

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

24th – 27th September 2001, Colombo, Sri Lanka

CONCLUDING STATEMENT

Introduction

1. The Sixth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions, consisting of the National Human Rights Commissions of Sri Lanka, Australia, Fiji, India, Indonesia, Mongolia, Nepal, New Zealand and the Philippines, met in Colombo, Sri Lanka from 24th to 27th September 2001.
2. The Forum expressed its gratitude to the Human Rights Commission of Sri Lanka for hosting the meeting, to the United Nations Office of the High Commissioner for Human Rights for its co-sponsorship and to the governments of Australia and New Zealand for their financial support. The Forum expressed its particular appreciation for the efforts of the Commissioners and staff of the Human Rights Commission of Sri Lanka and the Secretariat of the Forum for their work in the organisation of the meeting.
3. The Forum welcomed the participation of over 100 representatives as observers from regional governments, other relevant institutions and international, regional and national non-governmental organisations. Participants included government representatives from Australia, China, the Republic of Korea, Laos, New Zealand, Papua New Guinea, Samoa and Sri Lanka. They also included representatives from 36 non-governmental organisations.
4. The Chief Justice of Sri Lanka, the Hon. Sarath Silva, the Regional Advisor in the Asia Pacific to the United Nations High Commissioner for Human Rights and the Chairman of the United Nations Human Rights Committee, Justice P N Bhagwati and the Chairman of the Human Rights Commission of Sri Lanka and the Chairperson of the Asia Pacific Forum of National Human Rights Institutions, Mr Faisz Musthapha PC, opened the meeting. In the opening statements the distinguished speakers welcomed the role of the Forum as a unique regional organisation for the promotion and protection of human rights and called on the United Nations, governments and private foundations to provide strong financial and material support for the activities of the Forum.

Conclusions

5. Forum members considered the report of the working group appointed at the Fourth and Fifth Annual Meetings to examine issues associated with the legal and governance structure of the Forum. Forum members agreed to a new constitution. Forum members also discussed its strategic direction and determined its mission and

vision statements as well as key strategic priorities. Forum members agreed to develop evaluation and feedback mechanisms to ensure that the Forum's priorities are being achieved.

6. The Forum affirmed that the status and responsibilities of national institutions should be consistent with the Principles Relating to the Status of National Institutions adopted by the United Nations General Assembly (Resolution 48/134) commonly referred to as the 'Paris Principles'. On this basis it admitted the National Human Rights Commission of Mongolia as a member increasing the Forum's membership to nine institutions.
7. Forum members unanimously elected the Human Rights Commission of Sri Lanka (as the current host institution of the annual meeting) to the position of Chairperson of the Forum. The National Human Rights Commission of Nepal (as the host institution for the next annual meeting) and the New Zealand Human Rights Commission (as the immediate past Regional Coordinator) were also elected unanimously to the two positions of Deputy Chairpersons. The term of these positions will be until the next annual meeting of the Forum. Further, Forum members elected the Australian Human Rights and Equal Opportunity Commission, the Fiji Human Rights Commission, the National Human Rights Commission of India and the Philippines Commission on Human Rights to be the four regional representatives to the International Coordinating Committee of National Institutions. Forum members agreed that these positions should rotate among all members of the Forum and requested that the Secretariat develop guidelines on the rotation process for the consideration of Forum members.
8. The Forum agreed on the need to provide further support to its member institutions, particularly newly established institutions. The Forum requested that the Secretariat write to all member institutions seeking information on any practical assistance they may wish to seek from the Forum and, in turn, indicating the expertise and skills that they could provide to the Forum. The Forum calls for the exchange of staff amongst member institutions and requests the Secretariat to seek the necessary funds for this to occur. The Forum also agreed to explore the possibility of bringing together the senior executive officers of the member institutions to discuss areas of mutual concern for the effective and efficient functioning of national institutions.
9. The Forum agreed that relations between non-governmental organisations (NGOs) and national human rights institutions were of great importance in the work to protect and promote human rights. Forum members and human rights NGOs re-affirmed their commitment to continue to develop close and collaborative working relationships based on mutual benefit and respect and as detailed in the Forum's 1999 Kandy Program of Action.
10. Forum members agreed that HIV/AIDS should not be viewed as solely a health issue but as a human rights issue because of its serious economic, social and cultural implications. Forum members, therefore, committed themselves to combat

discrimination and human rights violations on the basis of HIV/AIDS and called upon the assistance of the United Nations, governments and NGOs in the performance of this task. The Forum welcomed the initiative to hold a regional workshop on the issue of 'HIV/AIDS and Human Rights' from 7th to 8th October 2001 in Melbourne, Australia, and looked forward to the conclusions of the workshop. The Forum also requested the Secretariat to develop and seek funding for the implementation of practical projects to assist Forum members to undertake work in this area.

11. The Forum continued its specific commitment to the promotion and protection of the human rights of women by focusing on discrimination on the basis of gender and the exploitation of women. The Forum endorsed the proposal to hold a regional workshop on the issue of trafficking in 2002. Forum members also welcomed the idea that practical projects should be developed to combat trans-border trafficking and requested the Secretariat to seek funds for this purpose.
12. The Forum welcomed the production of the video documentary on the role of national institutions in the Asia Pacific region. Forum members agreed to consider the use of the documentary through their domestic media networks and as part of their educational activities. The Forum requested that the Secretariat and the United Nations work together to use the video to inform governments and NGOs about the work of national institutions.
13. The Regional Advisor in the Asia Pacific to the United Nations High Commissioner for Human Rights emphasized the strong commitment the High Commissioner had shown, and continues to show, for the work of the Forum. The Director of the Forum Secretariat emphasized the necessity of continuing the close and collaborative relationship between the United Nations and the Forum in the implementation of projects to promote regional cooperation. Forum members strongly endorsed this collaborative partnership and the proposal to establish an overall institutional strengthening project with the Office of the High Commissioner for Human Rights for the activities of the Forum. Forum members also stressed the need for the international treaty bodies and the United Nations special mechanisms to work closely with national institutions and requested that the Secretariat and the Office of the High Commissioner consider ways in which this may be implemented.
14. The Forum considered the difficulties faced by national institutions operating in both domestic and international conflict situations and stressed that it was vital that the pursuit and prosecution of perpetrators of human rights violations and crimes against humanity is in accordance with the rule of law. Forum members stressed that all measures to apprehend and prosecute the perpetrators should be undertaken in a manner that is consistent with human rights and humanitarian law. Forum members further stressed that in conflict situations it was all the more important that the independence of national institutions be maintained and respected. National institutions will also act to protect human rights defenders.

15. The Forum requested that the Secretariat seek funds to hold a regional workshop on the ratification of the Statute of Rome and its entry into force.
16. Forum members discussed the statement adopted by national institutions at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the final Declaration and Program of Action of the conference. Forum members welcomed the outcomes of the conference and congratulated the High Commissioner for Human Rights for her positive role. Note was taken with appreciation of the important role played by national institutions at the World Conference. The Forum endorsed the Statement of National Institutions (A/CONF.189/Misc.1) and agreed to follow up on its recommendations. Forum members emphasized the importance of focusing on practical initiatives in implementing the outcomes contained in the final Declaration and Program of Action of the World Conference.
17. Forum members reported on their consideration of the recommendations of the Advisory Council of Jurists' reports on the death penalty and child pornography on the internet. It was noted that both Forum members and NGOs had used the conclusions of the Advisory Council of Jurists in their work. It was agreed that this topic should remain on the agenda of the Forum's annual meetings to enable Forum members to report back on actions they have taken and any developments that have occurred. Forum members also decided in principle to formulate a reference to the Advisory Council of Jurists on the issue of trafficking.
18. Forum members discussed the United Nations Guiding Principles on Internal Displacement. While the responsibility for the protection of internally displaced persons rests first and foremost with national governments and local authorities, the role of national institutions in ensuring that the State meets its obligations and that the human rights of internally displaced persons are protected was highlighted. Forum members welcomed the opportunity to share their experiences on this issue and requested the Secretariat seek funds for national institutions that request assistance with this issue.
19. Forum members expressed their appreciation for the consistent support extended by the Office of the High Commissioner and the Australian and New Zealand governments towards the work of the Forum. Forum members also warmly thanked the Australian Human Rights and Equal Opportunity Commission for the special support it has given to the Forum during its formation and establishment.
20. The Forum gratefully accepted the kind offer of the National Human Rights Commission of Nepal to host the Seventh Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions in approximately twelve months time.

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

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