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人权理事会
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联合国人权事务高级专员的年度报告以及
高级专员办事处的报告和秘书长的报告

亚太国家人权机构论坛提交的资料*

秘书处的说明

人权理事会秘书处根据理事会第 5/1 号决议附件中的议事规则第 7 条(b)项的规定，谨此转交以下所附亚太国家人权机构论坛提交的来文，** 根据该条规定，国家人权机构的参与须遵循人权委员会议定的安排和惯例，包括 2005 年 4 月 20 日第 2005/74 号决议。

* 具有增进和保护人权国家机构国际协调委员会赋予的“A 类”认可地位的国家人权机构。

** 附件不译，原文照发。

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Annex

Asia Pacific Forum of National Human Rights Institutions (APF) collaboration with and contributions to United Nations agencies and fora 2009-2010

Text

This written statement reports on the **Asia Pacific Forum of National Human Rights Institutions' (APF)** collaboration with and contributions to United Nations (UN) agencies and fora in 2009-2010. It is submitted to the 16th 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' (A/HRC/16/76).

APF-UNDP-OHCHR Capacity Development Project

The APF, together with the regional office of the **UN Development Program (UNDP)** and the **Office of the UN High Commissioner for Human Rights (OHCHR)** has trialled an innovative capacity needs assessment project to support national human rights institutions (NHRIs) in the Asia Pacific region. The project aims to develop a new approach that will see NHRIs undertake their own needs assessments in order to identify achievable and sustainable steps to build their capacity. The goal is to develop robust capacity needs assessment instruments and procedures that can be easily taken and implemented at the national level.

One of the first steps of the capacity development process is a capacity self- assessment. The APF, UNDP and OHCHR act as facilitators to this process. In close consultation with the NHRI, the APF, UNDP and OHCHR produce an analytical report, measuring required future capacities of the NHRI against its current capacities and making recommendations for capacity development strategies. This process fosters engagement of NHRI members and staff with key external stakeholders and leads to capacity development initiatives that are strategic, longer term and integrated. The capacity assessment project therefore complements the strategic planning, priority setting and work planning processes of NHRIs.

In 2009 two pilot assessments were conducted with the **Human Rights Commission of Malaysia (SUHAKAM)** and the **Human Rights Commission of the Maldives**. These pilot assessments were highly successful, with the pilot NHRIs encouraging other members to participate in the capacity needs assessment project to find out their weaknesses and strengths in carrying out human rights work and to benefit from the technical input and advice provided by the assessment teams.

In 2010, the APF, UNDP and OHCHR conducted capacity needs assessments with the **Jordan National Centre for Human Rights** and the **National Human Rights Commission of Thailand.** At July 2010, 76.5% of APF members were either already participating, had agreed to participate, or indicated their interest to participate in the future in the capacity needs assessment project.

APF-UNDP-OHCHR Framework

The APF and the Chairperson of the **International Coordinating Committee of National institutions for the Promotion and Protection of Human Rights (ICC)** have been working with UNDP and OHCHR to develop a coordinated framework for cooperation between the UN and NHRIs. During this period the APF met with the **Administrator of UNDP, Ms Helen Clark**, in New York in September 2009 and UNDP staff members in May 2010 to further discuss the details of such a framework.

Further to these discussions the **High Commissioner for Human Rights, Ms Navanethem Pillay**, and **Ms Clark** made a joint presentation to the 23rd Session of the ICC in Geneva in March 2010, signalling their support for the development of a coordinated framework for cooperation between the UN and NHRIs. These discussions are currently ongoing.

OHCHR 15th Inter-Governmental Workshop on Cooperation for the Promotion and Protection of Human Rights in the Asia Pacific Region

From 20-23 April 2010, APF member institutions from **Afghanistan**, **India**, **Jordan**, **Mongolia**, **Philippines**, **Thailand** and **Timor-Leste** and the APF secretariat took part in the 15th Inter-Governmental Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region in Bangkok.

Organised by OHCHR and hosted by the Royal Thai Government, the Workshop involved government delegates and civil society representatives from more than 30 countries. In her opening address to the Workshop, **Deputy High Commissioner for Human Rights, Ms. Kyung-wha Kang**, noted that 'one focus area of the Asia-Pacific Regional Framework which has seen significant progress is the development of national human rights institutions'. The Deputy High Commissioner said that regional networks of NHRIs can play a valuable role in supporting the establishment of regional human rights mechanisms – such as the APF and the engagement by the four NHRIs of South East Asia with the **ASEAN Intergovernmental Commission on Human Rights (AICHR)** – and also make a positive contribution to the international human rights system.

At the conclusion of the Workshop, delegates adopted the **'Bangkok Action Points'** which noted that the different regional arrangements, while evolving in different forms in different regional contexts, should reinforce universal human rights standards. The statement underlined the importance of developing partnerships between governments, NHRIs and civil society at the national and regional levels in developing regional mechanisms. It also requested OHCHR and the APF to support further cooperation at the regional level among NHRIs and thematic human rights institutions, as well as to give high priority to requests from Member States on the development and strengthening of NHRIs in partnership with relevant regional organisations.

Human Rights Council

The major focus of APF advocacy during 2010 was the development and approval by APF member institutions of a common policy position on the review of the Human Rights Council (Council) and its mechanisms.

In developing the draft policy for the consideration of APF member institutions, the APF secretariat undertook an examination on how effectively the Council draws on expert advice. This study was undertaken in partnership with the **Geneva Academy of International Humanitarian Law and Human Rights**. As part of this research project, the APF was invited to participate in the **Wilton Park conference 'Reviewing the work and functioning of the Human Rights Council: What are the priority issues?'** from 14-

16 January 2010. The conference brought together senior policy makers from all UN regional groups, UN and other human rights experts, as well as non-governmental organisations (NGOs), to identify major issues to be considered during the review. The participation of the APF ensured that issues of concern to NHRIs were considered by conference participants.

In February 2010, the APF secretariat produced a strategy paper that proposed practical ways in which NHRI engagement with the Council could be enhanced. The draft paper was adopted by APF member institutions and members requested that the paper be submitted to the **ICC**. At the 23rd session of the ICC, held in Geneva from 23-25 March 2010, the incoming ICC Chairperson presented the APF strategy and stressed the importance of a coordinated and focused international NHRI approach to the Council review process. The strategy paper was adopted by the ICC.

With a view to advancing the ICC strategy, the ICC Chairperson conducted a follow-up visit to Geneva from 28 June - 6 July 2010. The ICC Chairperson was supported in her visit by a representative of the APF secretariat and the ICC's Geneva representative. While in Geneva, the ICC Chairperson met with senior members of the OHCHR, including the High Commissioner for Human Rights, the Human Rights Council President and Bureau, key States and NGO representatives. The ICC Chairperson also addressed the **Annual Meeting of the Special Procedures** and the **Inter-Committee Meeting of the human rights treaty bodies**, and gave a presentation to OHCHR staff on the ICC.

The APF also made significant contributions to the development of the ICC's subsequent position paper on the Council review, which was adopted by the ICC at an international conference in Edinburgh, Scotland, in October 2010.

The APF participated at the first session of the **Open-ended intergovernmental working group on the review of the work and functioning of the Human Rights Council** in October 2010, toward which it submitted a position paper. The APF was represented at this meeting by representatives of the **National Human Rights Commission of Korea** and the APF secretariat.

In December 2010, the **National Human Rights Commission of Thailand** represented both the ICC and the APF at the Royal Thai Government's **Ambassadorial Retreat on the Review of the Human Rights Council** in Bangkok.

The National Human Rights Commission of Korea represented the APF at the second session of the working group on the Council review in February 2011.

Commission on the Status of Women

In 2009-2010, the APF undertook a major campaign initiated by APF member institutions and supported by the ICC to ensure that 'A status' NHRIs are able to directly contribute their independent expertise to the UN **Commission of the Status of Women (CSW)** to better advance the rights of women and girls. Unlike the Council, NHRIs cannot participate in their own right at CSW and can only attend as part of their country's government delegation, if they are invited.

In preparation for the 54th Session of CSW in 2010, the (then) ICC Chairperson and the APF Deputy Director held discussions with high-level UN officials and several key Permanent Missions to the UN in New York in December 2009. They met with representatives from a broad cross-section of States, including **Armenia (CSW Chair), Australia, Canada, India, Indonesia, Mexico, Rwanda and Spain** – all of which have 'A status' NHRIs. In addition, meetings were held with a range of relevant UN agencies, including OHCHR, the **Secretariat of the Third Committee of the General Assembly**

and the **Division for the Advancement of Women**, as well as the Coordinator for the development of **UN Women**.

Five NHRIs - all from the Asia Pacific region - attended the 53rd Session of CSW in 2009 to advocate the case for the independent participation of NHRIs. These institutions secured strong support for this position but it was recognised that NHRI advocacy needed to be more international in its scope and involve NHRIs from all four of the ICC's regions: Africa, Americas, Asia Pacific and Europe. As a result, 11 NHRIs attended the 54th Session of CSW held in New York from 1-12 March 2010, including the NHRIs of **Australia, Canada, Jordan, Korea, Mexico, New Zealand, Nigeria, Philippines, South Africa, Spain and Thailand**. They were accompanied by the (then) Chair of the ICC and the Deputy Director of the APF.

The ICC and the APF held an informal meeting between governments and NHRIs on the issue of independent participation at CSW 54. In addition, the 11 NHRIs issued a joint statement encouraging CSW to support a resolution supporting the independent participation of NHRIs, consistent with other UN bodies.