



REMARKS
OF
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NATIONAL HUMAN RIGHTS COMMISSION,
INDIA

CHAIRING
SESSION ON 'REGIONAL CO-OPERATION BETWEEN
NATIONAL HUMAN RIGHTS INSTITUTIONS'

AT
12TH ANNUAL MEETING OF APF

AT
2.00 – 3.00 PM

ON
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REGIONAL CO-OPERATION BETWEEN NATIONAL HUMAN RIGHTS INSTITUTIONS

INTRODUCTION

In the mandate and function of the Human Rights Council, consideration is given to functions that are best performed at an inter-governmental level, taking into account complementarity with other bodies that support such functions. NHRIs have a definite role in this regard.

The Resolution accepted by the Human Rights Council in its meeting held on 18th June, 2007 has entrusted the NHRIs with greater responsibilities in the areas of grievance redressal procedure as well as Universal Periodic Review. With the enhanced role of NHRIs both as a watch dog as well as monitoring agency viz-a-viz its role in the UN HRC there is a lot of scope on targeting towards the ultimate objective of establishing a culture of Human Rights. Therefore, the NHRIs need greater cooperation amongst themselves. Some of the areas where the cooperation could be coordinated are (1) NHRI's cooperation regarding human rights recognised internationally (2) Role of National Human Rights Institutions (NHRIs) in extending guidance and support to non compliant Commissions (3) Capacity building of National Human Rights Institutions (NHRIs) (4) Co-operation between NHRIs through exchange of information for participation in UN Human Rights Council (5) Complaint handling system (6) Exchange of Publications between NHRIs and (7) Organising Regional Workshops.

1. NHRI's COOPERATION REGARDING HUMAN RIGHTS RECOGNISED INTERNATIONALLY

The NHRIs are all institutions which deal with Human Rights, not only rights guaranteed in their respective laws but also embodied in the international Covenants enforceable in that country. Many of these rights may require common treatment and consideration. Hence it would be useful to exchange information in this regard for evolving common strategies.

2. **ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIS) IN EXTENDING GUIDANCE AND SUPPORT TO NON COMPLIANT COMMISSIONS**

International Coordinating Committee (ICC) for National Human Rights Institutions (NHRIs) categorizes Human Rights Commissions on the recommendation of the ICC Sub-committee on accreditation. There are three categories of accreditation namely,

Category-A - Confers member status to fully 'Paris Principles' compliant National Human Rights Commissions.

Category-B - Confers observer status to those National Human Rights Commissions who are not fully 'Paris Principles' compliant or insufficient information has been provided to make a determination and

Category-C - Confers no status and applies to National Human Rights Commissions which are non-compliant with the 'Paris Principles'.

In view of the above mentioned categorizations, fully 'Paris Principles' complaint NHRIs may extend guidance and support to non-complaint Institutions/countries to set up fully Paris Principles compliant Human Rights Commissions on their request.

To illustrate Government of Iraq has requested the engagement of a Facilitator for setting up National Human Rights Institutions. The National Human Rights Commission of India as an organization has offered to act as a Facilitator to the Iraqi Ministry of Human Rights.

3. **CAPACITY BUILDING OF NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIS)**

Another area of co-operation is capacity building of National Human Rights Institutions. Under staff exchange programme two officers from the NHRC visited HREOC in Sydney from 4-17 October 2006. A three-member delegation from the

National Human Rights Commission of South Korea visited the Commission under the staff visiting programme of the National Human Rights Commission, South Korea from 22-27 December, 2006. During their period of stay, the delegation interacted with various divisions of the Commission for getting an insight into the working of the Commission.

Under the APF staff exchange programme, a two-member delegation from the Human Rights and Equal Opportunity Commission (HREOC), Australia were attached with the Commission from 9th January – 9 February, 2007. During their period of their stay in the Commission, the delegation was exposed to the various programmes/projects being undertaken by the Commission towards better promotion and protection of the Human Rights in the Country.

Recently the National Human Rights Commission of Korea (NHRCK) has proposed Secondment of their staff member(s) by the NHRC-India for a period of 1 to 2 years. The NHRC-India is pleased to accept the request of the NHRCK.

4. CO-OPERATION BETWEEN NHRIS THROUGH EXCHANGE OF INFORMATION FOR PARTICIPATION IN UN HUMAN RIGHTS COUNCIL

Exchange of information is an important area of cooperation between NHRIs. The latest adoption of the General Assembly resolution 60/251 of 15th March 2006 envisages greater role of NHRIs in the UN Human Rights Council (UNHRC). This requires active and effective participation of the NHRIs in the proceedings of the Council. In view of this important role of NHRIs, it is suggested that base paper for discussion in the meetings of the Council can be prepared by various National Institutions on issues of common concern eg.,

- a) Guidelines on 'Problems and Remedies for People Affected by Natural Disasters and Development Projects'
- b) Right to Health
- c) Right to Education
- d) Rights of the Disabled
- e) Rights of the Elderly

- f) Prevention and Combating of Trafficking in Women and Children, etc.,

This exchange will help NHRIs to crystallize their views on issues of common interest. Thereafter the same can be projected emphatically in the meetings of the Council.

5. COMPLAINT HANDLING SYSTEM

Efficient complaint handling system is an indicator of a systematized functioning of any NHRI. Therefore, cooperation in this field will enhance the competencies of different NHRIs. This Commission has adopted one of the most efficient IT based management practices for complaint handling. A web based Complaint Status Query Module was also developed and integrated with the website (<http://nhrc.nic.in>) of the Commission. NHRC-India helped some of the NHRIs through exchange of technology/Skills in setting up similar Complaint Management Systems in their organizations. Listed below are few such examples :-

- The Complaint Management System (CMS) has been successfully implemented at the Nepal National Human Rights Commission, Kathmandu and Jordan National Centre for Human Rights, Amman in partnership with the Canadian Human Rights Commission and Asia Pacific Forum respectively.
- The Rwanda National Human Rights Commission, Kigali requested the NHRC, India to get the CMS implemented at their place. The NHRC-India has put in place an effective and advanced complaint handling system in the Rwanda National Human Rights Commission with the technical assistance of the National Informatics Centre (NIC).
- The representatives of Human Rights Commission of Maldives were trained in the office of NHRC-India. They were also given the relevant complaint handling software for establishing and implementing the same in their Commission.

6. EXCHANGE OF PUBLICATIONS BETWEEN NHRIs

The Asia Pacific Forum has a wonderful website in place. This web site can be used for disseminating information regarding human rights activities carried out by various Member NHRIs to all the stakeholders. This can be done by allowing conduits to the Member NHRIs. This can be used as a debate site for the Members.

7. ORGANISING REGIONAL WORKSHOPS

This no doubt plays a vital role in strengthening the endeavour of the NHRIs to protect and promote human rights in concerted way. NHRC-India, in its pursuit to synergizing the efforts of other NHRIs and stakeholders is organizing the following workshops/Training Programme :-

a) Workshop on Use of Indicators in Promoting and Monitoring the Implementation of Human Rights 26-28 July, 2007 at India Habitat Centre, New Delhi

The National Human Rights Commission of India (NHRC) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) are hosting an Asian sub-regional workshop on 'Using Indicators to Promote and Monitor the Implementation of Human Rights', at India Habitat Centre, New Delhi from 26 to 28 July 2007. Hon'ble Justice Shri K.G. Balakrishnan, Chief Justice of India inaugurated the workshop.

The objective of the workshop was to sensitize participants about feasibility of using quantitative and other appropriate indicators in implementing human rights, validate identified, illustrative indicators of different rights, and encourage ownership and application of indicators for devising suitable policy responses in furthering the implementation of human rights. The meeting brought together participants from National Human Rights Institutions, national policymaking agencies, national statistical agencies and some civil society representatives from Afghanistan, Bangladesh, Bhutan, India, Indonesia, Iran, Malaysia, the Maldives, Nepal, Pakistan, the Philippines

and Sri Lanka. The Asia-Pacific forum of National Human Rights Institutions also took part in the deliberations of the workshop.

b) Sub- Regional Pilot Training workshop on the subject of National Inquiries beginning from 29th October 2007 (Duration: one week)

A pilot sub-regional training workshop on the subject of National Inquiries will be jointly organised by the APF and the Raoul Wallenberg Institute of the University of Lund. The pilot workshop will be hosted by the National Human Rights Commission of India during the week beginning 29 October 2007. The APF and RWI are jointly preparing the training manual and modules for this programme.

Thus on above six issues NHRIs can have regional co-operation.
