

**Sixth Annual Meeting on The Role of the Asia Pacific Forum in the
Protection and Promotion of Human Rights
Colombo, Sri Lanka, 24-27 September 2001**

Oral Intervention of the Pre Forum NGO Consultation on Regional Cooperation¹

The Teheran Workshop on Regional Arrangement for the Protection and Promotion of Human Rights adopted the plan proposed by the United Nations Office of the High Commissioner for Human Rights for “Strengthening of National Capacities for the Protection and Promotion of Human Rights in the Asia-Pacific region towards the establishment of regional arrangements”.

The Pre Forum NGO Consultation makes the following recommendations in relation to regional cooperation:

(1) Regional Arrangement for the Protection and Promotion of Human Rights

Any regional charter must be based on international standards of human rights. We call on the Asia Pacific Forum and its members to urge States to ratify key international instruments as a precursor to the development of a regional charter.² The ratification of these key international instruments within the region will provide a solid base upon which to build a regional mechanism and reduce the risk of a regional charter which undermines international standards.

(2) Cooperation in the development of National Plans of Action

Many governments in the region have adopted National Plans of Action for the Protection and Promotion of Human Rights. This is an important initiative. The role of the National Human Rights Institutions (NHRIs) in formulation and implementation of such National Plans of Action is paramount.

NHRIs should press their own governments to develop National Plans of Action and encourage governments to include NHRIs and civil society in the development of these plans. The NHRIs should take up the development of National Plans of Action as a matter of priority. Sharing of experiences with the NHRIs in the Asia Pacific region, where the Governments have developed National Plans of Action, can be one of the ways to move forward.

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² These instruments include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Elimination of All Forms of Discrimination against Women.

In the implementation of National Plans of Action, NHRIs should encourage governments to take advantage of international technical assistance, advice and support on a range of thematic issues.

(3) Cooperation with the Special Procedures System

Many victims, relatives and NGOs approach the Special Procedures system of the United Nations Commission on Human Rights such as Special Rapporteurs, Working Groups and Special Representatives of the Secretary General on thematic issues. The NHRIs need to develop working mechanisms with the Special Procedures system of the Commission on Human Rights. Such a relationship, among other things, could help facilitate visits of Special Rapporteurs and highlight cases of widespread violations to the Special Procedures system.

(4) Cooperation with the Treaty Bodies

Under the Paris Principles, NHRIs are obliged to encourage ratification of international human rights instruments to which the State is a party, or accession to those instruments, and to ensure their implementation. NHRI should work to ensure that their respective governments ratify international human rights treaties without reservations contrary to the object and purpose of the treaty, remove those existing reservations and fully implement international human rights treaties.

The NHRIs should also urge government compliance with periodic reporting requirements and prepare shadow reports for Treaty Body consideration.

(5) Regional Role Of APF And NHRIs In Relation To Arbitrary And Indiscriminate Attacks Against Civilians

The Pre Forum NGO Consultation believes that the Asia Pacific Forum and its members can play a key regional role in regard to arbitrary and indiscriminate attacks against civilians.

The Pre Forum NGO Consultation condemns arbitrary and indiscriminate attacks against civilians and urges the international community to bring the perpetrators to justice through the application of the rule of law, due judicial process and the observance of human rights standards. To this end, we note the Security Council resolution 1267 (1999) that identifies possible processes for applying judicial procedure following such attacks. These procedures include a trial by a national court in a third country or a trial by a specially arranged tribunal as in the Lockerbie case.

We are deeply concerned that the threat of military intervention following the 11 September attack in the USA has triggered massive refugee movements and a growing humanitarian crisis in the region with over 1 million Afghan refugees facing starvation. We believe that the development of international judicial mechanisms rather than military intervention is key to preventing future cycles of violence and urge the Asia Pacific Forum and its members to call on governments in the region to ratify the Rome Statute for the International Criminal Court as part

of an international framework to help protect the world from future aggression.³ Furthermore, we urge NHRIs to monitor closely and oppose any moves by their governments to tighten or introduce security legislation that could undermine human rights, civil liberties and the rights of asylum seekers and other vulnerable groups.

I thank you for your kind attention.

³ Should military action take place, the Pre Forum NGO Consultation urges all parties to take all necessary measures to ensure that operations are conducted in such a way as to uphold at all times the highest standards of human rights and humanitarian law. This includes taking all precautions to spare civilians, and in particular avoiding direct attacks on civilian or civilian objects, indiscriminate attacks and attacks on military targets that have a disproportionate impact on civilians.