



Efforts to widen and strengthen NHRI-CSO engagement should continue and be institutionalized

[Bangkok, 7 October 2013] The Asian NGO Network on National Human Rights Institutions (ANNI) recently concluded its Regional Consultation on Engagement with the Asia Pacific Forum on National Human Rights Institutions (APF) from 30 September to 1 October 2013 in Doha, Qatar. The ANNI consultation was conducted in preparation for the APF Forum Councilor – ANNI Roundtable and the biennial conference (1 -3 October 2013) which focused on the role of NHRIs in the transition to democracy. On 1 October 2013, the 2013 ANNI Report on the Performance and Establishment of National Human Rights Institutions in Asia was also launched and Chairpersons from NHRIs in Thailand, Bangladesh, Malaysia and Philippines delivered brief speeches appreciating the continued effort from ANNI and committed to work closely with civil society both at national and international level. The APF conference theme was opportune in light of the similar experiences of many Asian states attempting peaceful and democratic transitions after emerging from conflict or authoritarian forms of governance. It also underscored the importance of independent and effective NHRIs as important mechanisms within the national infrastructure tasked with the promotion and protection of human rights.

ANNI welcomes and expresses its appreciation to the APF for the inaugural Roundtable platform that involved the input and feedback of the ANNI Secretariat in the design of the dialogue. The initiative also formally recognized ANNI as dialogue partners in the APF Annual Meeting platform. ANNI considers that the roundtable dialogue should be institutionalized within the framework of the APF annual meetings. The second APF biennial conference also featured four ANNI members as speakers in various plenary sessions that enriched and brought diversity to the discussions.

ANNI also records its thanks for the openness displayed by NHRIs in the request of cases for scrutiny and analysis in the ANNI Report 2013. We express our appreciation to the APF and its member institutions for these significant shifts and are encouraged by these efforts to expand interaction and interface in pursuit of a common goal to enhance the effective functioning of NHRIs in the region.

It is in this spirit that ANNI draws attention to several key findings from the ANNI Report 2013. While there have evidently been marked improvements- such as the awareness and practices of NHRIs in engaging with NGOs (Bangladesh, Mongolia, India) and fulfilment of NHRIs' role as defender of defenders (Malaysia)- a salient feature was observed that NHRIs displayed no progressive trend towards full compliance with the Paris Principles despite 20 years since its adoption. Instead, it was discerned that challenges mainly pertaining to the independence and effectiveness of NHRIs-due to the relationship with the executive as well as issues of composition and the selection- continue to undermine the ability of NHRIs to fulfil their mandate.

To that end, ANNI members are committed to further advocate for the strengthening of NHRIs at the national level. Efforts such as translation, ensuring wide dissemination and usage of the reports with different stakeholders including government officials, parliamentarians, the media and larger civil society groups will be taken.

In agreement with the annual report of the Special Rapporteur on the situation of Human Rights Defenders to the 22nd Session of the Human Rights Council, ANNI also acknowledged that NHRIs are also vulnerable and exposed to attacks, intimidation, threats and harassment in discharging their duties and activities and can thus be considered as HRDs. However, there is a worrying absence of protection mechanisms or training for staff members to address these challenges and constraints. Relatedly, despite the UN Declaration on Human Rights Defenders (1998), ANNI observed that there is a general failure by NHRIs to recognize HRDs as individuals and

groups with specific protection needs. This in turn bears negatively on the ability of NHRIs to promote the importance of the work HRDs are doing, create or advocate for an enabling environment or to respond in an appropriate and timely manner, which are felt more acutely in the democratic transition process.

ANNI also concluded that there is a heightened need to enhance and institutionalize the collaboration/cooperation between NHRIs and civil society. The experience and interaction of ANNI members with NHRIs has been limited to a mostly ad-hoc and informal basis that is often contingent on the goodwill of individual members. On substantive issues such as the evaluation and planning of programs and activities conducted by the individual NHRIs or by the APF as the regional platform of NHRIs there has been a distinct lack of engagement or input from civil society. To that end, a stock-taking exercise to assess the implementation status of the Kandy Programme of Action (1999) and to set specific and time-bound Plan of Action was proposed at the ANNI Consultation.

Based on these observations, ANNI felt compelled to discuss these matters of mutual concern- such as the role of NHRIs for Human Rights Defenders (HRDs) as well as collaboration and cooperation between NHRIs and civil society- with the APF and member institutions during the Roundtable. Regrettably, despite the efforts from the ANNI delegation, much of the discussion centered on factual accuracy and data of the ANNI Report 2013 instead of robustly deliberating and developing strategies on the substantive issues proposed. ANNI certainly does not suggest that its reports are beyond scrutiny or debate by NHRIs. To that end, ANNI urges all NHRIs to provide comments on the draft of the ANNI report within the stipulated time and recommends that a specific session be designated during the APF Meeting or Conference for discussions of the ANNI Report.

Finally, ANNI also expresses its disappointment at the absence of an official outcome document from the APF Conference. While ANNI is receptive to new initiatives and working modalities, an outcome document captures decisions by NHRIs and the follow up measures to each conference, which civil society groups feel are necessary to their continued advocacy work.

ANNI reiterates its recognition of the APF's initiatives to broaden and deepen the engagement with civil society members. The APF18 was unprecedented in terms of the design, participation of and engagement with civil society which we believe will lead to more substantial outcome with its continuation. ANNI remains committed to the enhancement of this partnership for the strengthening and creation of NHRIs tasked with the promotion and protection of human rights in the region.



The Asian NGO Network on National Human Rights Institutions (ANNI) is a network of Asian human rights non-governmental organizations (NGOs) and human rights defenders engaging with national human rights institutions (NHRIs) in Asia. This network was established in December 2006 at the 1st Regional Consultation on Cooperation between NHRIs and NGOs in Asia, held in Bangkok, Thailand, which was organized by the Asian Forum for Human Rights and Development (FORUM-ASIA). The goal of the ANNI is to help establish and develop accountable, independent, effective, and transparent national human rights institutions in Asia. The network pursues its advocacy at the national, regional, and international levels, on issues regarding NHRIs. FORUM-ASIA is the designated secretariat of ANNI.

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and human rights organization in Bangladesh having the UNECOSOC consultative status. It was registered as a society with the Registrar of Joint Stock Companies and Firms, under the Societies Registration Act 1860 on September 20, 1986.

ASK has no political affiliations and takes a non-partisan approach to its activities, which aim to contribute to establishing the rule of law based on principles of democracy, human rights, justice and equality.

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