

TENTH ANNUAL MEETING OF THE ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS

24 to 26 August 2005, Ulaanbaatar, Mongolia

CONCLUDING STATEMENT

Introduction

1. The Asia Pacific Forum of National Human Rights Institutions (the Forum), consisting of the National Human Rights Institutions of Mongolia, Afghanistan, Australia, Fiji, India, Indonesia, Jordan, Malaysia, Nepal, New Zealand, Palestine, Philippines, Qatar, Republic of Korea, Sri Lanka, Thailand and Timor-Leste, held this Tenth Annual Meeting in Ulaanbaatar, Mongolia from 24 to 26 August 2005.
2. The Forum Councillors expressed their gratitude to the National Human Rights Commission of Mongolia for hosting the meeting, to the Office of the High Commissioner for Human Rights (OHCHR) for its co-sponsorship and to all the Forum's donors for their financial support. The Forum Councillors expressed their appreciation for the efforts of the Commissioners and staff of the National Human Rights Commission of Mongolia and the secretariat of the Forum for their work in the organisation of the meeting.
3. The Forum particularly welcomed the participation of the Advisory Council of Jurists, appreciated and thanked them for their work. The Forum also welcomed representatives, as observers, from the institutions of the Maldives, Iran, Uzbekistan and Saudi Arabia, thirty five international, regional and national non-governmental organizations, the representatives of Australia, Canada, France, Mongolia, New Zealand and Taiwan, and the OHCHR, UNHCR, UNESCO, UNICEF and ILO.
4. Mr Enkhbayar Nambar, President of Mongolia, Mr Tserendorj Suren, Chief Commissioner, National Human Rights Commission of Mongolia and the Chairperson of the Forum and Ms Pratibha Mehta, United Nations Resident Coordinator (Mongolia) who participated in her capacity as Resident Coordinator and on behalf of Mrs Louise Arbour, High Commissioner for Human Rights, addressed the inaugural session. In their opening statements the distinguished speakers congratulated the Forum on its 10th anniversary.

Conclusions

The Forum, during its closed business session:

5. Discussed the issue of 'observers' at the closed session of the Forum and requested the secretariat to develop guidelines on this issue and submit it to Forum Councillors for their consideration and decision.
6. Noted the activity report of the Forum since its last annual meeting and expressed their appreciation for the work of the secretariat. Forum Councillors considered

the secretariat's report of the Forum's finances and administration and adopted the Directors, Financial and Audit report of the Forum for the period ending 31 March 2005. Forum Councillors highly appreciated the financial contributions made by (i) member institutions; (ii) the governments of Australia, India, New Zealand, Republic of Korea, Thailand, United Kingdom and the United States; (iii) donor institutions, including the British Council, Brookings Institution, MacArthur Foundation and the National Endowment for Democracy; and (iv) intergovernmental agencies, including the Commonwealth Secretariat, and United Nations agencies (OHCHR, UNDP, UNESCO, UNICEF).

7. Agreed to form a working group of the Forum to develop draft guidelines to strengthen the application of the Principles Relating to the Status of National Institutions adopted by the United Nations General Assembly (Resolution 49/134) commonly referred to as the 'Paris Principles' on the method of appointment of members of national human rights institutions and the security of their tenure for consideration and decision by Forum Councillors at the 11th Annual Meeting.
8. Approved the Forum's annual plan for 2006 and agreed to form a working group of the Forum to develop a new three year strategic plan for the period 2007 to 2009 for the consideration of Forum Councillors at a full day 'closed session' at the 11th Annual Meeting.
9. Considered the training needs of national human rights institutions and welcomed the outcomes of the training needs analysis. Forum Councillors requested that the secretariat develop a training plan based on these outcomes for the consideration and approval of Forum Councillors and seek donor funding for its implementation.
10. Reaffirmed that the structure and responsibilities of national institutions should be consistent with the 'Paris Principles.' After considering formal applications for membership and their compliance with the Paris Principles they revised the associate membership status of the Afghanistan Independent Human Rights Commission to become a full member, and admitted the Provedor for Human Rights and Justice of Timor-Leste as a candidate member and the National Human Rights Committee of Qatar as an associate member of the Forum. This increased the Forum's overall membership to 17 institutions.
11. Forum Councillors called upon States in the Asia Pacific region to establish and strengthen national human rights institutions to ensure their full compliance with the Paris Principles.
12. Decided to make a reference to the Advisory Council of Jurists on the legal obligations of States for the implementation of economic, social and cultural rights and requested that the secretariat develop a draft reference for the consideration and approval of Forum Councillors.
13. Welcomed the report of the Fiji Human Rights Commission, the Forum's representative to the accreditation sub-committee of the International Coordinating Committee of National Institutions (ICC), and thanked the Forum's

representative for her work. Forum Councillors re-nominated the current Forum representatives to the ICC.

14. Agreed to advocate a joint approach at the 13th Annual UN Workshop of the Framework on Regional Cooperation and Protection of Human Rights in the Asia-Pacific Region, to be held in Beijing, China, from 30 August to 2 September 2005 based on a “sustainable partnership” between the Forum and the OHCHR.
15. Welcomed the United Nations Commission on Human Rights (CHR) resolution at its 61st session (2005/74) deciding to develop modalities for the further enhancement of the participation of national human rights institutions in CHR deliberations. Forum Councillors endorsed the need for a periodic review of compliance with the Paris Principles. Forum Councillors noted the ongoing debate regarding UN reform, including reform of the CHR, and agreed to monitor and discuss developments. Forum Councillors agreed to work with governments and the OHCHR to ensure that the important role of national human rights institutions is incorporated in these reform deliberations and that outcomes regarding any successor body to the CHR maintain and further enhance, as appropriate, the participation and engagement of national human rights institutions.
16. Welcomed the continued role of APF member institutions in the negotiations to develop a new United Nations Convention on Disability and agreed on the need to ensure that national human rights institutions play a formal role in both the implementation and monitoring of the proposed Convention. Forum Councillors agreed to raise with their national governments the possible role that national human rights institutions could play in this regard and encourage their governments to support such proposals at the 7th session of the Ad Hoc Committee of the UN General Assembly, to be held in January 2006. Forum Councillors also requested their disability working group to work in partnership with Disability Rights Promotion International to develop a tool to collect and categorise disability rights cases.
17. Commended the efforts of the Senior Executive Officers to assist in the effective and efficient functioning of national institutions. The Forum requested that the Senior Executive Officers continue to increase their cooperation and requested that they provide a report to the 11th Annual Meeting of the Forum on their activities and cooperation projects.
18. Unanimously elected the National Human Rights Commission of Mongolia (as the current host institution of the annual meeting) to the position of Chairperson of the Forum. The National Human Rights Commission of the Republic of Korea (as the host institution for the last annual meeting) and the Fiji Human Rights Commission (as the host institution for the next annual meeting) were also elected unanimously to the two positions of Deputy Chairpersons.

The Forum, during its open plenary sessions:

19. Expressed appreciation and commended the OHCHR for its continuing commitment to strengthen sustainable partnerships with the Forum and requested

the OHCHR and the secretariat to jointly explore how this may be realised in the context of the Forum's strategic plan and the UN framework on regional cooperation for the promotion and protection of human rights in the Asia Pacific region and to report back to the Forum's 11th Annual Meeting. The Forum also called upon Member States to increase their support, including financial support, for the important work of the OHCHR, particularly with regard to national human rights institutions.

20. Appreciated the constructive contribution of non-governmental organisations to the work of the Forum. The Forum thanked non-governmental organisations for their submissions, collective participation and advocacy in the meeting. The proposals put forward by non-governmental organisations will be carefully considered by Forum Councillors in the development of the Forum's new three year strategic plan. The Forum requested non-governmental organisations to continue to work in partnership in the implementation of the Forum's activities
21. Welcomed the reports of Forum members, relevant institutions and governments which shared measures to protect and promote human rights. The Forum stressed the need for constructive and practical engagement with governments and thanked them for their active participation and constructive contributions to the meeting. The Forum agreed that future reports of Forum members should have a thematic, best practice or 'major challenge' focus.
22. Discussed and encouraged national human rights institutions to establish effective partnerships with their educational authorities when developing and implementing formal human rights education programs. The full realisation of the right to education should include the provision of human rights education for all, including for the disadvantaged sectors of society and those living in remote or rural areas.
23. Affirmed that it is the responsibility of national human rights institutions, in accordance with the Paris Principles, to promote human rights and combat discrimination. National institutions should use the media as a powerful tool for human rights education and, in that regard, congratulated the secretariat for the development and implementation of a training program on this issue. Forum Councillors also requested that the secretariat explore the use of the Senior Executive Officers intranet to network on media and communication strategies and share best practice strategies on human rights education.
24. Expressed deep concern over the increasing phenomenon of internally displaced persons (IDPs) in the region and called on all Forum members to take effective steps to protect and promote the rights of IDPs in line with the UN Guiding Principles on IDPs. Forum Councillors therefore expressed their appreciation of the Forum and the Brookings Institution's project on internally displaced persons (IDPs) and requested that the Forum continue its efforts on this issue. In particular the Forum welcomed the development of draft guidelines on protecting the rights of IDPs in situations of natural disasters.
25. Reported on their implementation of the recommendations of the Advisory Council of Jurists' reports on the death penalty, trafficking and terrorism. A

number of Forum Councillors specifically cited the successful implementation of the Advisory Council's recommendations.

26. Called on governments of Forum member institutions to continue to ensure their independence, adequate resourcing and institutional capacity so as to enable them to carry out their mandates more effectively.
27. Considered the issue of torture, including the views of international experts and non-governmental organisations, and the interim report of the Advisory Council of Jurists. The Forum warmly thanked the jurists of the Advisory Council for their expertise and the comprehensive scope of their report. Forum member institutions would carefully consider the potential role of national human rights institutions under the Optional Protocol to the Convention Against Torture and Other Forms of Cruel, Inhumane and Degrading Treatment or Punishment and recommend that their governments sign and ratify both the Convention and its Optional Protocol.
28. Noting the special challenges they are facing, Forum Councillors expressed their commitment to supporting the institutions in Iran and the Maldives in the protection and promotion of human rights.
29. Gratefully accepted the kind offer of the Fiji Human Rights Commission to host the Eleventh Annual Meeting in 2006.

A report on the meeting will soon be available on the Forum website.

www.asiapacificforum.net