

ADDRESS BY JUSTICE P .N. BHAGWATI
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HIGH COMMISSIONER FOR HUMAN RIGHTS

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Honorable Chief Justice of Sri Lanka, Mr. Chairman of the Sri Lanka Human Rights Commission, distinguished members of the Asia Pacific Forum, representatives of member states of the United Nations, colleagues from non-governmental organisations, guests,

I am pleased to see so many familiar faces from the Asia Pacific Forum of National Human Rights Institutions who are known to me through my regional work. It gives me great pleasure to express on behalf of the High Commissioner, myself and my colleague from the Office of the High Commissioner's office sincere appreciation to the Sri Lanka Human Rights Commission for hosting this Sixth Annual Meeting of the Asia Pacific Forum. It is indeed a pleasure to be here in Colombo where smiles abound and the warmth and hospitality of this country's people has been extended since we set foot in this beautiful land.

As you are aware the High Commissioner firmly believes in the Asia Pacific Forum and its most important work in promoting and protecting human rights -civil, political, economic, social and cultural. She has noted that the Forum is an institution to emulate in other regions of the world.

The Asia Pacific Forum is a maturing organisation which the Office of the High Commissioner For Human Rights has been pleased to support since its birth in 1996. This includes not only financial assistance but also the strong guidance provided by the High Commissioner's special advisor on national institutions, who regrettably due to illness may not be here, and the office's national institutions team.

The Asia Pacific Forum is at a very important stage of its development having agreed to move to adoption of its constitution and a clear mission and vision statement, establishing its Forum of Councillors which contributes to the active participation of all its members, and ensuring that full membership is conditional on compliance with the internationally adopted standards concerning national institutions -the "Paris Principles" -and almost more importantly reviewing such compliance to ensure that the institutions remain compliant.

The Forum family is growing. At this year's annual meeting of the Forum I am pleased to congratulate the Human Rights Commission of Mongolia on its entrance into the Forum. The Office of the High Commissioner looks forward to the continued development of the Commission and will work with the Forum to facilitate its work in appropriate ways.

The Asia Pacific Forum with its now nine members is truly representative of the region. This representation is also now recognised through the newly established positions of Chairperson and the two Deputy Chairpersons of the Forum. I therefore congratulate the Chair of the Sri Lanka Human Rights Commission on his institution's appointment as Chair of the Forum and those of Nepal and New Zealand for their appointments as Deputy Chairpersons.

The challenges the institutions of the region face are demanding. Seldom are there sufficient human and material resources to effectively address the deeply-rooted and multilayered problems of society. While the Office of the High Commissioner will continue to support the Forum it is crucial that the governments of the region also reach out and provide financial support, in whatever amount possible, to this unique regional instrument for the promotion and protection of human rights. The Forum, which consistently includes both government and civil society in its activities, merits

this support without which its important programme of activities will be difficult to achieve.

The agenda set out before you for the next two days is a challenging one addressing many of the problems which the region faces. The importance of the role of independent national institutions in ensuring that the rights of women, children, migrants, refugees, internally displaced people and those who are the victims of racism, racial discrimination, xenophobia and related intolerance will be highlighted through your discussions. Protecting the rights of these persons often provokes opposition even in countries which have political stability and strong democratic traditions. National institutions must not shy away from their obligation to challenge those who attempt to limit the enjoyment of human rights either nationally, regionally or internationally.

In this regard a crucial role for national institutions is the translation of international human rights norms into laws, policies and practices to ensure respect for human rights. In my capacity as not only the high commissioner's regional advisor but as chair of the human rights committee I encourage national institutions to work with the treaty bodies and United Nations special mechanisms to ensure state compliance with those commitments they have made. At this year's meeting of chairpersons of the treaty bodies as well as at the world conference the various chairs considered works in which they can benefit from the expertise and knowledge which national institutions possess. The door is opening for such greater co-operation whether it be through the preparation of parallel reports or translating the concluding observations, along with governments and civil society, at the national level.

Furthering co-operation between national institutions and governments and civil society should be the subject of your session on Asia Pacific co-operation in which as regional advisor to the High Commissioner I will take a personal interest. This co-operation must include not only that among national institutions but also between national institutions and government, civil society, business and other national and international organisations. All sectors have a responsibility to affect respect for human rights and in this regard effective strategies for their promotion need to be devised.

Concerning such strategies I am pleased to see that the Asia Pacific Forum is implementing those recommendations made in Beijing and Bangkok at the Eighth and Ninth Workshops on Regional Co-operation for the Promotion and Protection of Human Rights in the Asia-Pacific Region.

The scourge of HIV/AIDS challenging the enjoyment of individuals' right to health and underlining the necessity of reinforcing the right to education to combat that scourge is reflected in your agenda. In this regard I am pleased to announce that the Office of the High Commissioner along with UNAIDS will support an upcoming meeting on HIV/AIDS to be held next month in Melbourne, Australia. It is hoped that this will be the beginning of international agency co-operation with national human rights institutions to deal with this terribly pandemic.

Another tragedy facing the Asia Pacific region is the trafficking in human beings. This is particularly acute within this vast region where people's hopes and aspirations are preyed upon by very sophisticated networks which have no concern for human dignity. I therefore welcome news that the National Commissions of Nepal and India are working on a joint initiative with the office of the High Commissioner. I urge

other national institutions to actively take up this subject and applaud the Asia Pacific Forum's plan to discuss this in depth in its programme of work for next year. As one who was present when the Asia Pacific Forum Advisory Council of Jurists was established in New Zealand last year, I am pleased to see that it is continuing its work and that one of the issues it will address in the coming while relates to undertaking a thorough analysis of trafficking from a juridical perspective. This indeed will prove timely and useful for the important legal and policy work which the Office of the High Commissioner is undertaking at the moment.

More will be said tomorrow about the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Members of the Asia Pacific Forum were well represented at this world conference and demonstrated very clearly the important role which national institutions played in preparations for, and during, the conference. I particularly salute those institutions which in their addresses to the plenary highlighted national level concerns which need to be dealt with effectively. The Declaration and the Programme of Action are only the beginning. The true work begins in realising that which was agreed to by the participating states. National institutions are central to translating words into action and therefore I call on the Forum to take particular note of the conference declaration and programme of action, as well as the national institutions own consensus declaration, in its upcoming activities.

I wish you a most successful meeting which is productive not only in words but which will allow you to return to your respective countries with greater knowledge, stronger solidarity, and reinforced conviction in the promotion and protection of all human rights - civil, political, cultural, social and economic.

Thank you.