

# **EIGHTH ANNUAL MEETING**



## **THE ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS**

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### **CLOSED SESSION BUSINESS ITEMS**

**16<sup>th</sup> – 18<sup>th</sup> February 2004  
Kathmandu, Nepal**

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## 1. OVERVIEW

### **APF CLOSED SESSION BUSINESS MEETING**

**Monday 16 February 2004.**

**Kirtipur Room, Hyatt Regency Hotel, Kathmandu, Nepal  
Commencing at 9:00am and concluding at 12:00 noon.**

The agenda for the meeting is set out below. The (brackets) after an item indicates who will lead discussion:

1. **Confirmation of Attendance** (Chairperson)
  - Forum Councillors and the UN Office of the High Commissioner for Human Rights
  - Applicants for APF membership – requests to be observers
  - Relevant institutions – requests to be observers
2. **Report on APF Activities** (secretariat)
3. **Business Plan** (secretariat)
4. **Membership Applications** (secretariat)
  - Human Rights Commission of New Zealand review of compliance
  - Palestine Independent Commission for Citizens Rights
  - Afghanistan Independent Human Rights Commission
5. **Discussion re: arrangements for the Eighth Annual Meeting** (secretariat)
  - Agenda
  - Concluding Statement
  - 2004 Reference to the Advisory Council of Jurists
6. **International Coordinating Committee** (secretariat)
  - Election of four regional representatives to the ICC and one regional representative to the ICC accreditation sub-committee
  - Consideration of draft regulation for Accreditation Sub-Committee
7. **Senior Executive Officers** (Chair, Senior Executive Officers Network)
  - Report of activities and issues for consideration
8. **Funding Arrangements for the APF** (secretariat)
  - Finance and Administration Report
  - APF Membership Fees
9. **Location of Ninth Annual Meeting of the APF and the ICC** (secretariat)
  - Confirmation of hosting arrangements and timing
10. **Election of new Chairperson and Deputy Chairpersons** (Chairperson)
11. **General Business** (Chairperson)

## **2. PURPOSE**

This paper has been prepared by the Secretariat of the Asia Pacific Forum of National Human Rights Institutions (APF) for the consideration of Forum Councillors at their ‘closed session’ on Monday 16 February 2004.

## **3. BACKGROUND**

Since the Third Annual Meeting of the APF held in Jakarta in September 1998, member institutions have met to discuss specific and general business issues at a ‘closed session’. This session is open to APF member institutions, the APF Secretariat and the UN Office of the High Commissioner for Human Rights. The meeting enables Forum Councillors to consider and decide issues in private to promote frank discussion and engagement. National institutions that are applying for membership of the APF can make a request to Forum Councillors to attend the meeting as observers. Other relevant institutions can also make a request to Forum Councillors to attend the meeting as observers.

Dr Justice A.S. Anand, the Chairman of the National Human Rights Commission of India and the Chairperson on the Forum over the last year will assume the chair for the discussion of business items at the closed session.

The meeting will be held on Monday, 16 February 2004, at the Kirtipur Room, Hyatt Regency Hotel, Kathmandu, Nepal. It will commence at 9:00am and conclude at 12:00 noon.

## **4. BUSINESS ITEMS**

Business papers for this meeting have been forwarded to all Forum Councillors.<sup>1</sup> In terms of the structure of this paper, each of the previously forwarded business papers have been, where relevant, enclosed in this paper. They are preceded by a ‘cover sheet’ which provides the following information – (i) the title of the paper, (ii) a summary of the main issues, (iii) any relevant considerations that should be drawn to the attention of Forum Councillors, (iv) who prepared the paper and finally, (v) who will introduce the item for Forum Council discussion.

Forum Councillors attention is also specifically drawn to the following business items that will be discussed at the ‘closed session’ which have been categorised into (i) matters for decision and (ii) matters to be noted.

### **4.1 Matters for Decision**

- Approval of ‘observers’ at the closed meeting

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<sup>1</sup> Additional copies of the papers are also available from the APF website at [www.asiapacificforum.net/activities/annual\\_meetings/eighth/meeting\\_papers.htm](http://www.asiapacificforum.net/activities/annual_meetings/eighth/meeting_papers.htm)

- Adoption of the Business Plan
- Applications for Membership
- New Reference to the Advisory Council of Jurists
- Election of four representatives to the International Coordinating Committee
- Proposed draft regulation of the International Coordinating Committee
- APF Membership Fees
- APF Annual General Meeting Options
- Location and the Ninth Annual Meeting
- Election of APF Chairperson and Deputy Chairpersons.

## **4.2 Matters to be Noted**

- Report of APF Activities
- Report of APF Finance and Administration
- Meeting of Senior Executive Officers
- Concluding Statement of the 8<sup>th</sup> Annual Meeting.

## 5. CONFIRMATION OF ATTENDANCE



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Confirmation of attendance at the closed meeting
<b>SUMMARY OF ISSUE:</b>	<p>APF Member institutions and the UN Office of the High Commissioner for Human Rights attend the 'closed' meeting.</p> <p>Please note that as there are currently 12 full members of the APF, clause 13.3(b) of the APF Constitution provides that the quorum for a general meeting is four members.</p> <p>Forum Councillors need to approve any other attendances at the meeting. Requests for attendance as observers have been received from the following institutions:</p> <p>APPLICANTS FOR MEMBERSHIP – (i) Afghanistan Independent Human Rights Commission and (ii) Palestinian Independent Commission for Citizens Rights.</p> <p>RELEVANT INSTITUTIONS – (i) Islamic Human Rights Commission of Iran; (ii) Jordan National Centre for Human Rights; (iii) Maldives Human Rights Commission, (iv) Network of National Institutions for the Americas.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors approve the requests for observer status.
<b>RELEVANT CONSIDERATIONS: (Policy, staffing, expenditure, political etc)</b>	Observers may be asked to leave the room at the discretion of Forum Councillors. Note the previous practice of requesting applicants for membership to leave the room while the applications are being discussed.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Chairperson

## 6. REPORT OF APF ACTIVITIES



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Report of APF Activities
<b>SUMMARY OF ISSUE:</b>	The report outlines the activities of the APF over the period since its last annual meeting in November 2002 to December 2003.
<b>RECOMMENDATION:</b>	That Forum Councillors note the report.
<b>RELEVANT CONSIDERATIONS:</b> (Policy, staffing, expenditure, political etc)	APF activities are undertaken to implement (i) the decisions of Forum Councillors as reached at APF annual meetings and (ii) the APF Business Plan as approved by Forum Councillors.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Director, secretariat

## 7. APF BUSINESS PLAN



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	APF Business Plan
<b>SUMMARY OF ISSUE:</b>	<p>The APF's previous business plan for the period 2001 to 2004 detailed the activities necessary for the APF to successfully achieve its organisational transformation to become an independent entity. The key strategic goals of the plan have now largely been implemented.</p> <p>The APF's business plan for the period 2004 to 2006 is designed to consolidate and build on these achievements. It outlines the key strategic objectives and goals necessary for the APF to further strengthen its operations and to meet its mission and vision statements. The plan also outlines an operations plan and the level of funding being sought by the APF to provide effective support to its members, governments and civil society. Finally the plan details project outcomes and associated performance indicators.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors adopt the Business Plan.
<b>RELEVANT CONSIDERATIONS:</b> (Policy, staffing, expenditure, political etc)	Policy, staffing and expenditure considerations are highlighted in the Business Plan.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Director, secretariat

## 8. MEMBERSHIP APPLICATIONS



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Membership Applications – (i) New Zealand (ii) Afghanistan (iii) Palestine
<b>SUMMARY OF ISSUE:</b>	<p>The APF has received an application for review of membership from the New Zealand Human Rights Commission.</p> <p>The APF has received applications for membership from the Afghanistan Independent Human Rights Commission and the Palestinian Independent Commission for Citizens Rights.</p>
<b>RECOMMENDATION:</b>	<p>That Forum Councillors:</p> <p>(i) re-confirm the New Zealand Human Rights Commission as a full member of the APF.</p> <p>(ii) consider the applications from Afghanistan and Palestine and determine whether they should be (a) accepted as members and therefore assigned a category of membership; (b) rejected or (c) deferred.</p> <p>Note that Candidate member institutions will be required to outline the steps they will take to become compliant with the Paris Principles. These steps need to be approved by Forum Councillors.</p>
<b>RELEVANT CONSIDERATIONS: (Policy, staffing, expenditure, political etc)</b>	<p>Policy considerations are highlighted in the individual applications.</p> <p>Staffing and expenditure considerations are highlighted in the Business Plan.</p>
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Director, secretariat

## 9. ARRANGEMENTS FOR 8<sup>TH</sup> ANNUAL MEETING

### EIGHTH ANNUAL MEETING OF THE ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Arrangements for the 8 <sup>th</sup> Annual Meeting
<b>SUMMARY OF ISSUE:</b>	<p>AGENDA – the agenda for the 8<sup>th</sup> annual meeting is attached. Would Forum Councillors please review the agenda, discuss and confirm their respective roles as either Chairpersons or speakers at the individual sessions.</p> <p>CONCLUDING STATEMENT – the finalisation of the Concluding Statement is the responsibility of Forum Councillors. The secretariat will take the responsibility for the preparation of a draft statement for the consideration of Forum Councillors. The secretariat will distribute the draft statement to all Forum Councillors on the evening of Tuesday 17 February 2004. Given that the Annual Meeting will, at that stage, be only at the halfway mark, the draft statement will, of necessity, be an incomplete document. The secretariat requests that all Forum Councillors provide any comments they may have on the draft statement at the start of business on Wednesday 18 February 2004. A second draft will then be distributed to all Forum Councillors for their consideration at 3:30pm on Wednesday. Forum Councillors will discuss this draft in private at the Bhahtapur room. Please note that the agenda of the meeting has allowed Forum Councillors 1.5 hours to conclude discussion on the draft and adopt a final statement for the meeting. It is therefore important that all Forum Councillors wishing to participate in this discussion quickly make their way to the Bhahtapur room at 3:30pm sharp. Once finalised, the Concluding Statement will be distributed to all participants.</p> <p>ADVISORY COUNCIL OF JURISTS – the secretariat has written to all Forum Councillors to request that they consider a possible reference to be forwarded to the Advisory Council of Jurists to be considered at the Ninth Annual Meeting. The Secretariat would recommend that Forum Councillors discuss and determine a reference for 2004.</p> <p>If agreement can be reached on a topic the secretariat will take responsibility, after the conclusion of the meeting, for drafting</p>

specific Terms of Reference on the issue. These will then be circulated to all Forum Councillors for their consideration and approval.

**RECOMMENDATION:** AGENDA – that Forum Councillors confirm their respective roles.

CONCLUDING STATEMENT – that Forum Councillors note the arrangements.

ADVISORY COUNCIL OF JURISTS – that Forum Councillors discuss and determine a new reference.

**RELEVANT CONSIDERATIONS:**  
(Policy, staffing, expenditure, political etc)

Policy, staffing and expenditure considerations are highlighted in the Business Plan.

**Submission prepared by:** Director, secretariat

**Forum Councillor or officer responsible:** Director, secretariat

## 10.INTERNATIONAL COORDINATING COMMITTEE



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	International Coordinating Committee (ICC)
<b>SUMMARY OF ISSUE:</b>	<p>DRAFT REGULATION – the National Consultative Commission of Human Rights of France has proposed an amendment of the rules of procedure of the ICC in relation to (i) the accreditation sub-committee and (ii) regional groups of national institutions.</p> <p>ELECTION – calls for nominations and a possible election of a maximum of two new regional delegates to the ICC.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors (i) consider the proposals from the French Commission and communicate their views to the President of the ICC and (ii) call for nominations and a possible election to the ICC.
<b>RELEVANT CONSIDERATIONS:</b> (Policy, staffing, expenditure, political etc)	Policy considerations are set out in the attached paper.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Director, secretariat

## 11.SENIOR EXECUTIVE OFFICERS NETWORK



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Senior Executive Officer (SEO) Network
<b>SUMMARY OF ISSUE:</b>	<p>The SEO Network was established at the 7th Annual Meeting in New Delhi in 2002 to enable the senior management of national human rights institutions in the Asia Pacific to share information and expertise and to communicate with each other about the APF's regional projects.</p> <p>SEO's will hold two meetings in Kathmandu - the first on Sunday 15th February (3:00-5:00pm) and the second on Monday 16th February (1:30-4:30pm).</p> <p>The Chairperson of the SEO Network will report to Forum Councillors on the Network's activities and discussions.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors note the report of the SEO Network. Specific proposals from the Network may be tabled on the day for the consideration of Forum Councillors.
<b>RELEVANT CONSIDERATIONS: (Policy, staffing, expenditure, political etc)</b>	As set out in the APF Business Plan.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Chairperson, SEO Network

## 12.FUNDING ARRANGEMENTS



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Funding Arrangements
<b>SUMMARY OF ISSUE:</b>	<p>FINANCE AND ADMINISTRATION – the attached paper outlines the financial and administration activities of the APF over the period since its last annual meeting in November 2002 to December 2003. Note that section 3.2 'Legal and Organisational Reporting' requests that Forum Councillors consider and decide on alternative mechanisms to hold an annual general meeting.</p> <p>MEMBERSHIP FEES – the attached paper presents a variety of options for the introduction of membership fees for the APF for the consideration and decision of all Forum Councillors.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors consider both reports and, if appropriate, take a decision concerning (i) the holding of annual general meetings and (ii) membership fees.
<b>RELEVANT CONSIDERATIONS: (Policy, staffing, expenditure, political etc)</b>	As set out in both papers and the APF Business Plan.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Director, secretariat

## 13.LOCATION OF THE 9<sup>TH</sup> ANNUAL MEETING AND ICC



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Location of the 9 <sup>th</sup> Annual Meeting of the APF and the International Conference
<b>SUMMARY OF ISSUE:</b>	<p>Forum Councillors accepted the offer of the Human Rights Commission of Mongolia to host the 9<sup>th</sup> Annual Meeting of the APF in 2004.</p> <p>The Human Rights Commission of the Republic of Korea has also provisionally agreed to host the next International Conference of national institutions during the week of the 13<sup>th</sup> September 2004.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors confirm arrangements and provisional dates for the 9 <sup>th</sup> annual meeting of the APF
<b>RELEVANT CONSIDERATIONS:</b> (Policy, staffing, expenditure, political etc)	The timing of the 9 <sup>th</sup> annual meeting should take into account the timing of the International Conference of National Institutions.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Director, secretariat

## 14.ELECTION OF APF CHAIRPERSON & DEPUTY CHAIRPERSONS



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	Election of APF Chairperson and Deputy Chairpersons
<b>SUMMARY OF ISSUE:</b>	<p>As per the decision of Forum Councillors, the host institution of the annual meeting assumes the role of Chairperson of the APF until the next annual meeting. The National Human Rights Commission of Nepal, as the host institution of the Eighth Annual Meeting of the APF, will therefore assume the role of Chairperson.</p> <p>The National Human Rights Commission of India, as the immediate past host institution of the Seventh Annual Meeting of the APF, assumes the position of the First Deputy Chairperson of the APF.</p> <p>The host institution of the Ninth Annual Meeting of the APF, the Human Rights Commission of Mongolia, assumes the position of the Second Deputy Chairperson.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors elect the above Commissions to the nominated positions.
<b>RELEVANT CONSIDERATIONS: (Policy, staffing, expenditure, political etc)</b>	As set out in the APF Business Plan.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Chairperson, APF

## 15.GENERAL BUSINESS



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### FORUM COUNCIL MEETING PAPER

<b>TITLE:</b>	General Business
<b>SUMMARY OF ISSUE:</b>	<p>EMPLOYMENT – contracts for the employment of staff of the secretariat of the APF expire on 19 March 2004.</p> <p>In previous years, Forum Councillors have authorised the Executive Director of the Australian Human Rights and Equal Opportunity Commission and non-voting Forum Councillor, Ms Diana Temby, to determine the conditions of service of these contracts in consultation with the APF Chairperson and secretariat staff and to sign the contract of the Director of the secretariat on behalf of the Forum Council. Once signed, the Director then signs the contracts of the remaining secretariat staff members.</p> <p>OTHER GENERAL BUSINESS – as nominated by Forum Councillors.</p>
<b>RECOMMENDATION:</b>	That Forum Councillors duly authorise the Executive Director of the Australian Human Rights and Equal opportunity Commission, in consultation with the APF Chairperson and secretariat staff, to determine the conditions of service and to sign the employment contact of the Director on behalf of the Forum Council.
<b>RELEVANT CONSIDERATIONS:</b> (Policy, staffing, expenditure, political etc)	As set out in the APF Business Plan.
<b>Submission prepared by:</b>	Director, secretariat
<b>Forum Councillor or officer responsible:</b>	Chairperson