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COMMISSION ON HUMAN RIGHTS
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Agenda item 18 (b)

**EFFECTIVE FUNCTIONING OF HUMAN RIGHTS MECHANISMS:
NATIONAL INSTITUTIONS AND REGIONAL ARRANGEMENTS**

**Afghanistan*, Albania*, Algeria*, Argentina, Armenia, Australia,
Bosnia and Herzegovina*, Bulgaria*, Cameroon*, Canada, Chile*,
Congo, Croatia*, Cyprus*, Denmark*, Dominican Republic, Ecuador,
Estonia*, Finland, France, Germany, Greece*, Guatemala, Honduras,
Hungary, Indonesia, Iraq*, Ireland, Israel*, Italy, Japan, Kenya, Latvia*,
Lithuania*, Luxembourg*, Mexico, Morocco*, Nepal, New Zealand*,
Nigeria, Norway*, Paraguay, Peru, Poland*, Republic of Korea,
Romania, Serbia and Montenegro*, Slovakia*, Slovenia*, South Africa,
Spain*, Sri Lanka, Sweden*, Switzerland*, Thailand*, Turkey*,
Ukraine, United Kingdom of Great Britain and Northern Ireland,
United States of America and Venezuela: revised draft resolution**

**2005/... National institutions for the promotion and protection
of human rights**

The Commission on Human Rights,

Recalling the relevant resolutions of the General Assembly, notably resolution 48/134 of 20 December 1993, and its own resolutions concerning national institutions for the promotion and protection of human rights,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Welcoming international recognition of the importance of establishing and strengthening independent, pluralistic national institutions for the promotion and protection of human rights consistent with the Principles relating to the status of national institutions for the promotion and protection of human rights annexed to General Assembly resolution 48/134 (the Paris Principles),

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that it is the prerogative of each State to choose, for the establishment of a national institution, the legal framework that is best suited to its particular needs and circumstances to ensure that human rights are promoted and protected at the national level in accordance with international human rights standards,

Recalling the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23), which reaffirmed the important and constructive role played by national human rights institutions and their role in remedying human rights violations and in the dissemination of human rights information and education concerning human rights,

Also recalling the Programme of Action (A/CONF.157/NI/6) adopted by national institutions meeting in Vienna during the World Conference on Human Rights, which recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Welcoming the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

Noting the outcomes of the seventh International Conference for National Institutions held in Seoul from 14 to 17 September 2004, the positive contribution of non-governmental organizations and the Seoul Declaration on upholding human rights during conflict and while countering terrorism,

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Noting efforts to strengthen regional human rights networks, including the fifth European meeting of national institutions for the promotion and protection of human rights and the third Round Table of National Human Rights Institutions held in Berlin from 25 to 26 November 2004, organized jointly by the German Institute for Human Rights and the Commissioner for Human Rights of the Council of Europe, the First African Union Conference of National Human Rights Institutions held in Addis Ababa from 18 to 21 October 2004, the continuing work of the Network of National Human Rights Institutions of the Americas, the Network's Third General Assembly held in Buenos Aires from 9 to 11 June 2004 and its seminar on irregular migration and trafficking of people: human rights and national institutions, held in Campeche, Mexico, from 10 to 11 March 2005, and the work of the Asia Pacific Forum of National Human Rights Institutions, including the holding of their ninth annual meeting in Seoul in September 2004,

Noting the conclusions and programme of action adopted at the twelfth Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asian and Pacific Region held in Doha from 2 to 4 March 2004 with regard to the role of national institutions (see E/CN.4/2004/89),

Noting the creation of a francophone group of national institutions for human rights in cooperation with the International Organization of la francophonie,

Noting also the work of the Ibero-American Federation of Ombudsman as a forum for cooperation and exchanging of experience,

Welcoming the call of the twelfth Workshop for the Office for the United Nations High Commissioner for Human Rights to support the subregional workshop for the Arab Region on national human rights protection systems, including national human rights institutions, held in Cairo, from 6 to 8 March 2005 with the support of the Egyptian National Council for Human Rights,

Noting the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

1. *Reaffirms* the importance of the development of effective, independent, pluralistic national institutions for the promotion and protection of human rights consistent with the Paris Principles;

2. *Reiterates* the continued importance of the Paris Principles as a set of important recommended guidelines of practice for national institutions, recognizes the value of further strengthening their application and encourages States, national institutions and other interested parties to consider ways to achieve this;

3. *Welcomes* the decisions of a growing number of States to establish, or to consider establishing, national institutions consistent with the Paris Principles;

4. *Encourages* States to establish or, where they already exist, to strengthen such institutions, as outlined in the Vienna Declaration and Programme of Action;

5. *Recognizes* that national institutions have a crucial role to play in promoting and ensuring the indivisibility and interdependence of all human rights and calls upon all States to ensure that all human rights are appropriately reflected in the mandate of their national human rights institutions when established;

6. *Takes note with satisfaction* of the efforts of those States that have provided their national institutions with more autonomy and independence, including through giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

7. *Recognizes* the important and constructive role that individuals, groups and organs of society can play for the better promotion and protection of human rights and encourages efforts by national institutions to establish partnerships and increase cooperation with civil society;

8. *Welcomes* greater efforts by the Office of the High Commissioner to engage national institutions as partners and provide them with opportunities to exchange experiences and best practices amongst themselves, and in this context welcomes:

(a) The International Workshop of National Institutions for the Promotion and Protection of Human Rights: causes, effects and consequences of the migratory phenomenon and human rights protection held in Zacatecas, Mexico, from 14 to 15 October 2004 organized by the Mexican National Human Rights Commission of Mexico and the Human Rights Commission of Zacatecas;

(b) The Round Table of National Human Rights Institutions and National Machineries for the Advancement of Women held in Ouarzazate, Morocco, from 15 to 19 November 2004 with the Conseil consultatif des droits de l'homme of Morocco in cooperation with the United Nations Division for the Advancement of Women, Department of Economic and Social Affairs; and

(c) The International Round Table on National Institutions and Good Governance held in Suva from 13 to 15 December 2004 with the Fiji Human Rights Commission;

9. *Also welcomes* the engagement of the Office of the High Commissioner with concerned national institutions on a regional level in relation to conflict prevention as well as the prevention of torture;

10. *Further welcomes* the practice of national institutions and coordinating committees of such institutions that conform with the Paris Principles of participating in an appropriate manner in their own right in meetings of the Commission and its subsidiary bodies;

11. *Welcomes* the report of the Secretary-General (E/CN.4/2005/107) on enhancing the participation of national human rights institutions in the work of the Commission and its subsidiary bodies and, in accordance with its recommendations, decides to request the Chairperson of the sixty-first session, in consultation with all relevant stakeholders, to finalize, by the sixty-second session, the modalities for:

(a) Permitting national institutions that are accredited by the Accreditation Subcommittee of the International Coordinating Committee of National Institutions under the auspices of the Office of the High Commissioner, and coordinating committees of such institutions, to speak, as outlined in the report, within their mandates, under all items of the Commission's agenda, while stressing the need to maintain present good practices of management of the agenda and speaking times in the Commission, to allocate dedicated seating to national institutions for this purpose, and supporting their engagement with all the subsidiary bodies of the Commission;

(b) Continuing the practice of issuing documents from national institutions under their own symbol numbers;

12. *Welcomes* the continuation of the practice of national institutions convening regional meetings and encourages national institutions, in cooperation with the Office of the High Commissioner, to continue to organize similar events with Governments and non-governmental organizations in their own regions;

13. *Affirms* the important role of national human rights institutions, in cooperation with other mechanisms for the promotion and protection of human rights, in combating racial and related forms of discrimination and in the protection and promotion of the human rights of women and the rights of particularly vulnerable groups, including children and people with disabilities;

14. *Recognizes* the important and constructive role that national institutions can play in human rights education, including by the publication and dissemination of human rights material and other public information activities during the World Programme for Human Rights Education, and calls upon all existing national institutions to assist in the implementation of human rights education training programmes across all relevant sectors of society, including during the first phase of the Programme (2005-2007), which will focus on primary and secondary education;

15. *Commends* the High Commissioner for the priority accorded to the establishment and strengthening of national human rights institutions, including through technical cooperation, and calls upon the Office of the High Commissioner:

(a) To continue to strengthen its coordinating role in this field and to allocate the resources necessary for this work from both core and extrabudgetary sources;

(b) To continue to support technical cooperation projects focused on specific practical challenges faced by national institutions, including in the area of complaint handling;

16. *Welcomes* efforts, through the Secretary-General's action 2 programme (see A/57/387), to ensure effective engagement by all parts of the United Nations with national institutions and notes in this regard the importance of strengthening the National Institutions Unit within the Office of the High Commissioner, including with appropriate specialist expertise;

17. *Expresses its appreciation* to those Governments that have contributed additional resources for the purpose of the establishment and strengthening of national human rights institutions and their regional organizations;

18. *Welcomes* the important role of the International Coordinating Committee, in close cooperation with the Office of the High Commissioner, in assessing conformity with the Paris Principles and in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

19. *Requests* the Secretary-General to continue to provide, from within existing resources, the necessary assistance for holding meetings of the International Coordinating Committee during the sessions of the Commission, under the auspices of, and in cooperation with, the Office of the High Commissioner;

20. *Also requests* the Secretary-General to continue to provide, from within existing resources and from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for international and regional meetings of national institutions;

21. *Further requests* the Secretary-General to report to the Commission at its sixty-second session on the implementation of the present resolution and on ways and means of enhancing participation of national human rights institutions in the work of the Commission;

22. *Requests* the Secretary-General to report to the Commission at its sixty-second session on the process currently utilized by the International Coordinating Committee to accredit national institutions in compliance with the Paris Principles and to ensure that the process is strengthened with appropriate periodic review;

23. *Decides* to continue its consideration of this question at its sixty-second session.
