gaps. One of the first steps of the capacity development process is a capacity assessment, a self-assessment used to identify capacity strengths and needs of the national human rights institution. The APF, the **Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme (UNDP)** act as facilitators of the process by which the national human rights institution assesses its own capacities and identifies and prioritises its capacity development needs. In close consultation with the national human rights institution, the facilitators produce an analytical report, measuring required future capacities of the national human rights institution against its current capacities and making recommendations for capacity development strategies. This report is presented to the national human rights institution in draft form for discussion

[1] The APF comprises 19 national human rights institutions: Afghanistan Independent Human Rights Commission; Australian Human Rights Commission; National Human Rights Commission of Bangladesh; National Human Rights Commission of India; Indonesian National Commission on Human Rights (Komnas HAM); Jordan National Centre for Human Rights; National Human Rights Commission of Korea; Human Rights Commission of Malaysia (SUHAKAM); Human Rights Commission of the Maldives; National Human Rights Commission of Mongolia; Myanmar National Human Rights Commission; National Human Rights Commission of Nepal; New Zealand Human Rights Commission; Palestinian Independent Commission for Human Rights; Philippines Commission on Human Rights; National Human Rights Committee of Qatar; Human Rights Commission of Sri Lanka; National Human Rights Commission of Thailand; Timor-Leste Office of the Provedor for Human Rights and Justice

and joint finalisation. This regional project also complements and enhances the support projects being implemented by UNDP Country Offices and United Nations Country Teams for national human rights institutions at the national level and informs the development of tailored capacity development interventions to support national human rights institutions on a continuing, comprehensive basis.

3. **The APF, OHCHR and UNDP also participated in an independent evaluation of the capacity assessment program during the last quarter of 2012**. This included a stakeholders meeting held in Bangkok, Thailand, in September 2012.

4. **During the reporting period, the APF, OHCHR, and the Pacific Islands Forum Secretariat (PIFS) continued to work in partnership with Pacific Island States to support the establishment of national human rights institutions**. These efforts have included advocacy with a range of actors, and the continued provision of technical assistance. The **Universal Periodic Review (UPR)** process has proved to be a key entry point, as most Pacific countries have accepted recommendations from States that they take steps to establish Paris Principles-compliant national human rights institutions. Most advanced among Pacific States is **Samoa**, which has prepared draft legislation to establish its national human rights institution. This will see the mandate of the existing Ombudsman's Office extended to include a range of human rights functions. During the reporting period, the APF, OHCHR and PIFS also conducted follow-up discussions on proposed next steps in **Vanuatu**, further to a scoping mission conducted there in 2011. Similar discussions have been planned in **Palau and Solomon Islands**, further to the scoping missions conducted there in 2011 and 2012 respectively. Discussions have also been reinitiated with the **Government of Nauru**.

5. **During the reporting period, the APF and OHCHR developed a manual for national human rights institutions that focuses on the role of national human rights institutions in 'Operationalising the United Nations Declaration on the Rights of Indigenous Peoples'**. Indigenous groups, civil society organisations and other relevant stakeholders were invited to review the draft manual and to contribute supplementary materials toward its continuing development. The draft is currently being considered by OHCHR's Publications Committee. Publication is anticipated by June 2013.

6. **On 24 April 2012, the Mongolian National Human Rights Commission hosted a National Seminar in Ulaanbaatar, Mongolia, to encourage ratification of the Optional Protocol to the Convention against Torture (OPCAT) and to facilitate discussions with institutions that could potentially be designated as National Preventive Mechanisms (NPM) under OPCAT. Mr Arman Danielyan, Member of the Subcommittee for the Prevention of Torture (SPT), and Mr Ulugbek Azimov, NPM Expert from OHCHR's Central Asia Regional Office, were invited as expert commentators and discussants**. The seminar was organised in partnership by the APF, the **Association for the Prevention of Torture (APT),** and **Amnesty International Mongolia**. Approximately 100 representatives from government, civil society and academia participated in the seminar. Following the seminar, high level Mongolian Government officials made public statements indicating that the Government would positively consider OPCAT ratification, and that the Mongolian National Human Rights Commission was a candidate for appointment as the NPM. On 25 April 2012, Messrs Azimov and Danielyan led a training workshop with the assistance of APT and APF staff. The aim of the workshop was to advise the Mongolian Commission's staff on the responsibilities that they would assume in the event of the Commission's appointment as a NPM subsequent to Mongolia's ratification of OPCAT.

7. **At its 20th regular session in July 2012, the Human Rights Council adopted by consensus its resolution 20/14, entitled 'National institutions for the promotion and protection of human rights.**[2] **The resolution, towards which the APF contributed, is a significant document. It welcomes the strengthening of opportunities for Paris Principles-compliant national human rights institutions to contribute to the work of the Human Rights Council via the Council review outcome document.**[3] **It also welcomes the United Nations Secretary-General's recognition of the contributions that Paris Principles-compliant national human rights institutions have made to the work of the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Open-ended Working Group on Ageing. Further, the resolution recommends that the General Assembly explore the feasibility of enabling Paris Principles-compliant national human rights institutions to participate in the Assembly based on the practices and arrangements of the Human Rights Council**.

8. **In November 2012, the APF and its member institution, the Jordan National Centre for Human Rights, partnered with OHCHR and the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in organising the 11th International Biennial ICC Conference, entitled 'Human Rights of Women and Girls: Promoting Gender Equality - the Role of NHRIs'**. Held in Amman, Jordan, from 5-7 November 2012, the Conference culminated in the adoption of the **Amman Declaration and Programme of Action**. The Declaration provides guidance to the ICC and national human rights institutions on principles and actions to promote and protect women and girls' human rights, including in relation to political and public participation, economic and social rights, and freedom from violence.

9. **During the reporting period, the APF supported the Myanmar National Human Rights Commission's efforts to develop a formal legislative base**. This work, conducted in collaboration with OHCHR's Regional Office for South-East Asia, included participation in consultations with the Myanmar Commission and Myanmar Government representatives in developing an initial draft of the legislation.

In March 2013, the APF, with the support of the ICC, continued its advocacy for 'A' status national human rights institution participation rights at the 57th session of the Commission on the Status of Women (CSW 57), held in New York from 4-15 March 2013. APF advocacy has helped to raise awareness of the role of national human rights institutions and the concrete contributions that they can bring to CSW sessions to better advance the rights of women and girls, especially in relation to the prevention and redress of violence. At present, national human rights institutions can only participate at CSW sessions if they are invited to attend as part of their Government's delegation. As previously mentioned, the APF's advocacy in support of national human rights institution participation opportunities at CSW was endorsed by the Human Rights Council in its resolution 20/14, which encourages national human rights institutions to continue to interact with and advocate for independent participation in all relevant United Nations mechanisms, including CSW.[4]

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[2] Of 5 July 2012.

[3] Adopted by the General Assembly in resolution 65/281 of 17 June 2011, and by the Human Rights Council in decision 19/119 of 22 March 2012.

[4] At operative paragraph 15.