

Activities: Annual Meetings: Fourth Annual Meeting: APF4 Final report

ASIA PACIFIC FORUM OF  
NATIONAL HUMAN RIGHTS INSTITUTIONS

REPORT OF THE FOURTH ANNUAL MEETING

*Manila, 6 – 8 September 1999*

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ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS

MANILA 6 – 8 September 1999

TABLE OF CONTENTS

1. Summary
2. Background to the Meeting
3. Objectives of the Meeting
4. Meeting Agenda
5. Participation
6. Opening ceremony
7. Private meeting of Forum member institutions
8. Theme of the Meeting
9. Outcomes of the Meeting
10. Next Meeting

Annexes

1. Agenda
2. Statement of Conclusions
3. List of participants
4. Summary of NGO interventions and recommendations

## 1. SUMMARY

The Asia Pacific Forum was established in 1996 following the inaugural Regional Workshop of National Human Rights Institutions which was held in Darwin, Australia. The second Regional Workshop was held in New Delhi, India from 10 to 12 September 1997 and the third annual meeting took place in Jakarta, Indonesia from 6 to 9 September 1998.

The Fourth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions was held in Manila from 6 to 8 September 1999. The Philippines Commission on Human Rights hosted the Meeting. The Secretariat of the Asia Pacific Forum of National Human Rights Institutions provided organisational support. Financial assistance was provided by the Office of the United Nations High Commissioner for Human Rights and the Government of Australia, through its international aid agency, AusAID.

The Fiji Human Rights Commission was formally accepted into the Forum, increasing the Forum's membership to seven.

In accordance with the decision of its Third Annual Meeting, the Meeting took place over three full days, beginning with a one day private meeting of its member institutions which provided an opportunity for extended discussion of the Forum's management, its functioning and future needs.

The Secretary of Justice of the Republic of the Philippines, Mr Serafin Cuevas, opened the Meeting on behalf of the President of the Philippines, HE Joseph Ejercito Estrada.

Participants included senior representatives of the seven national human rights commissions that comprise the Asia Pacific Forum, the Regional Representative of the United Nations High Commissioner for Human Rights, the Chairperson of the United Nations Committee on Economic, Social and Cultural Rights and the Special Adviser to the United Nations High Commissioner for Human Rights. Observers at the Meeting included representatives of regional governments, relevant institutions, national human rights commissions from outside the region, inter-governmental organisations and numerous representatives of non-governmental organisations from the region and beyond.

The special theme for the Meeting was *National Human Rights Institutions and Economic and Social Rights*. The keynote speakers were Justice P C Bhagwati, Regional Representative of United Nations High Commissioner for Human Rights and Deputy Chairperson of the United Nations Human Rights Committee, and Professor Virginia Dandan, Chairperson of the United Nations Committee on Economic, Social and Cultural Rights.

The Forum called on governments to give explicit effect to their commitment to the realisation of economic, social and cultural rights, including through their input into the policies and programs of international financial institutions and of international and regional economic forums. The Forum expressed its continued concern at the detrimental impact that some policies and practices of international financial institutions and multinational corporations have upon the enjoyment of human rights. It noted its concern that, as non-state actors, these institutions are not subject in law to international human rights treaties and are not formally accountable for compliance with them. The Forum welcomed the initiative of the High Commissioner for Human Rights to establish a dialogue with United Nations agencies and programs, international financial institutions, international agencies and non-state players. The Forum also encouraged the Committee on Economic, Social and Cultural Rights to continue and extend its dialogue with all these bodies in its work. The Forum agreed to further explore means of promoting and protecting economic, social and cultural rights and resolved to explore closer engagement with relevant organisations.

The objectives of the Meeting were to consolidate, and build on, the program of practical, co-operative activities developed by the Forum to strengthen the functioning, and assist in the development of, regional national human rights institutions. The Fourth Annual Meeting also enabled Members to discuss the Forum's legal and management arrangements in the light of the changing needs and opportunities which the Forum needs to address as it grows in size and expands its work program.

The Meeting reviewed the Forum's activities over the past twelve months, and provided member commissions and participants with an opportunity to discuss a wide range of issues related to the protection and promotion of human rights in the Asia Pacific region. In relation to child pornography on the internet, the Forum affirmed that there is a clear legal obligation under international human rights law to take all necessary measures to combat this widespread and serious abuse of children's rights.

The Meeting reviewed the outcomes of the Forum's Regional Workshop on *National Institutions and Non-Government Organisations: Working in Partnership* held in Sri Lanka in July 1999. Forum Members also addressed the work of the International Coordinating Committee of National Human Rights Institutions and the involvement of Asia Pacific national institutions in the international human rights system.

Forum Members agreed on action on a number of important matters including: the membership of the inaugural panel of the Advisory Council of Jurists as well as a number of decisions on the development of references to the Council; the establishment of a working group to examine and resolve issues related to the Forum's legal and management structures; a recommendation that Forum members establish focal points on the human rights of women, including the issue of trafficking; agreement to hold a workshop in 2000 on the advancement of women's human rights; agreement that the Forum should support a discussion on the theme of *The role of public inquiries in promoting and protecting human rights*; a request to the Forum Secretariat to prepare, in consultation with non-government organisations and the Office of the High Commissioner for Human Rights, guidelines for the process of establishing national institutions in accordance with the Paris Principles for consideration at the Fifth Annual Meeting of the Forum. The Forum also decided to establish two working groups on issues presented by the Indonesian National Commission on Human Rights: the development of a handbook on the implementation of human rights values, principles and norms in the Asia Pacific region, and a study of inter-religious tolerance and respect.

The Meeting adopted a comprehensive Statement of Conclusions that reaffirmed the Forum's commitment to promoting the development of national human rights institutions in conformity with the Paris Principles.

The Forum accepted with gratitude the offers of New Zealand to host the Fifth Annual Meeting in 2000 and of Sri Lanka to host the Sixth Annual Meeting in 2001.

## **2. BACKGROUND TO THE MEETING**

The Asia Pacific Forum of National Human Rights Institutions (the Forum) was established in July 1996 following a Regional Workshop held in Darwin, Australia. That Workshop involved four of the five national human rights commissions that had been established in the Asia Pacific region at that time, as well as representatives of regional governments and non-governmental organisations. The four national human rights commissions were those of Australia, India, Indonesia and New Zealand.

The inaugural Workshop adopted the *Larrakia Declaration*, which set out some basic principles to guide the work of the Forum in promoting the development and strengthening of regional human rights commissions. Two key elements underpinning the Forum's activities are a commitment to the United Nations *Principles Relating to the Status of National Institutions* (the Paris Principles)

and a commitment to the universality and indivisibility of human rights. The Larrakia Declaration also set out an agreed basis on which regional human rights commissions would co-operate to promote the observance of human rights within the Asia Pacific region.

The four inaugural member commissions of the Forum were subsequently joined by the Philippines Commission on Human Rights, the Sri Lankan Human Rights Commission and the Fiji Human Rights Commission. This group of seven currently comprises the membership of the Forum. The Australian Human Rights and Equal Opportunity Commission currently hosts the Secretariat of the Asia Pacific Forum, and the New Zealand Commission is Co-ordinator of the Forum.

The Indonesian National Commission on Human Rights hosted the third Annual Meeting in Jakarta from 6 to 9 September 1998. That Meeting saw a number of important outcomes, notably: the establishment of an Advisory Council of Jurists to assist in developing regional human rights jurisprudence; the establishment of a Forum web site; and agreement to hold a workshop in 1998/99 on the theme of *National Institutions and Non-Government Organisations: Working in Partnership*.

In accordance with the decision of its Third Annual Meeting, the Fourth Annual Meeting took place over three full days, beginning with a one day closed business session of its member institutions which provided an opportunity for extended discussion of the Forum's management, its functioning and future needs. The Forum Secretariat produced a substantial number of background papers and other documentation designed to assist discussions during the Meeting and to propose concrete courses of action in a number of priority areas.

### **3. OBJECTIVES OF THE MEETING**

Annual Meetings of the Forum have become a key regional human rights forum bringing together national institutions, non-government organisations, United Nations agencies and governments. Representation at this Annual Meeting encompassed participants from Jordan in the West to Fiji in the East and from Korea in the North to New Zealand in the South. Representatives from outside the region, for example Canada, South Africa and Mexico) also attended.

The Meeting had two main objectives:

- (a) to consolidate the work program agreed to by the Third Annual Meeting and to secure agreement on a number of new proposals, developed by the Forum Secretariat as mandated by the Jakarta Meeting, for the Forum's program of work;
- (b) to encourage and assist those states which are engaged in the process of establishing national human rights institutions.

In addition to meeting these objectives, the Fourth Annual Meeting provided an invaluable opportunity for the exchange of ideas and experiences among the diverse group of participants.

### **4. MEETING AGENDA**

The agenda for the open meeting provided for two full days of discussion in plenary sessions as well as opportunities for informal meetings and a cultural program.

The key issues addressed by the Meeting were:

- The role of national human rights institutions in promoting economic and social rights;

Activities: Annual Meetings: Fourth Annual Meeting: APF4 Final report

- The role of national human rights institutions in addressing discrimination against women. Special attention was given at the meeting to the trafficking in women and girls, which was the subject of a case-study prepared for the Forum by the Office of the High Commissioner for Human Rights;
- A review of the Forum's Regional Workshop on *National Institutions and Non-government Organisations: Working in Partnership*, held in Kandy, Sri Lanka from 26-28 July 1999;
- The death penalty and its use in regional countries;
- Regional human rights issues including the activities of the High Commissioner for Human Rights and recent developments in regional States considering the establishment of national human rights institutions;
- Developments in other regions relating to national human rights institutions;
- A review of the Forum's operations over the past year focusing on its technical cooperation activities, child pornography on the internet, the proposal for a documentary video, the Advisory Council of Jurists, practices of national institutions for receiving, investigating and resolving complaints and information dissemination.

In addition, the host Commission provided participants with a briefing on the role, functions and activities of the Philippines Commission on Human Rights.

As in previous meetings, each agenda item was chaired by a different Forum member institution. The Forum Secretariat introduced each item before general discussion. A feature of the Meeting was the contribution of non-governmental organisations which co-ordinated their comments and presented joint statements to each plenary session.

A press conference was held following the closing ceremony.

The agenda for the Meeting is at Annex 1.

## **5. PARTICIPATION**

Reflecting the strong development of the Forum as a key regional human rights institution, the number and geographic diversity of participants at annual meetings continues to grow. The Philippines Commission on Human Rights hosted the Fourth Annual Meeting. Chairperson Justice Aurora Naverette-Recina and its four Commissioners represented the Philippines Commission. Chief Commissioners and Commission Presidents as well as senior Commissioners and Directors represented the national human rights commissions of Australia, India, New Zealand, the Philippines, Sri Lanka and Fiji. The Forum Secretariat was represented by its Senior Adviser, staff and consultants.

Justice P C Bhagwati, Regional Representative of United Nations High Commissioner for Human Rights and Deputy Chairperson of the United Nations Human Rights Committee, represented the United Nations High Commissioner for Human Rights and was one of the two keynote speakers. Mr Brian Burdekin, Special Adviser to the United Nations High Commissioner for Human Rights represented the Office of the High Commissioner. Professor Virginia Dandan, Chairperson of the United Nations Committee on Economic, Social and Cultural Rights was the other keynote speaker. The attendance of the United Nations Special Rapporteur on the Sale of Children, Ms Ofelia Calcetas-Santos, and other staff from the Office of the High Commissioner for Human Rights demonstrated the importance which the United Nations attaches to the Forum.

A large number of observers attended the Meeting. The following 20 regional governments were represented: Australia, Bangladesh, Cambodia, China, Indonesia, Iran, Japan, Jordan, the

Republic of Korea, Laos, Mongolia, Myanmar, Nepal, New Zealand, Pakistan, the Philippines, Singapore, Thailand, Vietnam and Yemen. The Forum heard statements from representatives of observer delegations from Australia, Bangladesh, China, Indonesia, Iran, Japan, Jordan, Mongolia, Nepal, New Zealand, Pakistan, the Philippines, the Republic of Korea, Thailand, Vietnam and Yemen. It welcomed commitments by many to establish national human rights institutions in accordance with the Paris Principles and to strengthen existing institutions. Progress reports on the development and implementation of National Action Plans were also received.

Representatives of the Canadian Human Rights Commission, South African Human Rights Commission and the Mexican National Commission for Human Rights attended as observers representing national institutions from outside the region.

Observer representatives also attended from the Hong Kong Equal Opportunities Commission and the Islamic Human Rights Commission of Iran.

Non-governmental organisations were represented by international, regional and national organisations. International NGOs participating in the Meeting were: Amnesty International, Human Rights Watch, the International Commission of Jurists and the Friedrich Naumann Stiftung. Regional organisations at the Meeting were: the Asia Foundation, the Asian Cultural Forum on Development, the Asia Pacific Human Rights Information Centre and the South Asia Human Rights Documentation Centre. As in previous years the Secretariat of the Forum worked with the Asia Pacific Human Rights NGOs Facilitating Team National concerning the participation of NGOs. NGOs representing Australia, Bangladesh, Cambodia, Canada, Indonesia, South Korea, New Zealand and Thailand also participated. The full list of participants is contained in Annex 3.

## **6. OPENING CEREMONY**

The Secretary of Justice of the Republic of the Philippines, Mr Serafin Cuevas, opened the Meeting on behalf of the President of the Philippines, HE Joseph Ejercito Estrada. The opening ceremony was accompanied by an informative exhibition of human rights materials in use in the Philippines and an impressive cultural program featuring traditional dance and music performed by young people who included former street children and children in other vulnerable situations. A representative of the Manila City Mayor presented the key to the City of Manila. The Regional Representative of the United Nations High Commissioner for Human Rights, Justice P N Bhagwati, and the Forum's Regional Coordinator, Ms Pamela Jefferies delivered brief messages.

President Estrada's message expressed concern that, in the pursuit of economic development, developing countries were taking human rights for granted. The President's message noted that there remains an unresolved tension between the pursuit of economic development and the promotion and protection of human rights and that it was not possible to enjoy civil and political rights if economic, social and cultural rights were denied. While noting the challenge which globalisation posed to national governments, the statement identified the need for governments to forge a broad consensus between the various sectors of society which have traditionally been divided into pro-development or pro-human rights groups. The President's statement identified a number of things which governments can do including, bridging the gap which exists in many countries between governments and human rights advocates and clearly establishing priorities to tackle the underlying causes of poverty. The statement noted the crucial role that citizens play in monitoring and moderating the excesses committed by governments in the pursuit of economic development.

The President's message suggested that the Asia Pacific Forum was well placed to devise a practical program of action to assist regional governments, civil society and the corporate sector in coming to grips with the challenges of globalisation and unequal economic development.

Justice Bhagwati pointed to the importance of the Forum in facilitating a regional dialogue on human rights and helping to promote practical ways of dealing with human rights problems through cooperation and the exchange of experiences. He said that the Forum was a platform on which a regional human rights arrangement could be developed. Justice Bhagwati noted that the Asia Pacific region is the most populous in the world and that, in some ways - for example in the development of national human rights institutions and national human rights action plans - the region is also the most dynamic.

## **7. PRIVATE MEETING OF FORUM MEMBERS AND THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**

The Fourth Annual Meeting began with a one day business session of its member institutions and the Office of the High Commissioner for Human Rights which flowed from a decision taken at the Third Annual Meeting. The decision to set aside a whole day for extended discussion of the Forum's management and its functioning reflects the Forum's desire to respond positively to the needs and opportunities which have developed as a result of its expanding membership and growing program of action. By increasing the amount of time available for plenary sessions it also provides more opportunity for participation in Forum meetings by the wider human rights community of the region.

The Forum reaffirmed its previous decision that the Secretariat should be located centrally within the Asia Pacific region. The Forum agreed, however, that in the interim the Secretariat should continue to be located in Australia. The Forum asked the New Zealand Commission to continue as Regional Coordinator. It discussed legal and management structures and agreed that a working group of the Regional Coordinator, the Office of the High Commissioner for Human Rights and the host institution of the Secretariat should examine and resolve these issues. The Forum also agreed to a proposal that staff exchanges be promoted and arranged within the framework of a Letter of Intent between the Forum, the Office of the High Commissioner for Human Rights and the United Nations Volunteer Program.

## **8. THEME OF THE MEETING**

The Third Annual Meeting introduced the use of a "theme" in order to give a practical orientation to its discussions. The Fourth Annual Meeting chose to focus on the theme - *National Human Rights Institutions and Economic and Social Rights*. This built on the consideration by the Jakarta Meeting of the financial crisis which severely affected key countries in East and South-East Asia, and the consequences of that crisis for the enjoyment of human rights. Discussion at the Manila meeting addressed the role which national human rights institutions have in helping to promote and protect economic and social rights in the context of a public policy environment which is dominated by an economic discourse that gives priority to liberalising markets and promoting free trade.

A background paper was commissioned by the Forum Secretariat and prepared for the Meeting in order to assist discussion of the issue. The background paper focused on those human rights in the International Covenant on Economic, Social and Cultural Rights (ICESCR) which constitute the basic physical elements of the right to an adequate standard of living. This was reflected in the title of paper – *National Human Rights Institutions and Economic and Social Rights*. The paper can be located on the Forum's website at [www.apf.hreoc.gov.au](http://www.apf.hreoc.gov.au).

The focus on Articles 6 to 14 of ICESCR was motivated by the view that this cluster of rights forms a coherent set which poses some common analytical problems in terms of political economy and public finance. The background paper sought to locate the consideration of these economic and social rights in the context of the diverse levels of human development reflected by regional countries and to identify areas of contemporary discourse where the dilemma of sustainable development was being addressed.

The omission of “cultural rights” from the theme sparked some lively debate. The fact that the background paper did not address Article 15 was in no way intended to downplay the concept of cultural rights or the specific content of Article 15. Article 15 poses a discrete set of philosophical and practical problems that are deserving of attention in their own right.

The background paper argued that, while Articles 6 to 14 deal with issues which are at the heart of contemporary political and economic discourse in both developing and developed countries, and ICESCR has been – or is soon to be - ratified by all countries represented by Forum members, the dominant discourse on employment, education, health or social security issues almost universally ignores the explicit human rights dimensions of economic and social policy in these areas. Conversely, the debate on economic, social and cultural rights in key forums like the Commission on Human Rights is largely polemical and hopelessly politicised.

The background paper was premised on the argument that, by undertaking or promoting a more analytical content-based approach to specific rights, national human rights institutions are uniquely well placed to bring about meaningful engagement between the human rights community and the dominant institutions shaping economic and social policies. In this regard, the background paper made a number of recommendations for action on the part of the Forum and its member institutions.

The theme was addressed by the two keynote speakers, Justice P C Bhagwati, Regional Representative of United Nations High Commissioner for Human Rights and Deputy Chairperson of the United Nations Human Rights Committee, and Professor Virginia Dandan, Chairperson of the United Nations Committee on Economic, Social and Cultural Rights.

The keynote speakers, and the discussion which followed, drew attention to the need to maintain a holistic approach to all human rights. It was noted that economic, social and cultural rights continue to be accorded a lower level of priority than civil and political rights by many governments. In relation to national human rights institutions, reference was made to General Comment No.10 of the Committee on Economic, Social and Cultural Rights and the need to ensure that the mandates of national institutions properly address economic, social and cultural rights. The importance of acknowledging and protecting cultural rights was stressed in the context of the cultural diversity and pluralism which characterises countries that are represented by Forum member institutions. Speakers noted that national institutions can play a constructive role in the process by which states’ parties report to the Committee on Economic, Social and Cultural Rights on their progress in implementing their obligations under ICESCR.

NGO participants made a joint statement in which they expressed their concerns about the omission of cultural rights from the background paper and their views on globalisation and economic and social rights, the need to increase the justiciability of economic, social and cultural rights, the impact of multinational corporations and large scale development projects on economic, social and cultural rights and the need for a cross-sectoral dialogue on this issue.

The Forum expressed its continued concern at the detrimental impact that some policies and practices of international financial institutions and multinational corporations have upon the enjoyment of human rights. It noted its concern that, as non-state actors, these institutions are not subject in law to international human rights treaties and are not formally accountable for compliance with them.

The Forum called on governments, both in the region and outside, to give explicit effect to their commitment to the realisation of economic, social and cultural rights through all feasible means, including through their input into the policies and programs of international financial institutions and of international and regional economic forums.

The Forum welcomed the initiative of the High Commissioner for Human Rights to establish a dialogue with United Nations agencies and programs, international financial institutions, international agencies and non-state players and indicated that it would welcome an update by the Office of the High Commissioner for Human Rights on the progress of its dialogue at the Forum's next annual meeting. The Forum also encouraged the Committee on Economic, Social and Cultural Rights to continue and extend its dialogue with all these bodies in its work.

The Forum agreed to further explore means of promoting and protecting economic, social and cultural rights, including, inter alia, by acting on the suggestions for action proposed in the Secretariat's background paper. To facilitate this work, the Forum resolved to explore closer engagement with relevant organisations. It asked the Secretariat to continue research and analysis on this matter and to make this and other relevant material available, including through the Forum's website.

## **9. OUTCOMES OF THE MEETING**

The Meeting addressed a diverse agenda of specific human rights issues and reviewed the Forum's activities over the past twelve months. The Meeting provided member commissions and participants with an opportunity to discuss, and exchange information on, practical means for improving the protection and promotion of human rights in the Asia Pacific region.

During the Meeting, Forum members also made decisions on specific actions which the Forum and member institutions will undertake in the coming year. The Meeting formalised its deliberations and decisions by adopting a comprehensive Statement of Conclusions. The full text of the Statement of Conclusions is at Annex 2.

In addition to the Statement of Conclusions, the Meeting produced a substantial collection of papers prepared by the Forum Secretariat. These provide valuable background information and analysis of the main agenda items and are available on the Forum web site [www.apf.hreoc.gov.au](http://www.apf.hreoc.gov.au).

The following summarises the decisions made by the Forum at its Fourth Annual Meeting:

### *New members*

- The Fiji Human Rights Commission was formally accepted into the Forum, increasing the Forum's membership to seven.

### *National Human Rights Institutions and Economic and Social Rights*

The Forum

- *noted* that economic, social and cultural rights continue to be accorded a lower level of priority than civil and political rights by many governments;
- *expressed* its continued concern at the detrimental impact that some policies and practices of international financial institutions and multinational corporations have upon the enjoyment of human rights;
- *noted* its concern that, as non-state actors, these institutions are not subject in law to international human rights treaties and are not formally accountable for compliance with them;
- *called* on governments, both in the region and outside, to give explicit effect to their commitment to the realisation of economic, social and cultural rights through all feasible

means, including through their input into the policies and programs of international financial institutions and of international and regional economic forums;

- *indicated* that it would welcome an update, at the Forum's next annual meeting, by the Office of the High Commissioner for Human Rights on the progress of the High Commissioner's initiative to establish a dialogue with United Nations agencies and programs, international financial institutions, international agencies and non-state players;
- *agreed* to act on the suggestions for action proposed in the Secretariat's background paper and to explore closer engagement with relevant organisations;
- *asked* the Secretariat to continue research and analysis on this matter and to make this and other relevant material available, including through the Forum's website.

#### *The human rights of women*

##### The Forum

- *agreed* to hold a workshop in 2000 on the advancement of women's human rights and asked the Secretariat to take appropriate steps to prepare for the workshop, in consultation with the NGO community. The Forum requested the Secretariat to prepare a paper for the consideration of member commissions, as a basis for the workshop;
- *agreed* to recommend to its members the establishment of focal points on the human rights of women, including the issue of trafficking, within each Forum Member institution and the coordination by the Forum Secretariat of a network among them;
- *urged* all countries of the region to ratify the Convention on the Elimination of All Forms of Discrimination Against Women and urged all parties to take steps to eliminate reservations to it.

#### *Advisory Council of Jurists*

##### The Forum

- *endorsed* the nomination of the following members of the Council: Mr Fali S Nariman (India), Mr R K W Goonesekere (Sri Lanka), Mr Sedfrey Ordonez (the Philippines), Professor J E Sahetapy (Indonesia), the Hon Justice Dame Silvia Cartwright (New Zealand) and Sir Ronald Wilson (Australia);
- *expressed* its sincere appreciation to them for agreeing to serve on the Council;
- *indicated* that the Fiji Human Rights Commission would now be invited to make its nomination.

#### *Cooperation with NGOs*

The Forum *reviewed* the Program of Action developed at the Regional Workshop on *National Institutions and Non-Government Organisations: Working in Partnership* and, in relation to the Program of Action, the Forum:

- *supported* a discussion on the theme of *The role of public inquiries in promoting and protecting human rights* and asked the Secretariat to take appropriate steps for this, in consultation with the Office of the High Commissioner for Human Rights and the NGO community;

Activities: Annual Meetings: Fourth Annual Meeting: APF4 Final report

- *requested* the Secretariat to work with national institutions and non-government organisations to mobilise funds through technical cooperation programs to give effect to the activities arising from the Program of Action;
- *requested* the Secretariat to prepare, in consultation with non-government organisations and the Office of the High Commissioner for Human Rights, guidelines for the process of establishing national institutions in accordance with the Paris Principles for consideration at the Fifth Annual Meeting of the Forum;
- *agreed* to include discussion of cooperation and joint activities as a regular item at its annual meetings.

#### *The Forum's operations*

#### Legal and administrative arrangements

The Forum

- *agreed* that the Secretariat should continue to be located in Australia for an indefinite period;
- *requested* the New Zealand Commission to continue as Regional Coordinator;
- *agreed* that a working group of the Regional Coordinator, the Office of the High Commissioner for Human Rights and the host institution of the Secretariat should examine and resolve these issues.

#### Staff exchanges

The Forum

- *agreed* to a proposal that staff exchanges be promoted and arranged within the framework of a Letter of Intent between the Forum, the Office of the High Commissioner for Human Rights and the United Nations Volunteer Program and that the Regional Coordinator sign the Letter of Intent on its behalf when the other parties had considered it.

#### Child pornography on the internet

The Forum:

- *affirmed* that there is a clear legal obligation under international human rights law to take all necessary measures against child pornography, including on the internet;
- *took* the interim view that relevant international treaties permit reasonable restrictions on the exercise of the freedom of expression and that these restrictions justify action to combat child pornography;
- *agreed* to make a reference on this issue to the Advisory Council of Jurists for its considered opinion and requested the Secretariat to develop a draft reference for Forum members for consideration between meetings.

#### Video proposal

The Forum

Activities: Annual Meetings: Fourth Annual Meeting: APF4 Final report

- *agreed* to continue to pursue the proposal, agreed to at the Third Annual Meeting held in 1998, to produce a short documentary video on the role of national human rights institutions in promoting human rights education within their own countries;
- *requested* the Secretariat to continue to seek donor funding for this project.

#### *Capital punishment*

In relation to the approaches which national institutions and the governments of the region have taken in the application of capital punishment, the Forum:

- *agreed* to consider a reference on the issue of the death penalty to the Advisory Council of Jurists, and
- *requested* the Secretariat to develop a proposal for such a reference for consideration by Forum members between meetings.

#### *Proposals from member institutions*

The Forum

- *decided* to establish two working groups on issues presented by the Indonesian National Commission on Human Rights: the development of a handbook on the implementation of human rights values, principles and norms in the Asia Pacific region, and a study of inter-religious tolerance and respect.

#### *World Conference on Racism*

The Forum

- *noted* the convening of the United Nations World Conference on Racism and stressed the importance of national institutions' full participation, in their own right, during the preparatory phase and the Conference itself.

#### *Establishment of national institutions*

The Forum

- *welcomed* the commitments by representatives of regional governments to establish national human rights institutions in accordance with the Paris Principles and to strengthen existing institutions.

## **10. NEXT MEETING**

The Forum accepted with gratitude the offer of the New Zealand Commission to host the next Meeting of the Asia Pacific Forum of National Human Rights Institutions in 2000 and of the Sri Lankan Commission to host the subsequent meeting in 2001.