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Address by

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Distinguished Forum Councillors,
Ladies and Gentlemen,

Today, my presentation will be mainly on recent developments within OHCHR and United Nations, which have an important impact on the work of national human rights institutions (NHRIs). This, inter-alia includes partnerships and preparation of tools and manuals, aimed at capacity building of United Nations colleagues in supporting efforts at national level for the establishment or strengthening of national human rights institutions in compliance with the Paris Principles.

I start with the strategic partnership between OHCHR and UNDP in providing advisory services to governments in establishing NHRIs. OHCHR and UNDP also offer technical advice, including training and capacity building activities to NHRIs to ensure their effectiveness in discharging their mandates to promote and protect all human rights at the national level and strengthen the domestic protection system. This partnership was reiterated and confirmed by High Commissioner Pillay and Administrator Clark during their bilateral meeting at ICC 23 last March.

Through this strategic partnership, OHCHR and UNDP have developed a toolkit aimed at creating a uniform methodology and standard operating procedures for provision of technical assistance by United Nations to the NHRIs. This toolkit is intended primarily to support colleagues in the field who have little or no working experience with NHRIs, as well as those who have a better understanding but nonetheless need practical tools and guidance to support the establishment, consolidation, or assessment of these important

institutions. It also provides guidance to all United Nations colleagues on “how” to support the establishment and consolidation of NHRIs. This toolkit takes stock of the existing methodologies and best practices of provision of assistance developed over the years by OHCHR, UNDP and other partners. The toolkit also includes international practical and legal developments related to NHRIs and brings consistency and coherence to the United Nations technical assistance programmes.

Regarding its structure, the Toolkit has been designed in a user-friendly format. It is divided into two free standing modules, each containing a number of chapters. Each chapter includes an executive summary, key messages and a list of tools. It clearly explains to the reader what an NHRI is and its relevance to the UN country teams by explaining the roles and responsibilities of NHRIs at national and international levels in influencing a better enjoyment of political, civil, economic, social and cultural rights. It also provides guidance to United Nations colleagues on the ICC accreditation process. Actually, this toolkit can also be useful for NHRIs to understand better the UN country teams’ perspective and approach. Finally, the good news is that the toolkit will be launched in a very near future.

Along with the elaboration of the toolkit, NIRMS has updated its internal guidance note on “National Human Rights and the work of OHCHR at Headquarter and field level”. The purpose of this note is to bring about a better understanding of the role, tasks and functions of national human rights institutions (NHRIs) among OHCHR staff. It is also aimed at reinforcing OHCHR's capacity to support NHRIs as an essential element of a strong

national human rights protection system, and to provide assistance for their establishment where they do not exist.

The guidance note contains information on how NHRIs cooperate at the international level and highlights the role of the International Coordinating Committee and its Sub-Committee on Accreditation in promoting NHRIs compliance with the Paris Principles. The note also outlines the cooperation between NHRIs and OHCHR and specifies the role of other important stakeholders both at national and international levels. It is more of a checklist for the headquarter and field colleagues to ensure consistency and avoid duplication, as well as a reminder to everyone on the important role Paris Principles compliant NHRIs play as partners on the ground in consolidating the rule of law and strengthening domestic national protection systems. This note will be regularly updated to ensure that colleagues in the field are informed of the latest developments regarding NHRIs.

As you may remember, in January 2009, OHCHR sent out a questionnaire to all NHRIs to evaluate their effectiveness. The purpose was to have our future activities more targeted to address national institution's key needs to overcome the existing challenges. The collected data will be used as a tool to tailor capacity building projects, technical assistance programmes and training sessions to the identified needs of NHRIs. In addition to OHCHR, the collected data is to also assist the UN country teams to strategize their activities to ensure advocacy for strengthening the role and the competence of NHRIs.

From out of some 100 questionnaires sent out to NHRIs, OHCHR received 61 responses, out of which 12 were from the Asia Pacific, 19 from Africa, 9 from

the Americas and 21 from Europe. Of these, 46 were A status accredited institutions, 4 had B status, 2 had C status and 10 had not yet applied for ICC accreditation. The data included legal background, functional capacity needs, core protection activities, participation rates in the international human rights system and the level of interaction with the UN Country Teams.

From the responses and comments provided, the survey drew general conclusions regarding both institutional characteristics and performance. In Asia Pacific and Europe, the respondents were mainly statute-based commissions, with Ombudsmen more frequent in Eastern Europe. In the Americas, the respondents were mainly Ombudsmen, while in Africa mainly constitutionally-based commissions. The survey demonstrated that a number of NHRIs in all regions would benefit from a strengthened legal framework.

Without going in to details, I will just mention a few data obtained as a result of this survey. I will start by congratulating APF for its performance, since over 80% of the respondents from the Asia Pacific referred to their strong and well established regional network as important for strengthening the ICC. Regarding independence, over 40% of respondents indicated that a government department had administrative responsibility for their institution. Moreover, over 75% of respondents mentioned that their budget was presented to the Parliament through a Ministry, and 50% of this group affirmed that the relevant Ministry had influence over their budget allocation. This percentage was slightly higher in Africa and the Americas.

With regard to the protection mandate, 100% of the respondents in the Asia Pacific confirmed conducting activities related to prevention of torture and ill-

treatment. In other regions, the percentage was lower, but still very high. Again, the Asia Pacific beat the record with 92% of the respondents indicating conducting activities related to human rights defenders. However, only 40% in the Asia Pacific stated having strong working relations with parliamentary human rights committees, mainly the cause being lack of interest or appreciation from the public agencies in human rights issues. With regard to the promotion mandate, all respondents indicated having the mandate for human rights education and research. For the promotion of human rights education in the Asia Pacific region the main challenge identified was lack of resources and materials as well as lack of interest from the education sector. Some even qualified the education sector's attitude as resistant.

Since the list is long and exhaustive, I have requested that copies of the survey report be made available to you today. Through a snapshot, the general trend or shortcomings in a given region are assessed. This enables United Nations colleagues, among other actors, to better focus on the identified challenges by designing technical assistance programmes to address the exact needs and capacity gaps. To ensure a well tailored technical assistance programme to NHRIs, we recommend that the survey be used in conjunction with the toolkit.

The last but not the least on my list is the preparation by OHCHR, the Association for the Prevention of Torture (APT) and the APF of an Operational Guide for NHRIs on Preventing Torture. This manual is a practical tool to support NHRIs in planning and conducting torture-prevention related activities. NHRIs that have been assigned as National Preventive Mechanism (NPM) under the Optional Protocol to the Convention against Torture and other Cruel,

Inhuman or Degrading Treatment or Punishment (OPCAT) can find this tool responding directly to their needs.

From the structural point of view, the manual is divided in two main sections. The first section explains the legal context for the prevention of torture, the definition of torture and the relevant international and regional instruments prohibiting the use of torture. The second section includes practical steps for the prevention of torture that can be taken by the NHRIs, by illustrating best practices from a number of NHRIs which have already effective measures to translate torture prevention strategies into action. Each chapter also includes key questions, legal basis for the involvement of NHRIs and discussions for further reading. The manual includes also a CD-ROM, which contains useful documents and resource materials, including short training spots on beginning a visit to a detention premise and interviewing detainees. This publication will be launched soon too.

I would very much welcome your reactions to and comments on the various tools developed by OHCHR and other partners. It will enable us to ensure a better client orientation in our future publications. Also, do share with us subjects on which you would like new practical tools be developed. Subject to availability of resources, we will be happy to create and compile tools and manuals which will assist you in your very important task of promoting and protecting all human rights.

Thank you for your attention.