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人权理事会  
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议程项目 2

联合国人权事务高级专员的年度报告以及高级专员  
办事处的报告和秘书长的报告

非洲国家人权机构网络代表非洲“A”类  
国家人权机构提交的资料

秘书处的说明

人权理事会秘书处谨转交非洲国家人权机构网络代表非洲“A”类国家人权机构提交的来文，\* 按照理事会第 5/1 号决议附件载列的议事规则第 7 (b)条转载如下。该条规定，国家人权机构的参与要根据人权委员会议定的安排和惯例，包括 2005 年 4 月 20 日第 2005/74 号决议进行。

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\* 作为附件，仅以原文印发。

## ANNEX

### **Statement by the Network of African National Human Rights Institutions on behalf of “A”-status national human rights institutions in Africa on the report by the Office of the High Commissioner for Human Rights on transitional justice**

1. The Network of African National Human Rights Institutions (NANHRI), on behalf of “A” Status National Human Rights Institutions in Africa <sup>1</sup> wishes to commend the Office of the High Commissioner for Human Rights (OHCHR) for the support it has given to transitional justice programmes in more than 20 countries around the world, including in the Democratic Republic of Congo, Kenya, Sierra Leone, Uganda and in efforts to restore peace, obtain justice and reconciliation in Somalia where continued internal conflict has had far-reaching human rights concerns in the Horn of Africa.
2. These concerted efforts and the active involvement of the OHCHR will go a long way in addressing human rights violations that occurred during conflicts among the peoples of these nations and bring to justice perpetrators of the human rights violations.
3. In some of the countries in Africa where the OHCHR presences and interventions have led to considerable progress in the establishment of transitional justice programmes, NHRIs have played a pivotal role in the conceptualization, critique and lobbying for the enactment of the relevant legislation to establish the Truth and Justice processes.
4. The Kenya National Commission on Human Rights also made submissions to the UN Human Rights Council a report on the extra-judicial killings and disappearances and has executed its mandate in accordance with the Paris Principles by advising the government of Kenya and Parliament on the establishment of Truth, Justice and Reconciliation Commission that meets international standards.
5. The key findings and recommendations of the Truth and Reconciliation process in Sierra Leone have highlighted the main causes and consequences of the war in that country. The process has recommended among other things, peace-building, promotion and recognition of civil society participation in the management of public affairs of the country and the holding of the government accountable for the implementation of the recommendations of the Truth and Reconciliation Commission.

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<sup>1</sup> The following are NHRIs with A status : National Human Rights Council of Egypt, Commission on Human Rights and Administration of Justice of Ghana, Kenya National Commission on Human Rights, Malawi Human Rights Commission, National Human Rights Commission of Mauritius, Conseil Consultatif des Droits de l’Homme du Maroc, Office of Ombudsman of Namibia, Commission Nationale des Droits de l’Homme et des Libertés Fondamentales du Niger, Commission Nationale des Droits de la Personne du Rwanda, Comité Sénégalais des Droits de l’Homme, South African Human Rights Commission, Commission for Human Rights and Good Governance of Tanzania, Commission Nationale des Droits de l’Homme du Togo, Uganda Human Rights Commission, Zambia Human Rights Commission.

6. The Network is committed to work closely with NHRIs and other stakeholders including the civil society in monitoring the implementation of the recommendations, including holding government to account for its role in the implementation process.
7. The Network of African National Human Rights Institutions is encouraged by the report that through resolution 1606 adopted by the Security Council in June 2005, the OHCHR has facilitated consultations with the Government of Burundi and Burundian stakeholders regarding the establishment of a Truth and Reconciliation Commission and a Special Tribunal.
8. The Network has been part of concerted efforts to establish a National Human Rights Institution that could help in the prevention of a recurrence of the human violations and atrocities that happened in Burundi in the past.
9. In January 29 – 30, 2009, the Network in collaboration with its institutions members and the OHCHR facilitated a round table discussion on the Paris Principles and best practices in the establishment and strengthening of national human rights institutions.
10. The aims of the round table were to strengthen the capacity of Members of Parliament (MPs) of Burundi to establish an effective independent national institution for the promotion and protection of human rights by availing the MPs of information on the Paris Principles. The meeting also sought to strengthen the collaborative relationship between the United Nations Office in Burundi and the Government of Burundi while at the same time strengthening the integration of Burundi in the regional and international mechanisms for the promotion and protection of human rights.
11. The development and production by the OHCHR of a series of publications, “Rule of Law for Post-Conflict States” will be of particular help to NHRIs in building their own capacities and that of the civil society with whom they work to respond more competently to transitional justice demands with a clearer grounding in international human rights laws and standards.
12. The Network of African Human Rights Institutions will be holding its Seventh Conference of African National Human Rights Institutions in Morocco in November 3 – 5, 2009 whose theme will be the “Role of national Human Rights Institutions in Peace and Justice”
13. This Conference and other interventions that the Network and African NHRIs are engaged in, underscore the significance that our human rights institutions attach to transitional justice processes and their impact on the realization of a culture of human rights in the African region.
14. The Network also plans to carry out gaps-analysis of African national human rights institutions with a view to identifying and recommending legislative proposals that would make them compliant to the Paris Principles and be able to execute their mandates more effectively.

15. This will contribute towards making the NHRIs autonomous and more effective in their human rights education programmes, human rights monitoring and advisory role on policy and legislations as well as in collaborative engagements with international and regional human rights mechanisms.

16. The Network looks forward to working closely with the OHCHR, particularly in building the capacities of African NHRIs in transitional justice processes so that they can ensure that human rights are integrated in the design and implementation of such processes.

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