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FUNCIONAMIENTO EFICAZ DE LOS MECANISMOS DE DERECHOS HUMANOS: INSTITUCIONES NACIONALES Y ARREGLOS REGIONALES

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

Nota de la Secretaría

La Secretaría de la Comisión ha recibido la siguiente comunicación[*], que se reproduce a continuación, de conformidad con la decisión adoptada por la Comisión de Derechos Humanos en su 57º período de sesiones, de que, si así se solicitaba, las informaciones o los informes recibidos de las instituciones nacionales sobre sus reuniones regionales se distribuyeran como documentos de la Comisión (E/2001/23-E/CN.4/2001/167, párr. 22).

[*] Se reproduce en el anexo como se presentó.

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Annex

UNITED NATIONS COMISSION ON HUMAN RIGHTS
62nd Session



THE ASIA PACIFIC FORUM
OF NATIONAL HUMAN RIGHTS INSTITUTIONS

...a partnership for human rights in our region

REPORT ON ACTIVITIES

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A MESSAGE FROM THE DIRECTOR

The Asia Pacific Forum of National Human Rights Institutions ('**APF**') was established in 1996. Since that time the APF secretariat has worked with the APF's Forum Councillors and its member national human rights institutions ('**NHRIs**') to ensure that the APF's programs are directly relevant to their needs. The APF's strategic directions, as set out in its 2004 to 2006 three year strategic plan, have built upon the APF's strengths as a regional organisation that can promote practical cooperation that produces results.

THE ASIA PACIFIC FORUM
OF NATIONAL HUMAN RIGHTS INSTITUTIONS
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As this annual report shows, the calendar year 2005 brought about a continued growth in both the membership of the APF and the range of services it delivers – and this was achieved with minimal administrative costs. During 2005 it is pleasing to report that the APF and its member institutions continued to have a significant impact on domestic, regional and international laws, policies and practices that promote and protect human rights.

A common thread running through all of the APF's diverse projects is our emphasis on identifying systemic problems and addressing them with practical solutions. The APF's focus is on producing enduring and self-sustaining solutions, rather than simply providing limited assistance which have short-term impacts.

For example, in the face of global insecurity, many States in the region are reacting to both real and perceived threats of terrorism by undermining human rights in the name of national security. Terrorism poses a grave threat to democracy, but so do counter-terrorism measures that fail to respect and safeguard fundamental rights and freedoms. In response to this issue the APF's work during the year therefore focused on the prohibition of torture and the need to promote the rule of law in combating terrorism.

In addition, in the aftermath of the catastrophic tsunami that struck the region in late 2004, while the APF responded quickly to the immediate humanitarian needs our main focus has been on the longer term issue of protecting the rights of internally displaced persons.

The strength of the APF is its ability to bring a high level of expertise and rigour to these issues at the regional level and the ability of our member institutions to use their legal mandates to promote systemic change at the domestic level. With its 17 member NHRIs, the APF has a depth of collective experience and a record of excellence that gives weight and credibility to our work. Our activities during 2005 demonstrate our contribution to the promotion and protection of human rights throughout the region.

REPORT OF APF OPERATIONS

The APF is a non-profit regional organisation devoted to protecting and promoting human rights in the Asia Pacific. The APF's 17 member NHRIs sets us apart as a truly regional organisation with the capacity to implement programmes that reflect the human rights needs of the region.

The work of the APF can be categorised under three broad areas:

(i) Strengthening the capacity of individual APF member institutions to enable them to more effectively undertake their national mandates;

(ii) Assisting governments and non-governmental organisations ('**NGOs**') to establish NHRIs in compliance with the minimum international standards contained in the United Nations ('**UN**') endorsed 'Paris Principles'; and

(iii) Promoting regional cooperation on human rights issues.

Throughout the year the APF worked with our member NHRIs, local, regional and international non-governmental organisations, governments, and international organisations to bring about improvements in human rights. During 2005 the APF's operations focused on the following eight main areas of activity – (i) Annual Meetings, (ii) General Advisory Services (iii) Advisory Council of Jurists ('**ACJ**'), (iv) Information and Promotion, (v) International Law Development, (vi) Training and Capacity Building Projects and (vii) Strategic Management. Details of these projects are set out below:

1. Annual Meeting of the APF

The annual meetings of the APF are the largest and most comprehensive regular human rights meetings in the Asia Pacific region. They are a mechanism for the practical advancement of human rights, particularly because they bring together NHRIs, the UN, governments and NGOs in a harmonious, practical and largely non-political setting. Through this mechanism the APF has demonstrated its role as a catalyst for the mobilisation of technical co-operation funds for human rights initiatives and as a facilitator for the establishment of new NHRIs.

During 2005 the APF was responsible, in cooperation with the National Human Rights Commission of Mongolia ('**NHRCM**') for all aspects of the planning and management of the Tenth Annual Meeting. This included the development of policy papers, organisational logistics, the provision of personnel, fundraising and administration.

The Tenth Annual Meeting of the APF was held in Ulaanbaatar, Mongolia from 24 to 26 August 2005. The President of Mongolia, Mr Nambaryn Enkhbayar, opened the Annual Meeting. The three-day meeting included a one-day closed session of the Forum Council and a two-day meeting which was open to observers from governments, NGOs and other interested organisations and individuals.

The major theme of the meeting was the role of NHRIs in the prevention of torture and other forms of ill-treatment. The ACJ met separately to consider the Forum Council's reference on

torture before joining the plenary session on Day Three of the meeting to present its interim report and recommendations. Other topics addressed during the meeting included NHRIs and human rights education and the APF-Brookings/Bern Project on Internally Displaced Persons.

The objectives of the Meeting were to consolidate and build on the program of practical, co-operative activities developed by the APF to strengthen the functioning and assist in the development of NHRIs. The major outcomes of the Tenth Annual Meeting included:

- **Forum Council**

  The NHRCM was unanimously elected to the position of Chairperson of the APF. The National Human Rights Commission of the Republic of Korea and the Fiji Human Rights Commission were unanimously elected to the two positions of Deputy Chairpersons.

- **Membership applications**

  The Afghanistan Independent Human Rights Commission was admitted as a full member of the APF.

  The Provedor for Human Rights and Justice of Timor-Leste was admitted as a candidate member of the APF.

  The National Human Rights Committee of Qatar was admitted as an associate member of the APF.

  The above three decisions brought the total membership of the APF to 17 institutions.

- **Advisory Council of Jurists**

  The ACJ presented their interim report on torture.

  The Forum Council also agreed to develop a reference on the legal obligations of States in the implementation of economic, social and cultural rights.

- **Administration**

  The Forum Councillors reviewed and endorsed the APF's activities over the past twelve months and provided member NHRIs with an opportunity to discuss a wide range of issues relating to the administration and future directions of the APF.

- **International Coordinating Committee**

  Forum Members also addressed the work of the International Coordinating Committee of National Human Rights Institutions ('**ICC**') and the involvement of Asia Pacific NHRIs in the international human rights system. Forum members elected the Fiji Human Rights Commission, the National Human Rights Commission of Nepal, the Philippines Commission on Human Rights and the National Human Rights Commission of the Republic of Korea to

be the four regional representatives to the ICC. The Fiji Human Rights Commission was nominated and selected to represent the APF on the ICC's accreditation sub-committee.

- **11th Annual Meeting**

  The Forum Council accepted the offer of the Fiji Human Rights Commission to host the Eleventh Annual Meeting of the APF in 2006.

The Meeting adopted a comprehensive Statement of Conclusions that reaffirmed the APF's commitment to promoting the development of NHRIs in conformity with the Paris Principles.[1]

2. General Advisory Services

The APF secretariat provides a wide range of advisory services to member NHRIs, prospective members, governments and NGOs. This can range from advice on the nature and status of NHRIs to detailed legislative drafting and legal advice. Governments, for example, often provide a copy of draft legislation establishing a NHRI to the APF for comment prior to its introduction into their respective legislatures. This requires that the APF undertake a detailed analysis of the legislation to ensure that the specific provisions are reflective of the mandate, role and functions of NHRIs as set out in the *Paris Principles*. Detailed discussions with Government representatives from both the Foreign Ministry and the Ministry of Justice are then often required to go through specific drafting issues. Alternatively NGOs will also request briefings from the APF on specific issues concerning the appropriate composition of a NHRI to ensure that it complies with the *Paris Principles*.

2.1 Advice to Members

The APF provided a wide range of advisory services to member institutions, prospective members, governments and NGOs during 2005. Advice included (i) the nature and status of NHRIs; (ii) specific issues of regional concern; (iii) operational issues such as institutional strengthening; and (iv) the promotion of 'best practice' models.

Advice was provided to NHRIs on the following issues – (i) disability; (ii) anti-terrorism measures; (iii) trafficking; (iv) investigation techniques; (v) national action plans; (vi) strategic planning; (vii) torture; (viii) the right to education; (ix) regional human rights mechanisms; (x) compliance with the Paris Principles (xi) internally displaced persons and (xii) follow up on previous recommendations of the ACJ.

2.2 Pacific Regional Workshop on National Human Rights Mechanisms

In association with the regional inter-governmental body the Pacific Islands Forum ('**PIF**'), the APF co-hosted a regional workshop on NHRIs in Nadi, Fiji from 28 February



[1] Available at www.asiapacificforum.net/annual_meetings/tenth/concluding.htm. A full set of meeting papers is also available at www.asiapacificforum.net/annual_meetings/tenth/papers/index.htm.

to 1 March 2005.

The workshop was attended by 23 officials from the Justice and/or Foreign Affairs Ministries of the governments of Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu and Vanuatu. Also in attendance were representatives from the APF, the United Nations Office of the High Commissioner for Human Rights ('**OHCHR**'), the United Nations Development Programme ('**UNDP**'), the United Nations International Children's Endowment Fund ('**UNICEF**'), United Nations Development Fund for Women ('**UNIFEM**'), the United Nations Educational, Scientific and Cultural Organisation ('**UNESCO**') and regional NGOs including the Citizens' Constitutional Forum and the Pacific Concerns Resources Centre.[2]

The workshop was an initial practical step contributing towards the attainment of the "Pacific Vision" adopted by the PIF Leaders in Auckland, New Zealand in April 2004. The goal of the workshop was to enhance and improve institutional frameworks for human rights in PIF countries by increasing the internal capacities and knowledge of senior officials of both the Justice and Foreign Affairs Ministries of Forum countries.[3]

2.3 APF Mission to the Solomon Islands

A high-level APF delegation visited the Solomon Islands in mid-February 2005 to hold discussions with the Government of the Solomon Islands (including the Prime Minister, Ministers and officials) and NGOs regarding the proposed establishment of a NHRI. Support for this initiative was provided by the UNESCO Bangkok and Apia offices.

The delegation was led by Mr Walter Rigamoto, Chairperson of the Fiji Human Rights Commission ('**FHRC**') and also included Mr Michael Powles, Senior Commissioner of the New Zealand Human Rights Commission ('**NZHRC**') and Mr Kieren Fitzpatrick, Director of the APF Secretariat. Mr Philip Bergstrom, UNESCO Bangkok, attended the discussions as an observer. The discussions addressed the feasibility of establishing a NHRI with a view to holding a broader national consultation on national human rights protection mechanisms and in particular, on the establishment of a NHRI as envisioned in the proposed new Solomon Islands constitution. A formal report with recommendations was submitted to the Prime Minister in July 2005.[4]

2.4 APF Mission to Nepal

From the 18 to 22 July 2005 the Director of the APF travelled to Bangkok, Thailand for meetings with the regional NGO body 'Forum Asia' and Kathmandu, Nepal for meetings with the National Human Rights Commission of Nepal ('**NHRCN**'), UN agencies, civil society and Embassies.

The main focus of the mission included discussions with the Chairperson, new Commissioners and staff of the NHRCN regarding the recent appointment process for the Commission and its impact on the independence of the Commission. As a result of these discussions the

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[2] A report on this workshop is available from the secretariat on request.
[3] Further information is available at www.asiapacificforum.net/news/archive/2005_02_news_archive.htm#PIF.
[4] The report of the Solomon Islands mission is available from the secretariat on request.

Commission agreed to formalise an NGO advisory body to review the Commission's mandate and activities and to include respected NGO representatives as part of their teams to investigate serious human rights violations by both Government and Maoists forces. The Commission subsequently wrote to all Forum Councillors via the APF secretariat to confirm these agreements.

2.5 APF Missions to China

In association with the Raoul Wallenberg Institute and the China University of Political Science and law, the APF participated in a seminar on the role and functions of NHRIs which was held in Beijing, People's Republic of China in October 2005. The seminar brought together representatives from various universities throughout China, governmental agencies, the Supreme People's Court and the National People's Congress.

In association with the Spangleberg Group, the APF also participated in a seminar on national mechanisms for the advancement of women which was held in Beijing, People's Republic of China in December 2005. This seminar again brought a variety of different representatives from universities, government ministries, the legal system and the parliament.

2.6 APF Missions to Taiwan

At the invitation of the Taiwan Foundation for Democracy, the Alliance for Reform and Democracy in Asia, Alternative ASEAN, Forum Asia Democracy, and Initiatives for International Dialogue, the APF participated in the World Forum for Democratization in Asia which was held from 15 to 17 September 2005 in Taipei, Taiwan.

At the invitation of the Taiwan Foundation for Democracy and Taiwanese Society of International Law, the APF participated in a conference on "***National Human Rights Institutions in Asia Pacific*,"** which was held in Taipei, Taiwan from 22 to 24 October 2005.

2.7 APF Mission to Pakistan

On 28 May 2004, General Pervez Musharraf, President of Pakistan announced his intention to establish a National Commission on Human Rights. This announcement followed the submission by the Pakistan Parliamentarian's Commission for Human Rights ('**PCHR**') of a concept paper on the establishment of a NHRIs to the President, Prime Minister, Law Ministry and the leadership of the ruling party.

In October 2004 the Pakistan Cabinet approved the PCHR's concept paper. A draft *National Commission for Human Rights Bill* was presented to the National Assembly in February 2005. The Bill has been referred to the National Assembly's Standing Committee on Law, Justice and Human Rights for further consideration and deliberations.

In June 2004, Mr Shafique Chaudhry, Coordinator, PCHR, contacted the APF to assess the possibility of the provision of technical assistance to key stakeholders in Pakistan to assist in the establishment of the proposed NHRI. The APF subsequently discussed with the PCHR a range of options for the provision of assistance. The APF also facilitated the attendance of the

coordinator of the PCHR to an international meeting on the role and functions of NHRIs held in Bangladesh in September 2004. As a result of these discussions the PCHR requested a visit by an APF delegation to meet with key stakeholders to discuss the role and functions of NHRIs.

The APF sent a delegation to Pakistan from 29 August to 3 September 2005 to participate in a series of seminars and to discuss with key parliamentary, government and civil society stakeholders the nature and status of the proposed NHRI. The APF delegation was led by (i) Mr N. Selvakkumaran, Commissioner, Human Rights Commission of Sri Lanka and Dean, Faculty of Law, University of Colombo, and included (ii) Mr Byung-hoon Oh, Director, International Affairs Division, National Human Rights Commission of Republic of Korea and (iii) Mr Stephen Clark, Information Officer, APF. The APF delegation participated in a series of seminars in Islamabad, Lahore and Karachi organised by the PCHR as well as a number of bilateral meetings. In terms of the possibility of establishing a NHRI, the delegation found strong support for the establishment of an effective domestic mechanism that could resolve human rights violations and promote a culture of respect for human rights. The APF therefore provided detailed recommendations on the draft legislation to enable it to comply with international human rights standards.

2.8 APF Mission to Timor Leste

In August 2005 the Timor-Leste Office of the Provedor for Human Rights and Justice was admitted as a candidate member of the APF. Candidate membership is one level below full membership and as a condition of membership, candidate members must set out what action they will take to become fully compliant with the APF's membership criteria and, in particular, with the United Nations "Paris Principles". The APF, in turn, provides a commitment to work with candidate members to provide them with assistance to enable them to fully comply.

Initial APF support to the Office of the Provedor has included:

- 19-23 September 2005: human rights induction training and strategic planning with the Tan Sri Datuk Seri Panglima Simon Sipaun, Vice-Chairman of SUHAKAM, the Malaysian Human Rights Commisison and Ms Suraina Pash, SUHAKAM's Head of Policy and Research; and
- 21-25 November 2005: a study visit to New Zealand for Provedor Dr. Sebastiao Dias Ximenes and Deputy-Provedor Amandio Benevides.

Following the study visit to New Zealand, and New Zealand Chief Commissioner Rosslyn Noonan's acceptance of an invitation from the Timor-Leste Human Rights Adviser to the Prime Minister to participate in an international seminar on the Role Of Civil Society in the Consolidation of Democracy and Peace, the APF requested that Ms. Noonan and Ms Marianne Elliott, a senior manager at the New Zealand Commission who has been advising on the development of a human rights action plan for Timor-Leste, meet with the Provedor and his colleagues and relevant stakeholders to discuss options for a technical cooperation programme between the Provedor's office and the APF.

Ms Noonan and Ms Elliott met with key Ministers, officials and NGOs as well as with United Nations and World Bank representatives in Dili, Timor-Leste in December 2005. Intensive

discussions with the Provedor, the deputy Provedors and their advisors covered the Office's mandate and organisational structure, staffing and budget levels; district offices and outreach; complaints handling; key external relations; planning and priority setting. The detailed discussions fed directly into the Office's 2006 strategic plan and budget bid. They also resulted in former New Zealand Ombudsman Mr Mel Smith undertaking a 'good governance' training and planning consultancy with the Office in February 2006. The full report of the mission identifies further areas where APF members can provide advice, guidance and expertise to the Office of the Provedor and these will be considered for incorporation in the APF's 2006-2009 work programme.

3. Advisory Council of Jurists

The APF established the ACJ in 1998. The Council advises the APF and its member NHRIs on the interpretation and application of international human rights standards. The establishment of the ACJ under the aegis of the APF is a significant advance in the protection and promotion of human rights in the region. For the first time a regional juridical body is in a position to review and assess human rights issues in the Asia Pacific region. It serves the practical purpose of providing advice to APF members on the interpretation and application of international human rights jurisprudence. This development provides a strategic framework within which to further advance the application of international human rights standards. In addition to developing regional jurisprudence on international human rights, the Council strengthens the effectiveness and capacity of NHRIs in the region.

In 2005 the APF was responsible for the development of the terms of reference on the issue of torture, the drafting of a comprehensive background paper and all the organisation, management and servicing of the meeting of the ACJ. In addition, the APF, on request, assisted its members with the implementation of the recommendations of the Council.

At the APF's Eighth Annual Meeting held in Kathmandu, Nepal, in February 2004, Forum Councillors "*decided to formulate a new reference to the ACJ Jurists on the issue of the prevention of torture during detention and requested the secretariat to prepare draft terms of reference for the consideration and approval of the Forum*".[5] The secretariat prepared draft terms of reference which were considered by the APF members at the Ninth Annual Meeting of the APF, held in Seoul, Korea, in September 2004. Following further discussion by APF members the terms of reference were finalised in November 2004.[6]

In November 2004 the secretariat distributed a questionnaire to all APF members requesting information about the particular laws, practices, policies and activities undertaken in their country in relation to torture. Questionnaires were also sent to select NGO's with expertise in the study of torture, including the Association for the Prevention of Torture.

The responses to the questionnaires were compiled and form the second half of a background paper prepared to assist the jurists in their consideration of the issue of torture during detention.

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[5] See paragraph 7 of the Concluding Statement at www.asiapacificforum.net/activities/annual_meetings/eighth/concluding.htm).

[6] The terms of reference are also available on the APF website at: www.asiapacificforum.net/jurists/torture/tor.htm.

The first half of the background paper addresses each of the issues raised in the terms of reference.[7]

The ACJ considered the terms of reference and the associated background paper at their session held in association with the APF's Tenth Annual Meeting in Mongolia in August 2005. At the conclusion of this meeting the Council presented their interim report to APF member institutions. The Council's final report was subsequently issued to all members for their consideration and adoption.[8]

4. Information and Promotion

4.1 General

In 2005 the APF undertook a range of information and promotional activities on the role and functions of NHRIs and the activities of the APF. These educational activities aimed to (i) improve awareness among political and administrative decision-makers and the wider community of the value and importance of NHRIs ; (ii) improve awareness among relevant regional governments and agencies of the appropriate functions, powers, structures and legislation for NHRIs established in accordance with the *Paris Principles*; (iii) improve awareness among NHRIs of the legislation, casework, techniques, procedures and outcomes of other institutions both within and outside the region; and (iv) provide information about APF activities to members institutions, governments (inside and outside the region), UN agencies, NGOs and the general community.

4.2 Forum Bulletin

The APF published two issues of a regular newsletter, titled the *Forum Bulletin*, to keep APF members, governments and NGOs informed of important policy, legal, administrative and training developments in the region.[9]

4.3 Donor Update

The APF published a quarterly update for supporters of the APF, titled *Donor Update* and undertook regular electronic communication with donor organisations on an issue by issue basis.[10]

4.4 Website

The APF regularly updated its website and published new information on a fortnightly basis. The website includes details on the role and functions of NHRIs, the APF, individual member

[7] The final background paper is available on the APF website at: www.asiapacificforum.net/jurists/torture/background.htm.
[8] The report contains a number of specific recommendations to APF member institutions and it can be obtained at www.asiapacificforum.net/jurists/references/torture/index.htm.
[9] Copies of the Forum Bulletin can be obtained at www.asiapacificforum.net/forumbulletin.htm.
[10] Copies of the donor update can be viewed at www.asiapacificforum.net/about/donors.html.

institution activities and the ACJ. The APF also undertook regular electronic communication with members, governments and NGOs on an issue by issue basis.

In January 2005, following a review of the website, the APF commissioned a web designer to complete the following tasks:

- Manage the restructure of the APF website to either a 'full screen' format;
- Redevelop the presentation of the APF website home page;
- Manage the addition of a new 'Advisory Services' sub-category to the Activities section of the website; and
- Develop a new design structure for the IDP section.[11]

The website re-design was completed in August 2005.[12]

4.5 Participation in APF Activities

The APF encouraged the participation of governments and human rights NGOs in the APF's annual meetings, workshops and training programs as an important awareness raising and partnership exercise about the role and functions of NHRIs. In addition the APF received a number of visits from regional government and civil society representatives. For example, during 2005 the APF received visits from representatives of the governments of Iraq, Vietnam and Taiwan.

5. International Law Development

5.1 New International Instrument on Disability

Increasingly, the international community has come to recognize disability as a human rights issue. This recognition is evidenced by, for example, a series of resolutions of CHR confirming UN responsibility for the protection of the rights of people with disabilities[13] and the UN General Assembly's establishment of an Ad Hoc Committee to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities.[14]

The APF developed a coordinated policy position on behalf of all its members on the proposal to create a new international human rights instrument dealing with the rights of people with disabilities.[15] During 2005 the APF working group on disability, which is comprised of the NHRIs from Australia, India, New Zealand and the Philippines, continued their work and developed a detailed submission for the consideration of the broader APF membership and the

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[11] The APF website can be accessed at www.asiapacificforum.net.
[12] The website can be viewed at www.asiapacificforum.net.
[13] For example, CHR 1993/29; 1994/27; 1995/58; 1996/27; 1998/31; 2000/51; 2002/61; 2003/49; and 2004/52. Up until 1996, these resolutions were entitled: "Human Rights and Disability". From 1996 onward, they have been entitled: "Human Rights of Persons with Disabilities".
[14] GA resolution 56/168, of 19 December, 2001.
[15] A copy of the agreed APF position and associated discussion papers can be obtained at www.asiapacificforum.net/annual_meetings/seventh/disability.doc.

5th session of the Ad Hoc Committee in January 2005. The submission specifically focused on the following draft articles of the Convention – (2) General Principles, (7) Equality and non-discrimination, (17) Education, (18) Right to Political and Public Life, (21) Right to Health and Rehabilitation, (23) Social Security and Adequate Standard of Living, and (25) National Implementation and Monitoring Framework.[16]

An APF delegation attended the 5th and 6th sessions of the Ad Hoc Committee. The delegation comprised Ms Anuradha Mohit, Special Rapporteur on Disability of the National Human Rights Commission of India, advised and assisted by Professor Andrew Byrnes, of the Faculty of Law, Australian National University during the first week of the two week meetings.

Ms Mohit and the Director of the APF participated in two meetings to discuss the 'monitoring' aspects of the proposed disability convention and, in particular, the possible role of NHRIs in any new monitoring mechanism.[17] The first of these was held in association with European NHRIs in Dublin, Ireland in April 2005. The second was an international seminar held in Harvard, United States, in December 2005.

As this is a new area of human rights promotion, much work still needs to be done to develop awareness and build capacity within the international system, governments, NGOs and NHRIs to promote and protect the rights of people with disability. In particular, to date, very little information is available regarding the disability rights decisions of NHRIs. Given the significant role already undertaken in the region by NHRIs and the APF to protect and promote the rights of people with disabilities, Disability Rights Promotion International (DRPI) and the APF agreed to collaborate to create and field test a tool for the collection and categorisation of disability rights cases decided by NHRIs.[18] The outcomes of the trial will then be used to refine the tool with a view to it being adopted and implemented by NHRIs internationally. Once collected, the decisions will be stored in a searchable database, accessible through the internet. The cases collected using the tool will permit a more detailed analysis of the role of NHRIs in applying human rights in the disability context. With this knowledge, NHRIs, governments and disability and human rights advocates will be better equipped to take steps to ensure the protection, promotion and fulfilment of the rights of people with disabilities around the world.

5.2 International Coordinating Committee of National Institutions

In association with the 61st Session of CHR in April 2005, the APF participated in the annual meeting of the ICC and various 'side events' on relevant topics. A full report on APF activities was sent to the OHCHR secretariat to be made available to all members of the ICC and the Member States of CHR.[19]

[16] The full text of this submission can be found at www.un.org/esa/socdev/enable/rights/ahc4nhricomments.htm.
[17] A report on these workshops are available from the secretariat on request.
[18] Further information on DRPI can be obtained from www.yorku.ca/drpi.
[19] A copy of this report is available from the secretariat on request.

5.3 61st Session of the United Nations Commission on Human Rights

The APF attended the 61st Session of the United Nations Commission on Human Rights ('**CHR**') in April 2005 and participated in the discussions surrounding the annual resolution on NHRIs debated by CHR. The APF also made a formal statement to CHR.[20]

One significant outcome of this session was an 'in principle' approval by Members States of CHR under Resolution 2005/74 to enable NHRIs to speak under any agenda item of CHR rather than the standard practice of allowing them to address the CHR only under the agenda item dealing specifically with NHRIs.

5.4 UN Framework on Regional Human Rights Cooperation

The UN holds an annual 'framework' meeting in the Asia Pacific for Member States and other stakeholders. NHRIs that are members and registered observers of the APF are specifically invited to attend these annual meetings.

The 13th UN Framework meeting was held in Beijing, People's Republic of China, from 29 August to 2 September 2006. The APF submitted a paper to the meeting on APF activities.[21] In addition, as per normal practice, the Chairperson of the APF (the Chief Commissioner of the National Human Rights Commission of Mongolia) provided a keynote address to the meeting on behalf of the APF. The secretariat was represented by its Deputy Director, Ms Pip Dargan.



Office of the High Commissioner for Human Rights Photo: OHCHR.

At the meeting the future of the 'framework' process was discussed by the Member States. An independent evaluation of the framework process was commissioned by the UN. This evaluation was undertaken by Professor Muntarbhorn and his paper, which made a series of recommendations, was circulated to Member States and other stakeholders for discussion. In his paper Professor Muntarbhorn undertook a stock-take of all the activities undertaken under the framework arrangement and concluded that "*the most successful building block has been … the setting up of national human rights institutions and related activities*" and that the "*APF and its network of national human rights institutions are the closest that the Asia-Pacific region has come to a regional arrangement or machinery for the promotion and protection of human rights*."

Professor Muntarbhorn concluded that the other activities under the framework have not produced consistent or sustained outcomes and recommended that they should be scrapped from the framework and relegated to national programming activities of UN country teams.

With regard to NHRIs Professor Muntarbhorn recommended that Member States should:

- expand the space for NHRIs to participate in the framework meetings; and

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[20] A copy of the statement can be found at www.asiapacificforum.net/international/un/chr/statements/index.htm.
[21] A copy of the APF paper is available at www.asiapacificforum.net/international/un/asia-pacific/thirteenth.htm.

- ensure that a new five-year UN regional programme continues to support NHRIs and the APF network as part of the regional programme, based on a sustainable partnership relationship.

Member States endorsed the recommendations of Professor Muntarbhorn on an 'in principle' basis.

6. Training and Capacity Building

6.1 Training Needs Analysis

The APF commissioned the International Service for Human Rights (ISHR) to undertake an independent training needs analysis to assist the APF to refine and prioritise its training activities. The ISHR found that the overall picture was of a network of institutions with high levels of training need, considerable existing experience and expertise and good internal resources that could be mobilised for future training programs. In their report to the APF the ISHR's main recommendations related to the developing of training programs on:

- the induction of new Commissioners and continuing education for other Commissioners
- complaints handling
- human rights monitoring
- the conduct of public inquiries
- human rights law
- the international human rights system
- human rights education and
- national action plans on human rights.

6.2 Internally Displaced Persons

At the Sixth Annual Meeting of the APF held in Colombo, Sri Lanka in September 2001, member NHRIs expressed an interest in developing their capacity to promote and protect the human rights of internally displaced persons ('**IDPs**'). APF members instructed their secretariat to raise funds to assist NHRIs on this issue.

In response to this request, the APF secretariat developed a project to assess the capacities of its member institutions with regard to internal displacement and mobilised assistance to help them enhance their capacities. In particular, in January 2004 the APF entered into a partnership with the leading research and policy institute in this field, the Brookings Institution-University of Bern Project on Internal Displacement (Brookings-Bern Project).[22] Jointly, the APF and the Brookings-Bern Project succeeded in securing financial and human resources to implement a two-year project on internal displacement which included the following components:

(i) individual assessments of six NHRIs located in countries experiencing internal displacement (India, Indonesia, Nepal, Philippines, Sri Lanka and Thailand) conducted from April to December 2004;

[22] Further information is available at www.asiapacificforum.net/training/idp/brookings-bern/index.htm.

(ii) the co-sponsoring of a regional workshop on the role of NHRIs in addressing the situation of IDPs hosted by the National Human Rights Commission of Sri Lanka ('**NHRCSL**') from 26-28 October 2005. The workshop provided an opportunity for NHRIs to exchange ideas, challenges and practices within a regional context; and

(iii) support and assistance (both financial and technical) to strengthen the capacities of the above six NHRIs based on projects and activities developed by the individual NHRIs.

An important component of this project has been to develop programs for technical assistance that aim to develop the capacity of the institutions with regard to internal displacement. The APF and the Brookings Institution have allocated up to $15,000 USD per institution to assist in the implementation of their IDP activities. During 2005 the APF worked with its member institutions on the development of domestic projects to improve their capacity on this issue.

In addition, the APF/Brookings Institution-Bern Team worked with the Norwegian Refugee Council ('**NRC**') in the delivery of specialist training to the six participating NHRIs on the Guiding Principles on Internal Displacement. The first of these training programs was implemented with the Philippines Commission of Human Rights ('**PCHR**') for their central and regional office staff in Mindanao, Philippines, from 9-12 November 2004. The second APF-NRC training program took place from 30 June to 2 July 2005 with the Indonesian Human Rights Commission ('**Komnas HAM**') in Purwakarta, Indonesia. The objective of the training workshop was to strengthen the capacity of Komnas HAM to promote and protect the rights of internally displaced persons, especially women and children. The three-day workshop covered a range of topics including an introduction to the Guiding Principles, an overview of the situation of displaced persons in Indonesia, an analysis of the national legal framework, gender aspects of internal displacement and the development of a plan of action for Komnas HAM. In feedback obtained from the NRC, PCHR and Komnas HAM, the training has been very successful in increasing commissioner and staff understanding of the situation of IDPs and the practical steps necessary in applying protection standards in the field, including those set out in the UN Guiding Principles.

An additional activity was a one-day regional seminar on human rights, IDPs and the tsunami, held in Bangkok, Thailand on 4 March 2005. This seminar was held in the aftermath of the tsunami which hit south and south-east Asia on 26 December 2004. The meeting was attended by the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons, Dr Walter Kälin and representatives of the NHRIs of India, Indonesia, the Maldives, Sri Lanka, Thailand and the APF secretariat.

An important outcome of this meeting was the decision by NHRIs to develop guidelines or a common methodology for the role of NHRIs with regard to IDPs in the context of natural disasters based on the UN Guiding Principles on Internal Displacement ('Guiding Principles'). These guidelines have recently been finalised as a resource for NHRIs.

The *Regional Workshop on National Human Rights Institutions and Internally Displaced Persons* was held over three days to build on these initiatives and provide further capacity

building to the specific institutions.[23] The workshop was jointly organised by the APF/Brookings-Bern Project on Internal Displacement and held in cooperation with the NHRCSL in Colombo, Sri Lanka, from the 26 to 28 October 2005. The workshop also included a one-day field visit to the southern Sri Lankan city of Galle to meet with people displaced by the Indian Ocean tsunami of 2004.

Commissioners and senior staff representatives from the NHRIs of Afghanistan, India, Indonesia, the Maldives, Nepal, the Philippines, Thailand and Sri Lanka attended the workshop. The workshop also included participants from civil society organisations from India, the Philippines, Sri Lanka, and international and regional NGOs and research institutions from Thailand, Norway and the United States. The Government of Sri Lanka also participated in the workshop, as did representatives from the UN High Commissioner for Refugees ('UNHCR'), OHCHR, UN Office for the Coordination of Humanitarian Affairs ('OCHA'), and the UN Country Team (Sri Lanka).

On the 9 and 10th December 2005 the APF, Brookings-Bern Project and the PCHR hosted a national forum on IDPs in Manila, the Philippines.[24] The Special Representative of the Secretary General on IDPs, Dr Walter Kälin, the Deputy Director of the APF, Ms Pip Dargan, the Commissioners and staff of the PCHR and representatives of relevant domestic NGOs and government agencies were the main participants. A specific focus of the national forum was the development and passage of national legislation on IDPs for the Philippines.

6.3 Investigations Training

During 2005 the APF worked with the PCHR to implement its 'in-country' training program on investigation techniques. The training program is part of the APF's Professional Development Program.

The five-day training program was implemented from the 18th to 22nd April 2005 in Manila, Philippines.[25]

The training course provided foundation knowledge and skills in the investigation of alleged infringements of human rights. In particular the program provided participants with (i) an overview of various models of investigation and an opportunity to clarify the appropriate model(s) of investigation within the Philippines context, (ii) the purpose of investigations and the role of the investigation officer; (iii) an understanding of international human rights instruments as relevant to the legislative context of the Philippines Commission and associated legal definitions and concepts; (iv) information on approaches to the assessment of complaints with particular reference to variables that influence determination of priority handling, preliminary or formal investigation and early resolution; (v) an understanding of key legal principles that guide the conduct of investigations into alleged infringements of human rights; (vi) a model to plan investigations to ensure they are efficient and effective; (vii) knowledge and skills to enable the

[23] The workshop's Concluding Statement and Recommendations and meeting papers are available at www.asiapacificforum.net/training/workshops/idp/index.htm.
[24] Further information is available at www.asiapacificforum.net/training/idp/brookings-bern/capacitybuilding/philippines/index.htm.
[25] A report on this training is available from the secretariat on request.

efficient and effective gathering of evidence relevant to an investigation; (viii) knowledge and skills to enable the efficient and effective analysis of evidence that has been gathered; and (ix) knowledge and skills to enable appropriate handling of evidence, efficient and effective documentation of an investigation and appropriate file and caseload management.[26]

6.4 Media and Communication Training

Commissioners and staff from the Human Rights Commission of Malaysia ('**SUHAKAM**') participated in the APF's pilot media training workshop, *Building an Effective Media and Communications Program*, which took place in Kuala Lumpur, Malaysia, from 14 to 18 March 2005. Workshop participants also included representatives of various media outlets in Malaysia.

The workshop program and training material were developed by the APF in consultation with SUHAKAM and were designed to reflect SUHAKAM's legal context and training needs. Training material, in both written and electronic formats, was provided to participants. The training course utilised a range of training methodologies including formal presentations, small group discussions, small group case study activities and role plays. Funding for the workshop was sourced from UNESCO Bangkok.[27]

During the week 8 August 2005 this training course was again piloted for the Commissioners and senior staff of the New Zealand Human Rights Commission.[28] This second 'pilot' course enabled the APF to refine the training materials and offer the course to all APF member institutions. As a result, the course was run for both the Jordan National Center for Human Rights from 22 to 24 November and the Palestinian Independent Commission for Citizens Rights from 28 to 30 November 2005.

6.5 Training on the Prevention of Torture

From 14 to 17 November, the OHCHR conducted a training program for the staff of NHRIs in Asia Pacific region on their role in monitoring and combating torture in Jakarta, Indonesia in November 2005. The training hosted by the Komnas HAM was part of long distance training by CD ROM. The participants were trained on skills on the prevention of torture and detention monitoring and discussed their experiences of them. Mr Sung-Yong Hwang, Projects Manager of the APF, acted as a resource person for the training.

6.6 Regional Workshop on Trafficking

The *Regional Workshop on Human Trafficking and NHRIs: Cooperating to End Impunity for Traffickers and to Secure Justice for Trafficked People* was held over four days from 20 to 23 November 2005. The workshop was jointly organised by the APF and the Australian Human Rights and Equal Opportunity Commission (**'HREOC'**). Financial support for the workshop was provided by New Zealand's International Aid and Development Agency (**'NZAID'**), the Asia Regional Cooperation to Prevent People Trafficking ('**ARCPPT**') and HREOC.

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[26] For further information on this program see www.asiapacificforum.net/training/investigations/index.htm.
[27] A report on this training is available at www.asiapacificforum.net/training/media/malaysia.htm.
[28] A report of this training will be available when finalised from the secretariat on request.

The workshop was attended by the NHRIs and related bodies of Australia, Fiji, India, Indonesia, Malaysia, Mongolia, Nepal, New Zealand, the Philippines, Republic of Korea, Sri Lanka and Thailand; the United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-Region ('**UNIAP**'), the International Organisation for Migration ('**IOM**') and ARCPPT; regional and national civil society organisations from Australia, Nepal and Thailand; and the Government of Australia.

6.7 Raoul Wallenberg-APF Staff Training

From 21 November to 2 December 2005, the APF in collaboration with the Raoul Wallenberg Institute, conducted a regional training program for staff representatives of all of the APF member NHRIs. This was the second in a series of training courses run in partnership with the Raoul Wallenberg Institute under a joint memorandum of understanding. The training program was on general human rights law and theory with a specific emphasis on the role and functions of NHRIs. The training was held in Bangkok, Thailand. Ms Jake Mejia, former Projects Manager, and Ms Thuy Doan-Smith, Development Manager, APF secretariat, were key trainers.[29]

6.8 Regional Staff Placements

6.8.1 JNCHR visit to South Korea and India

Mr Saleh Al-Zu'bi, Executive Director of the Jordan National Centre for Human Rights ('**JNCHR**'), visited the National Human Rights Commissions of South Korea and India from 1-10 January 2005. Mr Al-Zu'bi was accompanied by Mr Stephen Clark, Information Officer, APF Secretariat. Mr Al-Zu'bi and Mr Clark met with Commissioners and staff of the South Korean and Indian Commissions as well as a wide range of government agencies and NGOs and civil society organisations.

6.8.2 PICCR visit to New Zealand and Malaysia

Dr Mamdouh Aker, Commissioner General and Ms Lamis Alami, Executive Director of the Palestinian Independent Commission for Citizens Rights ('**PICCR**') visited the New Zealand and Malaysian Human Rights Commissions from 13-23 February 2005. Dr Aker and Ms Alami were accompanied by Mr Stephen Clark of the APF Secretariat.

With the expected passage of new establishing legislation for the PICCR by the Palestinian Legislative Council in 2005, transition and restructure issues were an important focus for Dr Aker and Ms Alami's meetings with the New Zealand and Malaysian Commissions as well as a large number of government agencies and NGOs and civil society organisations.[30]

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[29] A report on this training is available from the Raoul Wallenberg Institute.
[30] Further information is also available at www.asiapacificforum.net/news/archive/2005_02_news_archive.htm#piccr.

6.8.3 PICCR staff placement at the NZHRC

Two officers of the PICCR participated in a two-week staff placement at the NZHRC from 9-26 March 2005. Mr Musa Abu Dheim, the PICCR's Complaints Coordinator and Mr Mamoun Attili, a Field Worker who has been with the PICCR for eight years, worked in both the NZHRC's Auckland and Christchurch offices.

With the PICCR working towards the finalisation of its complaints manual, Mr Dheim and Mr Attili's placement focussed on the work of the NZHRC's Disputes Resolution Team (DRT). This involved working with the DRT staff and learning about the Commission's complaint-handling and mediation process. Mr Dheim and Mr Attili also met with staff from the Commission's other operational areas including race relations and human rights education.

Meetings were also held with the Office of Human Rights Proceedings and a number of government departments and agencies including the Department of Labour's Employment Relations Service, the Ombudsman and the Office of Ethnic Affairs. Daily English-language tuition was provided to improve Mr Dheim and Mr Attili's level of participation in the program and interaction with Commission staff and other participants.

6.8.4 Provedor of Timor-Leste visit to New Zealand

From 20 to 26 November the Provedor, Dr Sebastio Dias Ximenes, and Deputy Provedor. Amandio Benevides of Timor Leste conducted a study tour to New Zealand.

Interaction with the new Zealand Human Rights Commission was the main focus of the study tour with in depth sessions with Commissioners and senior staff on issues such as complaint handling, policy development, monitoring, education, the development of a national action plan on human rights and thematic issues such as indigenous rights.

Given the breadth of the mandate of the Provedor of Timor-Leste which, in addition to human rights, includes Ombudsmen and anti-corruption functions, the Provedor and Deputy Provedor met with the New Zealand Serious Fraud Office, the Ministry of Justice, the Ministry of Foreign Affairs, NZAID, Solicitor General and the Ombudsmen.

6.9 Palestine and Jordan

During 2005 the APF worked with the JNCHR and the PICCR to develop and implement institutional capacity building and strengthening programs. The twenty-eight month program, which ran until the end of 2005, involved three main activities – (1) participation at APF annual meetings; (2) participation at APF thematic workshops and (3) advisory and capacity building services which included staff training, staff exchanges and study tours.[31]

Following the JNCHR's visit to India (see section 6.8 of this report) the institution requested the assistance of the National Human Rights Commission of India ('**NHRCI**') with the development

[31] Further information on these activities can be found at www.asiapacificforum.net/news/2004_06_news_archive.htm.

of their compliant handling system. From 6 to 11 August 2005 the NHRCI sent two staff to Jordan to work with the JNCHR on this project.[32]

The APF also worked with the PICCR to implement training on international human rights law. The workshop on "The Role of NHRIs in Human Rights Protection" was held from 17-21 September 2005. Participants included officers and staff of the PICCR, members of the Palestinian Legislative Council and representatives from NGOs. The trainers for the workshop were Mr Brian Burdekin, Visiting Professor of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI), University of Lund, Sweden and Ms Marianne Elliot, Project Manager, NZHRC.

The **general** objective of the workshop was to provide the participants with a deeper understanding of the role and functions of NHRIs in human rights protection. The **specific** objectives of the workshop were to provide the participants with:

a). an understanding of the role and functions of the PICCR as a NHRI and Ombudsman;
b). an understanding of international human rights instruments as relevant to the proposed legislative enactment to establish the national NHRI;
c). an understanding of the relationships between the NHRI and the three branches of government, and between the NHRI and NGO/civil society;
d). knowledge and skills to enable the effective and efficient functioning of the PICCR;
e). improved understanding and application of international human rights law in the context of the PICCR's operations; and
f). improved understanding by the legislative and civil society about the role and functions of NHRIs.

7. Strategic Management

During the reporting period the APF was responsible for the strategic management of the organisation and its operations. All activities as identified and approved by Forum Councillors in the APF's approved Business Plan were successfully completed. These included:

- servicing the APF Chairperson, meetings of the full Forum Council and any sub-committees established by the Council;
- identifying international issues and pursuing activities that support the APF's mission and vision for the region;
- identifying and pursuing opportunities to increase regional participation and representation across the breadth of its activities including the involvement, wherever possible, of non-member institutions, governments and civil society;
- completing all monitoring, evaluation and reporting requirements;
- identifying and implementing risk management strategies for all project activities and the overall operation of the APF;
- implementing a long-term fund development strategy to achieve financial stability and support for a growing organisation;
- the effective, efficient and equitable management of APF financial and human resources;

[32] A report of this mission is available from the secretariat on request.

- strengthening the APF's governance and organisational structure through the development of board and operational policies;

During the reporting period the APF successfully met all its business plan targets. The organisation increased its overall membership to 17 institutions. Administrative expenses were kept to a minimum and all legal and operational reporting requirements were met and approved by the relevant authorities.

Through its strategic management, the APF effectively managed its activities, improved services to its members and increasingly diversified its funding base in order to achieve its goal of long-term financial stability.

8. Evaluation of Effectiveness

The APF is committed to undertaking both qualitative and quantitative evaluations of its individual activities and overall performance.

8.1 Internal Evaluations

The APF is continually evaluating and monitoring the effectiveness of the services it provides. Workshops and training sessions aimed at imparting specific knowledge provide the most common opportunity for evaluation. However, the APF also conducts evaluations of other activities such as consultations.

At the Tenth Annual Meeting of the APF held in Mongolia in August 2005 the APF secretariat distributed a general annual evaluation form. Members were requested to complete the form and return it to the Secretariat. 100% of those who responded rated the APF's activities in the top two categories of either 'good' or 'excellent'.

8.2 External Evaluations

NZAID initiated a review of the APF with a view to shifting the APF into their multilateral three year funding cycle. The review was conducted by an independent consultant and involved consultations and evaluations with APF member institutions and other stakeholders. The review was positive and commended the APF for the range of its activities and the professionalism of its services. The review recommended that the APF implement a regular external evaluation of its activities.

REPORT OF APF FINANCES AND ADMINISTRATION

9. Forum Councillors

The Forum Councillors are the 'board of directors' of the APF. At the conclusion of 2005 the Forum Councillors consisted of the following:

Full members

Mr Tserendorj Suren
National Human Rights Commission of Mongolia
Chairperson of the APF

Dr Sima Samar
Afghanistan Independent Human Rights Commission

The Hon. John von Doussa QC
Australian Human Rights and Equal Opportunity Commission

Ms Diana Temby
Australian Human Rights and Equal Opportunity Commission (non-voting councillor)

Mr Walter Rigamoto
Fiji Human Rights Commission

Dr Justice A S Anand
National Human Rights Commission of India

Mr Abdul Hakim Garuda Nusantara
Indonesian National Human Rights Commission

Tan Sri Abu Talib Othman
Human Rights Commission of Malaysia

Justice Nayan Bahadur Khatri
National Human Rights Commission of Nepal

Ms Rosslyn Noonan
Human Rights Commission of New Zealand

Dr Purificacion Quisumbing
Philippines Commission on Human Rights

Mr Young-hoang Cho
National Human Rights Commission of the Republic of Korea

Dr Radhika Coomaraswamy
Human Rights Commission of Sri Lanka

Professor Saneh Chamarik
National Human Rights Commission of Thailand

Candidate Members

Dr Sebastiao Dias Ximenes
Provedor for Human Rights and Justice

Associate Members

Saleh Al Zu'bi
Jordan National Centre for Human Rights

Mamdouh Aker
Palestinian Independent Commission for Citizens' Rights

Dr. Khalid Bin Mohammad Al-Attiya
National Human Rights Committee of Qatar

Full member councillors exercise all the powers conferred under the APF's Constitution and are the key decision-makers in between the annual meetings of the APF.

10. Finances

Financial support from a growing number of international bilateral and multilateral donors facilitated a growth in APF projects and programs throughout the region. The increased range of donors demonstrates the APF's value and well-established expertise as a trusted partner in the promotion and protection of human rights in the region and has made the APF one of the most diversified regional organisations in the Asia Pacific.

Supporters of the APF have included the APF's member institutions through membership fees and other financial and 'in kind' donations, the Governments of Australia, India, New Zealand, Republic of Korea, Sweden, Thailand, United Kingdom and the United States, philanthropic organisations such as the British Council, Brookings Institution, MacArthur Foundation, National Endowment for Democracy, Norwegian Refugee Council and the Raoul Wallenberg Institute, and inter-governmental organisations such as the Commonwealth Secretariat, UNESCO, UNICEF, OHCHR and UNDP.

10.1 APF Independent Audit

The APF secretariat is responsible for the preparation of the APF's financial statements in accordance with internationally recognised accounting principles and standards. This responsibility includes maintaining the integrity and objectivity of financial records, the protection of APF assets and compliance with donor restrictions and instructions.

The APF's financial statements are audited by a independent certified public accountants. The audit was completed by the accountancy firm 'Moore Stephens'. The accounts covered the third full year of operation of the APF as an independent regional organisation.

The auditor's found no financial irregularities in the financial functioning of the APF and stated that the APF's financial reporting complied with the necessary regulatory and professional accounting standards.

10.2 APF Condensed Financial Information

A summary of the most recent audit is set out below. The independent auditors' report and the complete audited financial statements and accompanying footnotes are available from the APF secretariat upon request.

ASIA PACIFIC FORUM OF NATIONAL HUMANS RIGHTS INSTITUTIONS
ABN 98 099 972 997

STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 31 MARCH 2005

	2005 $	2004 $
Revenue from ordinary activities	1,408,369	603,147
Employee benefits expense	(367,185)	(290,179)
Depreciation and amortisation expenses	(1,833)	(1,843)
Fundraising expenses	(22,995)	(8,277)
Occupancy expense	(50,000)	(50,000)
Administration expense	(50,434)	(55,748)
Travel expense	(313,126)	(150,940)
Consultant fees	(136,010)	(66,133)
Project expenses	(182,463)	(15,563)
Other expenses from ordinary activities	(20,799)	(542)
Surplus/(deficit) from ordinary activities	263,524	(36,078)
Total changes in members funds	263,524	(36,078)

11. Administration

The APF was responsible for the overall management of the operations of the APF for the reporting period. Project management also included the effective servicing the APF Chairperson, the meetings of the full Forum Council and meetings of formal sub-committees established by the Council. Electronic communication with the Forum Council occurred throughout 2005.

11.1 Keeping Administrative Costs Down

The APF has been successful in keeping operating and administrative costs down. All administrative costs related to specific projects are charged to those projects whilst general overheads are kept to a minimum.

The following are examples of ways the APF keep administrative costs down:

- APF staff and APF member institutions fly economy class with the rule of cheapest available fare of the day;
- APF member institutions meet substantial in-country costs for APF activities; and
- APF member institutions provide substantial 'in kind' support for APF activities.

11.2 Employment

During the 8th Annual Meeting of the APF, Forum members approved two new positions within the Secretariat, Projects Manager and Administration & Finance Officer. The positions were widely advertised and applications from member institutions were encouraged.

The recruitment process for the position was comprehensive and Mr Kedar Poudyal, Acting Secretary of the National Human Rights Commission of Nepal, represented the then APF Chairperson on the interview panel. The successful applicant for the position was Ms Jacqueline Veloria Mejia. Ms Mejia held the position of the Executive Director of the Philippines Commission on Human Rights. She commenced work with the Secretariat in October 2004 and completed her placement in September 2005. The APF secretariat wishes to thank the Philippines Commission on Human Rights for releasing Ms Mejia for this period.

In addition, the National Human Rights Commission of the Republic of Korea and the APF entered into a memorandum of understanding to enable two staff placements from the Commission to the APF secretariat. Mr Sung-Yong Hwang was selected as the first of these placements and he commenced work at the APF secretariat in the position of Project Manager in October 2005. Mr. Hwang holds the position of the Deputy Director of International Affairs Division of the Commission. He will finish work with the Secretariat in March 2006.

The position of Administration/Finance Officer was advertised and Ms Swalaha Swalaha was the successful applicant. This position includes all the administration work of APF and assisting the Development Manager with financial work. Ms Swalaha commenced her three month trial period with the APF on 7th December 2005.

During 2005 the staff of the APF secretariat therefore consisted of:

Mr Kieren Fitzpatrick
Director

Ms Pip Dargan
Deputy Director

Mr Stephen Clark
Information Officer

Ms Thuy Doan-Smith
Development Manager

Mr Sung-Yong Hwang
Projects Manager

Ms Jacqueline Veloria Mejia
Projects Manager

Ms Swalaha Swalaha
Administration/Finance Officer

APF MEMBERS

AFGHANISTAN

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Email: mail@nchr.org.jo
Website: www.nchr.org.jo

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g.bolormaa@nhrc-mn.org
Web: www.nhrc-mn.org

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Email: nhrc@ntc.net.com
Web: www.nhrc-nepal.org

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E-mail: infoline@hrc.co.nz
Website: www.hrc.co.nz

PALESTINIAN TERRITORIES

Palestinian Independent Commission for Citizens' Rights
Ramallah / Main Branch
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