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아시아 · 태평양 국가인권기구포럼

제20차 APF 연례회의 및 제3차 격년 컨퍼런스 참가보고서

The 20th Annual Meeting and 3rd Biennial Conference
of the Asia Pacific Forum of National Human Rights Institutions

2015. 8. 26.(수) ~ 8. 28.(금), 몽골 울란바토르
26-28 August 2015, Mongolia, Ulaanbaatar

아시아·태평양 국가인권기구포럼

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제3차 격년 컨퍼런스 참가보고서**

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제 1 장

개요

- I. 회의 개요
- II. 위원회 출장 개요
- III. 세부 회의 일정

I 회의 개요

1. 회의명: 제20차 APF 연례회의 및 제3차 격년 컨퍼런스
(The 20th Annual Meeting and 3rd Biennial Conference of the Asia Pacific Forum of National Human Rights Institutions)

2. 장 소: 몽골, 울란바토르(Ulaanbaatar)

3. 기 간: 2015. 8. 26.(수) ~ 8. 28.(금)

4. 회의 일정

일자	내용
2015. 8. 26.(수)	자금조성 워크숍 및 APF-NGO 대화
2015. 8. 27.(목)	연례회의(포럼이사회)
2015. 8. 28.(금)	연례회의

5. 주 관: 몽골 국가인권위원회(National Human Rights Commission of Mongolia)

6. 주 최: 아시아·태평양 국가인권기구 포럼(APF)

7. 회의 개요

○ APF 연례회의에서는 매해 APF 회원기구가 모여 포럼이사회 개최, NGO와의 면담, 주요 인권 이슈 논의 등을 하고 있음.

○ APF 포럼이사회(Forum Council)는 APF 최고의 의사결정기구로서 회원기구 위원장으로

구성되고, 각 위원장을 포럼이사라고 일컬음. 포럼이사회는 APF 연례회의에서 매해 회의를 개최하여 APF 활동 및 재정, 주요 사업 등을 결정함.

○ 회의 연도 및 개최지

- 1차 지역 워크숍, 1996. 7.8~10. 호주, 다윈
- 2차 지역 워크숍, 1997. 9.10~12. 인도, 뉴델리
- 3차 연례회의, 1998. 9.7~9. 인도네시아, 자카르타
- 4차 연례회의, 1999. 9.6~8. 필리핀, 마닐라
- 5차 연례회의, 2000. 8. 7~9. 뉴질랜드, 로토루아
- 6차 연례회의, 2001. 9.24~27. 스리랑카, 콜롬보
- 7차 연례회의, 2002. 11. 11~13. 인도, 뉴델리
- 8차 연례회의, 2004. 2. 16~18. 네팔, 카투만두
- 9차 연례회의, 2004. 9. 13. 한국, 서울
- 10차 연례회의, 2005. 8.24~26. 몽골, 울란바토르
- 11차 연례회의, 2006. 7.31~8.3. 피지, 수바
- 12차 연례회의, 2007. 9.24~27. 호주, 시드니
- 13차 연례회의, 2008. 7.28~31. 말레이시아, 콰라룸푸르
- 14차 연례회의, 2009. 8.3~6. 요르단, 암만

※ 연례회의 방식 재편(연례업무회의와 컨퍼런스 구분)

- ※ 업무회의 : APF 운영 전반에 관한 사항 의결. APF 정회원기구만 참석하는 비공개회의
- ※ 컨퍼런스 : 특정 인권주제(예, 이주인권, 기업인권 등)에 관한 패널회의 진행. 국가인권기구 대표, NGO 대표, 정부대표, 학계 대표 등이 참석하는 공개회의

- 15차 연례업무회의, 2010. 8.3~5. 인도네시아, 발리
- 16차 연례업무회의 및 제1차 격년 컨퍼런스, 2011. 9.6~8. 태국, 방콕
- 17차 연례업무회의, 2012. 11. 5. 요르단, 암만
- 18차 연례업무회의 및 제2차 격년 컨퍼런스, 2013. 10.1~3. 카타르, 도하
- 19차 연례회의, 2014. 9.3~5. 인도, 뉴델리
- 20차 연례업무회의 및 제3차 격년 컨퍼런스, 2015. 8.26~28. 몽골, 울란바토르

4 ≫ 제20차 APF 연례회의 및 제3차 격년 컨퍼런스 참가보고서

II 위원회 출장 개요

1. 출장 목적

- APF 포럼이사회 회의 참가 등을 통한 APF 운영에 관한 의사결정 및 아시아·태평양 지역 국가인권기구 주요 현안 논의
- 아태지역 국가인권기구, UN 기구, 시민사회와의 교류협력 강화
- 격년 컨퍼런스와 기타 행사에 참여하여 국제 현안 파악

2. 주요 일정

- APF 자금조성 워크숍 및 APF 포럼이사와 NGO와의 대화 참석
- APF 포럼이사회 회의 참석
 - APF 의장 및 부의장 선출
 - 2017년 제22차 APF 연례회의 및 격년 컨퍼런스 개최
 - APF-ICC 대표성(ICC 승인소위원회, ICC 기업과 인권 실무그룹) 선출
 - APF 전략계획 2015-2020 채택
- 격년 컨퍼런스(주제: 고문방지를 위한 국가인권기구의 역할) 참석
- 한-몽골 인권위원회 간 양해각서(MOU) 체결
- 위원장의 주요 인사 면담

3. 출장국, 출장기간, 출장자

- 출장국 : 몽골, 울란바토르(Ulaanbaatar)
- 기간 : 2015. 8. 26.(수) ~ 8. 28.(금)
- 출장자

연번	소속	직위	성명
1	국가인권위원회	위원장	현병철
2	정책교육국	정책교육국장	심상돈
3	국제협력팀	국제협력팀장	조형석
4	"	실무자	서미라
5	"	실무자	오숙현

4. 주요 활동 내용

- APF 포럼이사회에 참석하여 포럼이사국으로써 의사결정에 참여
- 연례회의의 APF 2015-2020년 전략계획 회의에 전략계획 실무그룹 위원으로 참여
 - 또한 우리 위원회가 주최하는 ‘아시아-유럽 정상회의(ASEM) 노인인권 컨퍼런스’의 10월 서울 개최를 앞두고, 참석국가들을 대상으로 위원장이 프레젠테이션을 하는 등 노인인권 증진을 위한 국제행사에 대해 적극적인 홍보 활동
- 격년 컨퍼런스에서는 ‘고문방지를 위한 국가인권기구의 역할’이라는 주제가 되었으며, 우리 위원회는 APF 고문방지대사로 활동하고 있는 김영혜 상임위원이 한국에서의 고문방지 프로젝트와 고문방지대사 활동에 관해 발표
- 한-몽골 인권위원회 간 양해각서(MOU) 체결
 - APF 신임 의장국인 몽골 인권위원회와 ‘자국에 거주하는 상대국 국민 보호 강화, 인권 보호와 증진에 관한 경험 및 정보 교환’ 등의 내용을 담은 양해각서(MOU)를 체결하였고, 양국 간 인권증진을 위한 교류 협력을 강화
- 위원장 주요인사 면담
 - 말레이시아와 인도네시아 인권위원장 등 아시아 태평양 지역의 주요 국가인권기구 수장, APF 사무국장 등과 만나 아태지역 주요 인권 현안에 대한 의견을 교환하였으며, 국가 간 국제 교류 협력 및 발전 방안에 대해 논의

III 세부 회의 일정

일시	주요 일정	비고
첫째날 - 8월 26일 수요일 (포럼이사만 참석)		
08:30-09:00	등록	소음보홀 외부 등록 데스크
09:00-10:30	기금 개발 보고 및 워크샵 <i>사회자: 카렌 반 새커, 글로벌 필란트로피 부회장</i> 동 워크샵은 포럼 이사회가 기금 모금에 있어서의 역할 뿐 아니라, 이론과 실제에 대한 이해를 넓히는 것을 돕기 위함임. 동 워크샵은 회원들이 APF 프레임워크 내에서 인식 증진 프로그램 및 공여자 양성 회의를 조직하고 촉진하는 것을 돕기 위하여 실질적인 지침을 제공할 것임.	소음보 홀
10:30-10:45	휴식	
10:45-12:30	기금 개발 보고 및 워크샵(계속)	
12:30-12:45	단체 사진	
12:45-14:00	오찬	
14:00-16:00	APF-NGO 대화: 국가인권기구와 인권옹호자 <i>사회자: 무하이든 투크 박사</i> 발표자: 미첼 포스트, 유엔 인권옹호가 특별 보고관 동 세션은 국가인권기구와 시민사회 대표에게 인권옹호가 및 위기의 국가인권기구 보호를 위한 국가인권기구의 역할에 대해 논의할 기회를 제공함. 토론 및 질의응답	
16:00-16:15	휴식 및 폐회	
16:30	문화 행사 및 환영 만찬 - 초청자만 참석 몽골 국가인권기구 주최	Chinggis Khanni Khuree
둘째날 - 8월 27일 목요일 (포럼 이사, 초청된 옵저버만 참석)		
09:00-10:30	APF 포럼이사회 및 연례 총회 <i>의장: 알리 빈 스마이크 알 마리 박사, 카타르 국가인권위원회 위원장</i> 의제(Agenda) 1. 참석 확인(의장)	소음보 홀

일시	주요 일정	비고
	2. 의제 채택(의장) 3. APF 의장 선출(사무국) <u>의장: 비암바도르 잠스란,</u> <u>몽골 국가인권위원회 위원장</u> 4. APF 전략계획 채택(2015-2020) 5. 국제 활동 - UN 기구들 - ICC 의장 보고서 6. APF-ICC 대표성 7. 2017년 제22차 APF 연례회의 및 격년 컨퍼런스 개최지(의장) 8. APF 부의장 선출(사무국) 9. APF 사무국장 및 재정 보고서(사무국) 10. 회계감사 승인(사무국) 11. APF 연간 활동 계획 2015-2016 12. 기타 사항 a) 남아시아 인권을 위한 지역 메커니즘 수립(시마 사마르 박사) b) 사형제도(질리언 트릭스 교수) c) 뉴질랜드 NAP(재클린 밀러 박사) d) 아셈 컨퍼런스(이성호 한국 국가인권위원장)	
10:30-10:45	휴식	
10:45-12:30	APF 포럼 이사회 및 연례 총회(계속)	소음보 홀
12:30-13:30	오찬	
13:30-15:15	포럼 이사회 실무그룹 보고 <u>사회자: 무하이든 투크 박사</u> APF 거버넌스 개혁과 ACJ 개혁에 관한 포럼이사회 실무그룹 보고서 및 권고 가 보고되고 논의될 것임	소음보 홀
15:15-15:30	휴식	
15:30-16:50	포럼 이사회 실무그룹 보고 (계속)	소음보 홀
16:50-17:00	평가	
셋째날 - 8월 28일 금요일		
격년 컨퍼런스 : “고문 및 기타 부당한 대우 예방에 있어 국가인권기구의 역할”		
08:30-09:00	등록	소음보 홀 외부 등록데스크
09:00-09:30	환영 및 기초연설 환영사: 비암바도르 잠스란, 몽골 국가인권위원회 위원장, APF 의장	소음보 홀

8 >> 제20차 APF 연례회의 및 제3차 격년 컨퍼런스 참가보고서

일시	주요 일정	비고
	<p>개회사: 차히야 엘베크도르지, 몽골 대통령</p> <p>개회사: 잔다후 앵호볼드, 몽골 국회의장</p>	
09:30-11:00	<p>세션 1: 고문 및 부당한 대우 예방에 있어 국가인권기구의 역할</p> <p>사회자: 탄 스리 해스미 아감, 말레이시아 인권 위원회, 위원장</p> <p>발표자:</p> <ul style="list-style-type: none"> • 오윤치메그 푸레브, 몽골 국가인권위원회, 위원 • "House of Prevention", 사지라 자와위, 고문방지협회(APT), 아태지역 프로그램 담당자 • 시마 사마르 박사, 아프가니스탄 독립 인권위원회, 위원장 • 세반 도라이사미, SUARAM(말레이시아 인권단체) 사무국장 <p>논의 및 질의응답</p>	
11:00-11:15	휴식	
11:15-12:45	<p>세션 2: 고문방지협약 선택의정서에서의 모니터링</p> <p>사회자: 마르코 모나, APT 前 의장</p> <p>발표자:</p> <ul style="list-style-type: none"> • 아마드 하브, 팔레스타인 인권위원회, 위원 • 재클린 밀러 박사, 뉴질랜드 인권 위원회, 평등 고용 기회 위원 • 마우사 버레이자트 박사, 요르단 국가 인권 센터, 위원장 • 샤흐다 이스마일, 몰디브 민주주의 네트워크, 사무국장 <p>논의 및 질의응답</p>	
12:45-14:00	오찬	
14:00-15:30	<p>세션3: 법집행 및 안보 집단에의 참여</p> <p>사회자: 아마라 풍사미크 교수, 태국 국가인권위원회 위원장</p> <p>발표자:</p> <ul style="list-style-type: none"> • 카지 리즐 호크, 방글라데시 국가인권위원회, 위원 • 누르 코리스, 인도네시아 국가인권 위원회, 위원장 • 시리 시리아스 요셉 판사, 인도 국가인권위원회, 위원장 대행 • 풍키 인다르티, Imparsial(인도네시아 인권단체) 사무총장 <p>논의 및 질의응답</p>	
15:30-15:45	휴식	

일시	주요 일정	비고
15:45-16:45	<p>세션 4: APF 고문방지대사</p> <p><i>사회자:</i> 질리안 트릭스 교수, 호주 국가인권위원회, 위원장</p> <p>발표자:</p> <ul style="list-style-type: none"> • 아가 에르딘, 고문방지대사, 몽골 국가인권위원회 • 김영혜, 고문방지대사, 한국 국가인권위원회 • 시도니오 소아레스, 고문방지대사, 동티모르 인권 및 정의 위원회 <p>논의 및 질의응답</p>	
16:45-17:00	<p>폐회사 및 폐회</p> <p>오토곤바이르 은돈, 몽골 의회 인권 소위원회 의장, 국회의원</p> <p>비암바도르 잠스란, 몽골 국가인권위원회 위원장, APF 의장</p>	



제2장

제20차 APF 연례회의

- I. APF 포럼이사-NGO 대화 :
국가인권기구와 인권옹호자
- II. 제20차 APF 포럼이사회
 - 1. 회의 의제
 - 2. 주요 결정사항
 - 3. 회의 세부 내용

I**APF 포럼이사-NGO 대화 (주제 : 국가인권기구와 인권옹호자)**

※ 무하이든 투크 박사의 사회로, '국가인권기구와 인권옹호자'에 관해 논의함.

- 유엔 인권옹호자 특별보고관 미첼 포스트가 주제 발표를 하였음.
 - 오늘날은 인권옹호자에게 위기의 시기임. 내부 인권침해를 고발하는 판사, 변호사, 언론인은 시민사회 활동가와 똑같이 위협과 괴롭힘을 당하고 있음. 또한, 인권 활동가가 위협과 협박을 당하고 조사를 받으며 괴롭힘을 당하거나 범죄자가 되고 있음.
 - 국가인권기구가 인권옹호자 관련 상황을 개선하기 위한 방안을 강조하였음.
 - 정부에게 인권과 기본적 자유의 보호와 증진이 국가의 의무임을 상기시킬 것
 - 인권옹호자를 보호하고 지원하며, 이와 관련된 국제인권법과 국제기준을 준수하고 법 개정을 홍보할 것
 - 인권옹호자에 대한 인권침해 사건의 불처벌에 반대하고, 사법 접근권을 증진할 것
 - 인권옹호자 업무에 대한 공개적 지원을 포함해 인권옹호자와 협력할 수 있는 효과적인 인 보호 정책과 메커니즘을 발전시킬 것
 - 여성 인권옹호자와 여성의 권리와 성차별 문제를 다루는 인권옹호자가 직면한 어려움에 특별한 관심을 기울이며, 위기에 처한 집단의 구체적 난관을 다룰 것
 - 위의 업무를 효과적으로 수행하기 위해서는 국가인권기구가 시민사회단체 및 인권옹호자와 긴밀하고 건설적인 관계를 구축해야해야 함.

- 이어 포럼아시아와 NGO의 대표로 몽골, 태국, 한국에서 온 활동가들의 발표가 있었음. 발표자들은 국가인권기구가 NGO에게는 허용되지 않는 구금시설을 방문하고 인권침해 진정 사건을 조사할 수 있는 임무가 있음을 강조하였음.

- APF의 다수 회원기구들은 인권옹호자의 보호를 위해 노력하고 있으며 그 과정에서 겪는 어려움을 밝혔음.

II 제20차 APF 포럼이사회

1. 회의 의제

의제(Agenda)

의장: 알리 빈 스마이크 알 마리 박사, 카타르 국가인권위원회 위원장

- 참석확인(의장)
- 의제 채택(의장)
- APF 의장 선출(사무국)

의장: 비암바도르 잠스란, 몽골 국가인권위원회 위원장

- APF 전략계획 채택(2015-2020)
- ICC 의장 보고서
- APF-ICC 대표성
- 제22차 APF 연례회의 및 격년 컨퍼런스 개최지(의장)
- APF 부의장 선출(사무국)
- APF 사무국장 및 재정 보고서(사무국)
- 회계감사 승인(사무국)
- APF 연간 활동 계획 2015-2016
- 기타 사항
 - 남아시아 인권을 위한 지역 메커니즘 수립(시마 사마르 박사)
 - 사형제도(질리언 트릭스 교수)
 - 뉴질랜드 NAP(제클린 밀러 박사)
 - 아셈 컨퍼런스(한국)

2. 주요 결정사항

제20차 APF 포럼이사회 주요 결정사항

1. APF 의장 및 부의장 선출

- 제20차 APF 연례회의 및 제3차 격년 컨퍼런스를 개최한 몽골 인권위원회의 위원장이 APF 의장이 됨.
- APF 부의장은 전임 APF 의장인 카타르 인권위원장과 제22차 APF 연례회의 개최국인 아프가니스탄 인권위원장이 맡게 됨.
 - ※ 현재 논의 중인 APF 거버넌스 개혁안이 통과될 경우, APF 의장 및 부의장을 총회에서 새롭게 선출해야 되므로, 임기 중에 변경이 있을 수 있음.

2. 2017년 제22차 APF 연례회의 및 격년 컨퍼런스 개최지

- 네팔, 아프가니스탄, 필리핀 인권위원회가 개최 의사를 밝혔고, 투표로 아프가니스탄 인권위가 선정됨.
 - ※ 일부 포럼 이사는 향후 선거에서는 후보자 추천 마감일을 공식화해야 한다는 의견을 강력히 피력하였고, 사무국은 동 문제를 포럼이사회가 다룰 수 있도록 정책안을 준비할 계획임을 밝힘.

3. APF-ICC 대표성

- ICC 승인소위원회의 직위에는 팔레스타인, 인도, 요르단 인권위원회가 수임 의사를 밝혔고, 투표로 요르단 인권위원회의 무사 부레이жат 위원장이 선출됨.
- ICC 기업과 인권 실무그룹의 직위에는 몽골, 호주, 카타르 인권위가 수임 의사를 밝혔고, 이들 위원회 간 합의로 최종적으로 몽골 인권위만 출마하게 되어 동 인권위의 오윤치메그 푸레브 위원이 선출됨.

4. APF 전략계획 2015-2020 채택

- 포럼이사회 실무그룹이 2015. 3. 제안한, 1) APF 거버넌스 개혁, 2) 법률가 자문위원회 개혁 관련 사항이 검토되었고, 아래 두 가지 사항을 제외한 사항들은 모두 채택됨. 아래 두 가지 사항과 관련하여서는 실무그룹에서 추가 검토하여 포럼이사회에 상정하기로 함.
 - 1) B등급 또는 준회원기구의 투표권 부여, 2) 거버넌스 개혁안에서 신규 이사회의 5개 기구→7개 기구로 확대.
 - ※ 거버넌스 개혁을 위해 실무그룹의 임기를 연장하기로 결정.

3. 회의 세부내용

【 APF 전략계획 2015-2020 : 최종안 채택 】

□ 경과

- APF 2015-2020 전략계획 초안은 APF 회원기구들이 제공한 전략적 우선순위와 2013년 및 2014년 APF 활동 평가를 기초로, 한국, 팔레스타인, 인도, 필리핀, 호주 인권위원회로 이루어진 포럼이사회 실무그룹에 의해 작성되었음.
- 이후 포럼이사회에 회람되어 의견을 받았으며, 제19차 APF 연례회의에서 논의되었음.
- 포럼이사회 실무그룹은 포럼이사회 의견에 따라 초안을 수정하였고, 이를 이번 제20차 연례회의에 제출하였음. 포럼이사회는 실무그룹이 아래 사항을 추가 검토하도록 제안하였으며, 나머지는 원안대로 채택하였음.

실무그룹의 향후 추가 검토

1. B등급 또는 준회원기구의 투표권 부여
 - 현재 규정에 의하면 투표권은 파리원칙을 준수하는 기구, 예를 들어 A등급 또는 정회원기구에게만 부여됨. B등급 또는 준회원기구가 APF 활동에 활발히 참여하고 있음에도 불구하고 투표 권한이 부여되지 않고 있음. 포럼이사회 실무그룹은 이 문제에 대해 검토를 하여 포럼이사회에 제안할 계획임.
2. 이사회 구성을 7개 회원기구로 확대
 - 거버넌스 개혁안에서는 신규 이사회를 5개의 A등급 회원기구로 제안하고 있는데, 이를 7개로 확대해야 한다는 요청이 있음.

□ 주요 내용

- 전략계획에는 APF 기관 소개, 전략계획에 대한 접근법, APF 우선순위(전략적인 인권의 우선순위, 국가인권기구의 우선 기능, 거버넌스), APF의 비전과 미션과 기능, APF의 성과목표 등의 내용을 담고 있음.
- ‘APF 우선순위’는 한정된 재원을 반영해, 향후 5년간 전략적, 기능적 우선순위를 정한 것임.
 - APF는 ‘전략적 우선순위’에서 시민적, 정치적, 경제적, 사회적, 문화적 권리를 우선적으로, 1)아동, 2)여성, 3)장애인, 4)대규모 인구이동(망명자, 난민, 이민자, 국내실향민 포

함), 5)노인으로 집중하기로 함.

- 또한 APF가 국가인권기구의 기능 중 '우선기능'으로, 1)진정, 2)인식 향상·교육·훈련·연구(직권조사와 캠페인 포함), 3)시민사회와의 협력, 4)모니터링, 5)국제적 및 지역적 기구와 메커니즘의 참여로 정함.

- '거버넌스'에서는 향후 5년간 APF 회원이 늘어날 것이므로, APF 조직 운영의 효율성, 지속가능성, 신뢰성, 회원기구의 주인의식 강화 등을 고려하여 APF 거버넌스에 대한 포괄적 검토가 필요하고 거버넌스 구조에 대한 검토는 전략계획의 일부라고 밝힘.

○ 'APF의 비전, 미션, 기능'에서는 전략계획 기간 내 APF 비전, 미션, APF 기능을 명시하고 있음.

- 'APF 비전'은 "모든 이들이 인권을 향유하는 아시아·태평양 지역"임.

- 'APF 미션'은 "APF는 아시아태평양 지역의 국가인권기구들의 네트워크이다. 우리는 자문, 네트워킹 및 역량강화 서비스를 회원기구들에게 제공하여 회원기구들이 국제인권 규범을 준수하고 인권을 향상하고 지킬 수 있도록 지원한다."임.

- 'APF 기능'은, 1)역량개발, 2)협력 및 지식 공유, 3)자문 및 전문성 제공, 4)국가적, 지역적, 국제적 차원의 기여, 5)양성평등 증진, 6)조직적 리더십 및 거버넌스 강화 등 6가지로 구분하고 있음.

○ 'APF 성과목표'는 향후 5년간 활동의 결과물로 4가지를 제시하고 있음. 즉, 1) UN과 국제규범을 준수하는 국가인권기구 수의 증가, 2)진정, 교육, 모니터링, 옹호 및 보고 분야에서 국가인권기구의 역할 수행역량 증진, 3)국내 및 국제적 차원에서 국가인권기구가 인정되고 더욱 효과적이 될 수 있는 환경 조성, 4)APF가 잘 운영되고, 지속가능한 재원을 갖추며, 전략적 방침을 이행하고, 회원기구를 둔 기구가 되는 것임.

【 국제활동 】

○ ICC 사무국장 알란 밀러가 ICC 활동에 대한 보고를 하였음.

- 차기 ICC 의장은 지역 순환제에 따라 유럽에서 2016. 3.부터 3년간 맡을 예정이나 아직 어느 국가인권기구가 맡을지는 미정임.

- ICC와 지역 네트워크, 개별 인권기구의 강화를 위한 유럽연합의 보조금 지원에 관해서는 현재 논의 중임. 이 보조금 제안에 관해서는 오는 10월 멕시코에서 개최되는 ICC

집행이사회에서 논의될 예정이며, 또한 ICC 의장실의 강화를 위해 2개의 직위, 즉, 1) ICC의 가시화와 전략적 참여를 위한 특별 대표와 2) 행정 지원 역할을 담당하는 새로운 직위를 설치할 것을 제안할 것임.

- ICC는 지속가능발전목표(Sustainable Development Goals, SDGs)를 포함한 유엔 메커니즘 내에서 영향력을 강화할 계획임. 오는 2015. 10. 멕시코에서 개최될 세계국가인권기구대회에서도 SDGs와 국가인권기구의 역할에 관해 다룰 것임.
- 뉴욕 유엔 기구에서의 국가인권기구의 독립적 참여권과 관련하여, ICC는 유엔 사무총장 보고서에 이를 포함시키기 위해 노력하고 있으며, 또한 독일 유엔대표부에서 마련하고 있는 국가인권기구에 관한 유엔 총회 결의문을 통해 국가인권기구의 유엔인권이사회의에서의 기존의 절차와 유사한 절차상의 독립적 참여권이 부여되도록 노력할 것임.
- ICC 집행이사회는 ICC의 명칭을 검토하여 2016. 3. ICC 총회에 제안할 예정임.

○ 유엔개발계획(UNDP) 아태지역 사무소의 HIV와 건강과 발전 팀장 나디아 라쉬드가 UNDP와 APF의 파트너십과 개별 인권기구와의 협력에 관한 근황을 보고하였음.

- UNDP는 국가인권기구 설립 및 역량강화를 지원하고 있음. 국가적 차원에서는 인도네시아 인권위 내 ‘소수자 데스크(minority desk)’ 설치를 위한 재정지원을, 지역적 차원에서는 2008년 UNDP와 APF가 함께 개발한 국가인권기구의 자체 역량평가를 시행하였으며, 현재 16개 국가인권기구의 평가실시를 지원하였음.
- APF와 UNDP의 최근 협력사항 중 주제별 이슈로는 LGBT 권리, 감소하는 시민 공간, 원주민에 초점을 둔 채취 산업, SDGs 등이 있음.



제3장

제3차 APF 격년 컨퍼런스

- I. APF 격년 컨퍼런스 개요
- II. 제3차 APF 격년컨퍼런스 프로그램
- III. 제3차 APF 격년 컨퍼런스 주요 내용

I

APF 격년 컨퍼런스 개요

- APF 격년 컨퍼런스는 특정 인권주제에 관한 패널회의로 진행되고, 국가인권기구 이외에도 UN기구, NGO, 학계 등에서 참석하는 공개회의임
- 컨퍼런스는 2009년까지 매해 APF 연례회의와 함께 병행하여 개최되었으나 2009년 제14차 APF 연례회의에서 격년으로 개최하게 결정됨. 2011년 태국 방콕에서 제1차 격년 컨퍼런스가 개최되었음.

II

제3차 APF 격년 컨퍼런스 프로그램

■ 개회식

환영사	비암바도르지 잠스란 몽골 국가인권위원회 위원장, APF 의장
개회사	차히야 엘벡도르지 몽골 대통령 잔다후 엔흐볼드 몽골 국회의장

■ 세션 1 : 고문 및 부당한 대우 예방에 있어 국가인권기구의 역할

- 사회자 : 탄 스리 해스미 아감, 말레이시아 인권위원회, 위원장
- 발표자
 1. 오윤치메그 푸레브, 몽골 국가인권위원회, 위원
 2. "House of Prevention", 샤지라 자와위, 고문방지협회(APT), 아태지역 프로그램 담당자
 3. 시마 사마르 박사, 아프가니스탄 독립 인권위원회, 위원장
 4. 세반 도라이사미, SUARAM(말레이시아 인권단체), 사무국장

■ 세션 2 : 고문방지협약 선택의정서에서의 모니터링

- 사회자 : 마르코 모나, 고문방지협회(APT) 前 의장
- 발표자
 1. 아마드 하브, 팔레스타인 인권위원회, 위원
 2. 재클린 밀러 박사, 뉴질랜드 인권 위원회, 평등 고용 기회 위원
 3. 마우사 버레이자트 박사, 요르단 국가 인권 센터, 위원장
 4. 샤흐다 이스마일, 몰디브 민주주의 네트워크, 사무국장

■ 세션 3 : 법집행 및 안보 집단에의 참여

- 사회자 : 아마라 풍사미크 교수, 태국 국가인권위원회 위원장
- 발표자
 1. 카지 리즐 호크, 방글라데시 국가인권위원회, 위원
 2. 누르 코리스, 인도네시아 국가인권 위원회, 위원장
 3. 시리 시리아스 요셉 판사, 인도 국가인권위원회, 위원장 대행
 4. 풍키 인다르티, Imparsial(인도네시아 인권단체) 사무총장

■ 세션 4 : APF 고문방지대사

- 사회자 : 질리안 트릭스 교수, 호주 국가인권위원회, 위원장
- 발표자
 1. 아가 에르딘, 고문방지대사, 몽골 국가인권위원회
 2. 김영혜, 고문방지대사, 한국 국가인권위원회
 3. 시도니오 소아레스, 고문방지대사, 동티모르 인권 및 정의 위원회

■ 폐회식

폐회사 오트곤바야르 윤돈, 몽골 의회 인권 소위원회 의장, 국회의원
비암바도르 잠스란, 몽골 국가인권위원회 위원장, APF 의장

III

제3차 APF 격년 컨퍼런스 주요 내용

- 몽골 대통령, 국회의장, 인권위원장이 각각 환영사를 통해 인권의 보호와 증진을 위한 국가인권기구의 중요성에 대해 강조하였음.

- 회의는 4개의 세션으로 구성되었으며, 각 세션마다 국가인권기구, NGO의 대표자 3-4명이 발표하였으며, 이후 종합 토론을 하는 방식으로 진행되었음.
 - 〈1세션〉 고문과 부당한 처우의 방지에 있어 국가인권기구의 역할 : 탄 스리 해스마 아감 말레이시아 인권위원장의 사회로, 오윤치메그 푸레브 몽골 인권위원, 샤지라 자와위 고문방지협회 아태지역 프로그램 담당자, 시마 사마르 아프가니스탄 인권위원장, 세반 도라이사미 SUARAM(말레이시아 인권단체) 사무국장의 발표가 있었음.
 - 〈2세션〉 고문방지협약 선택의정서에서의 모니터링 : 마르코 모나 고문방지협회 前의장의 사회로, 아흐마드 하브 팔레스타인 인권위원장, 재킬린 밀러 뉴질랜드 인권위원, 무사 부레이жат 요르단 인권위원장, 샤흐다 이스마일 몰디브 민주주의 네트워크 사무국장의 발표가 있었음.
 - 〈3세션〉 법 집행과 안보 집단에의 참여 : 아마라 풍사피치 태국 인권위원장의 사회로, 카지 리즐 호크 방글라데시 인권위원, 누르 코리스 인도네시아 인권위원장, 스리 시리악 요셉 인도 인권위원장, 풍키 인다르티 Imparsial(인도네시아 인권단체) 사무국장의 발표가 있었음.
 - 〈4세션〉 APF 고문방지대사 : 길리안 트리그 호주 인권위원장의 사회로, 김영혜 한국 인권위 고문방지대사, 아가 예르딘 몽골 인권위 고문방지대사, 시도니오 소아레스 동티모르 인권위 고문방지대사의 발표가 있었음.



제4장

참고자료

- I. 회의 개요 자료
- II. 제20차 APF 연례회의 자료
- III. APF 포럼이사-NGO 대화 자료
- IV. 제3차 APF 격년 컨퍼런스 자료

01



회의 개요 자료

- 회의 세부일정(영문)
- 회의 참가자 명단
- 제20차 APF 연례회의 결과
(Record of Decisions)

● 회의 세부일정(영문)



**TWENTIETH ANNUAL MEETING AND BIENNIAL CONFERENCE OF THE
ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS**

26 – 28 August 2015

Best Western Premier, Ulaanbaatar, Mongolia

FINAL PROGRAM

DAY 1 – Wednesday 26 August (Forum Councillors only)		
08:30 – 09:00	Registration	Registration desk located outside Soyombo Hall
09:00 – 10:30	<p>Fund Development Update and Workshop</p> <p><i>Facilitator: Ms Karen Van sacker, Vice President, Global Philanthropy</i></p> <p>This workshop will assist Forum Councillors to develop an understanding of fundraising theory and practice, along with their role in it. The workshop will be supported by practical, hands-on guidance for members to organise and facilitate awareness programs and donor cultivation meetings within the framework of other APF programs.</p>	Soyombo Hall
10:30 – 10:45	Morning Tea	
10:45 – 12:30	Fund Development Update and Workshop (cont.)	
12:30 – 12:45	Group photograph	
12:45 – 14:00	Lunch	
14:00 – 16:00	<p>APF – NGO dialogue: NHRIs and Human Rights Defenders</p> <p><i>Facilitator: Dr Muhyieddeen Touq</i></p> <p><i>Speaker: Mr Michel Forst, UN Special Rapporteur on the situation of human rights defenders</i></p> <p>The dialogue will provide an opportunity for NHRIs and civil society representatives to discuss the role of NHRIs in protecting HRDs, and NHRIs at risk when they promote and protect human rights.</p> <p>Discussion and ‘Questions and Answers’ session</p>	
16:00 – 16:15	Afternoon Tea and CLOSE	
16:30	<p>CULTURAL PROGRAM AND WELCOME DINNER – by invitation only</p> <p>Hosted by the National Human Rights Commission of Mongolia</p>	Chinggis Khaanii Khuree

DAY 2 – Thursday 27 August (Forum Councillors and invited observers only)		
09:00 – 10:30	<p>APF Forum Councillors and Annual General Meeting</p> <p><i>Chair: Dr Ali Bin Smaikh Al-Marri, Chairperson, National Human Rights Committee of Qatar.</i></p> <p style="text-align: center;">Agenda</p> <ol style="list-style-type: none"> 1. Confirmation of Attendance and Apologies (Chairperson) 2. Adoption of Agenda (Chairperson) 3. Election of APF Chairperson (secretariat) <p><i>Chair: Mr Byambadorj Jamsran, Chief Commissioner, National Human Rights Commission of Mongolia.</i></p> <ol style="list-style-type: none"> 4. Adoption of APF Strategic Plan (2015 – 2020) 5. International Activities <ul style="list-style-type: none"> - United Nations Agencies - ICC Chairperson’s Report 6. APF – ICC Representation 7. Location of 22nd APF Annual Meeting and Biennial Conference in 2017 (Chairperson) 8. Election of APF Deputy Chairpersons (secretariat) 9. APF Directors and Financial Report (secretariat) 10. Approval of Audited Accounts (secretariat) 11. APF Annual Operations Plan 2015-2016 12. General business <ol style="list-style-type: none"> a) Establishment of a regional mechanism for human rights in South Asia (Dr Sima Samar) b) Death penalty (Professor Gillian Triggs) c) New Zealand National Plan of Action (Dr Jacqueline Miller) d) ASEM Conference (Korea) 	Soyombo Hall
10:30 – 10:45	Morning Tea	
10:45 – 12:30	APF Forum Councillors and Annual General Meeting (cont.)	Soyombo Hall
12:30 – 13:30	Lunch	
13:30 – 15:15	<p>Report back from Forum Council Working Group</p> <p><i>Facilitator: Dr Muhyieddeen Touq</i></p> <p>The report and recommendations of the Forum Council Working Group on (i) APF governance reforms and (ii) the reform of the Advisory Council of Jurists will be presented and discussed.</p>	Soyombo Hall
15:15 – 15:30	Afternoon Tea	
15:30 – 16:50	Report back from Forum Council Working Group (cont.)	Soyombo Hall
16:50 – 17:00	Evaluation Forms	

DAY 3 – Friday 28 August CONFERENCE: THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN PREVENTING TORTURE AND OTHER FORMS OF ILL-TREATMENT		
08:30 – 09:00	Registration	Registration desk located outside Soyombo Hall
09:00 – 09:30	Welcome and Opening Remarks Welcome: <i>Mr Byambadorj Jamsran, Chief Commissioner, National Human Rights Commission of Mongolia and Chairperson, Asia Pacific Forum of National Human Rights Institutions.</i> Opening Remarks: <i>Mr Tsakhiagiin Elbegdorj, President of Mongolia.</i> Opening Remarks: <i>Mr Zandaakhuugiin Enkhbold, Speaker of the Parliament of Mongolia.</i>	Soyombo Hall
09:30 – 11:00	Session 1: The role of National Human Rights Institutions in Preventing Torture and other forms of ill-treatment <i>Facilitator: Tan Sri Hasmy Agam, Chairperson, Human Rights Commission of Malaysia</i> Speakers: <ul style="list-style-type: none"> • Ms Oyunchimeg Purev, Commissioner, National Human Rights Commission of Mongolia • “House of Prevention”, Ms Shazeera Zawawi, Asia Pacific Programme Officer, Association for the Prevention of Torture • Dr Simar Samar, Chairperson, Afghanistan Independent Human Rights Commission • Mr Sevan Doraisamy, Executive Director, SUARAM Discussion and ‘Questions and Answers’ session	
11:00 – 11:15	Morning Tea	
11:15 – 12:45	Session 2: Monitoring under the Optional Protocol to the Convention Against Torture (OPCAT) <i>Facilitator: Mr Marco Mona, Former President, Association for the Prevention of Torture</i> Speakers: <ul style="list-style-type: none"> • Dr Ahmad Harb, Commissioner General, Palestine Independent Commission for Human Rights • Dr Jacqueline Miller, Equal Employment Opportunities Commissioner, Human Rights Commission of New Zealand 	

	<ul style="list-style-type: none"> • Dr Mousa Burayzat, Commissioner General, Jordan National Centre for Human Rights • Ms Shahindha Ismail, Executive Director, Maldivian Democracy Network <p>Discussion and 'Questions and Answers' session</p>	
12:45 – 14:00	Lunch	
14:00 – 15:30	<p>Session 3: Engaging Law Enforcement and Security Forces</p> <p><i>Facilitator: Professor Amara Pongsapich, Chairperson, National Human Rights Commission of Thailand</i></p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Kazi Reazul Hoque, Member, National Human Rights Commission of Bangladesh • Mr Nur Kholis, Chairperson, National Human Rights Commission of Indonesia • Justice Shri Cyriac Joseph, Acting Chairperson, National Human Rights Commission of India • Ms Poengky Indarti, Executive Director, Imparsial <p>Discussion and 'Questions and Answers' session</p>	
15:30 – 15:45	Afternoon Tea	
15:45 – 16:45	<p>Session 4: APF Torture Prevention Ambassadors (TPAs)</p> <p><i>Facilitator: Professor Gillian Triggs, President, Australian Human Rights Commission</i></p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Agar-Erdene Gankhuyag, Torture Prevention Ambassador, National Human Rights Commission of Mongolia • Ms Young-Hye Kim, Torture Prevention Ambassador, National Human Rights Commission of Korea • Mr Sidonio Soares, Torture Prevention Ambassador, Timor Leste Office of the Provedor for Human Rights and Justice <p>Discussion and 'Questions and Answers' session</p>	
16:45 – 17:00	<p>CLOSING REMARKS and CLOSE</p> <p><i>Mr Otgonbayar Yondon, Chairman of Parliamentary Sub-Committee on Human Rights, Member of Mongolian Parliament.</i></p> <p><i>Mr Byambadorj Jamsran, Chief Commissioner, National Human Rights Commission of Mongolia and Chairperson, Asia Pacific Forum of National Human Rights Institutions.</i></p>	

● 제20차 APF 연례회의 결과(Record of Decisions)



Forum Councillors
Annual General Meeting
Record of Decisions
APF 20

20th Annual Meeting of the Asia Pacific Forum of
National Human Rights Institutions
Ulaanbaatar, Mongolia, 27th August 2015

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20th Annual Meeting of the APF

Background

The 20th annual meeting and biennial conference of the Asia Pacific Forum of National Human Rights Institutions (**APF**) was held in Ulaanbaatar, Mongolia, 26-28th August 2015. It was hosted by the National Human Rights Commission of Mongolia (NHRCM) in association with the APF.

On the 26th August APF members received a fund development update and held a dialogue with NGO stakeholders on NHRIs and human rights defenders. Mr Michel Forst, UN Special Rapporteur on the situation of human rights defenders, was the keynote speaker.

On the 27th August Forum Councillors (directors) met for their annual general meeting to discuss the operations and finances of the APF and to make key decisions on a range of issues. Forum Councillors also discussed issues of governance reform for both the APF and the APF's Advisory Council of Jurists.

Finally, on the 28th August the APF held its conference, which was open to APF members, civil society, UN agencies, government and other stakeholders, on the issue of the prevention of torture. This was then followed by a specific meeting of the APF's Torture Prevention Ambassadors on the 29th and 30th August 2015.

This paper is a record of the decisions agreed to by Forum Councillors at its annual general meeting held the 27th August.

Record of Decisions

Thursday 27 August 2015 – Forum Councillors Meeting and AGM

1. Confirmation of Directors, Secretary and Observers

There are currently 22 APF member institutions (15 full voting members; 7 associate non-voting members). All member institutions were present except for the Maldives Human Rights Commission who sent their apologies. All 15 voting Forum Councillors or their nominated proxies were in attendance. The quorum for the meeting was therefore met.

The Forum Council approved the attendance of observers to the meeting from the institutions from Bahrain, Hong Kong, Iraq, Kyrgyzstan, Pakistan, the Secretary of the International Coordinating Committee of National Institutions ('**ICC**'), the Secretary-General of the European Network of National Human Rights Institutions and UNDP.

The voting Forum Councillors (Directors) of full (or A-status NHRIs) present at the meeting were:

- Ms Sima Samar (Afghanistan)
- Ms Gillian Triggs (Australia)
- Ms Padma Raman (Australia – non-voting director)

- Justice Mr. Cyriac Joseph (India)
- Mr Nur Kholis (Indonesia)
- Mr Mousa Burayzat, (Jordan) * Proxy for Mr Mohammed Adnan Al-Bahkeet
- Mr Sung-Ho Lee (Korea)
- Mr Tan Shri Hasmy (Malaysia)
- Mr Byambadorj Jamsran (Mongolia)
- Mr Anup Raj Sharma (Nepal)
- Ms Jacqueline Miller (New Zealand) * Proxy for Mr David Rutherford
- Mr Ahmad Harb (Palestine)
- Mr Jose Luis Martin Gascon (Philippines)
- Mr Ali Ben Samaikh Al-Marri (Qatar)
- Ms Amara Pongsapich (Thailand)
- Mr Silverio Pinto Baptista (Timor Leste)

The meeting was also attended by the following representatives of the APF secretariat, Mr Kieren Fitzpatrick (Director), Ms Pip Dargan (Deputy Director) and Ms Thuy-Doan Smith (Development Manager).

2. Adoption of Agenda

The agenda was adopted with no amendments.

3. Assumption of APF Chair

As host institution of the annual meeting and biennial conference the National Human Rights Commission of Mongolia assumed the role of Chairperson of the APF for two years until 2017.

4. Adoption of APF Strategic Plan 2015-2020

The APF Forum Councillors adopted the APF Strategic Plan for 2015-2020.

5. International Activities

The report of the ICC Secretary (Mr Alan Miller) was received. The ICC Secretary informed the meeting that, based on regional rotations for the ICC Chair, Europe would be the next region to take up the Chair role in March 2016 for a 3-year period. The African region represented by the South African Human Rights Commission has held the post of ICC Chair over the past 3 years. It is not yet clear which European NHRI will be the nominee for the Chair but this will be determined in the near future.

Mr Miller spoke of the need to build the capacity of the ICC secretariat including the Chairperson's office. Currently there is an opportunity for a European Union (EU) grant to strengthen the ICC, its regional networks and individual NHRIs. This grant proposal is still in development and will be discussed by the ICC Bureau when it next meets during the ICC Conference in Mexico in October 2015. It is proposed that 2 new positions within the ICC Chair's office be established; one is a Special Representative (to raise visibility and strategic engagement of the ICC) and the other position will be an administrative support role. These positions would be funded under the EU grant.

Additionally the ICC is looking to increase its influence in UN fora and mechanisms including the new Sustainable Development Goals (SDGs). The SDGs and the role of NHRIs will be the focus of the forthcoming ICC triennial conference to be held in October 2015 in Mexico. In relation to independent participation rights of NHRIs at UN bodies in New York, the ICC will work to garner support for the UN Secretary-General's report. The ICC will also advocate that the next GA resolution on NHRIs being prepared by the German Permanent Mission provide for NHRIs to have independent participation rights in these processes analogous to existing arrangements at the UN Human Rights Council. Further, the ICC Bureau will also examine a potential name change of the ICC and bring their recommendation to the ICC General Meeting in March 2016.

Ms Nadia Rasheed, Team Leader, HIV, Health and Development, Asia-Pacific Regional Hub UNDP, updated the meeting on the UNDP-APF partnership as well as with individual NHRIs. UNDP assists in the establishment of NHRIs as well as capacity-building and therefore shares common ground with the APF. At the national level Ms Rasheed highlighted issues such as the provision of UNDP funding to help establish a 'minority desk' in Komnas HAM. At the regional level the partnership with the APF continues to grow; in 2008 the UNDP and APF developed a self-assessment capacity methodology for NHRIs and since then this has helped 16 NHRIs. Recent collaboration between the APF and UNDP has included thematic issues such as LGBTI rights, shrinking civic space, extractive industries with a focus on indigenous women and men, and the SDGs. Ms Rasheed noted that Goal 10 (reduction of inequalities) and Goal 16 (peaceful and inclusive societies) are likely to be particularly important for future APF-UNDP collaboration.

6. APF-ICC Representation

ICC Sub-Committee on Accreditation

In 2014 at APF 19 an election was held for the APF regional position on the ICC sub-committee on accreditation (SCA) and Ms Randa Siniora from the Palestinian Independent Commission for Human Rights (PICHR) was elected to this position. Since then Ms Siniora resigned her post at the PICHR and, as a result, the position fell vacant. The secretariat therefore called for new nominations for the position. Nominations were received from the following individuals from 3 A-status NHRIs; Mr Ahmad Harb, PICHR, Mr Cyriac Joseph, National Human Rights Commission of India and Mr Mousa Burayzat, Jordanian National Centre for Human Rights. The representative from Jordan was elected by majority vote to the position. The APF's 15 Forum Councillors voted as follows: Jordan (7 votes), India (4 votes) and Palestine (4 votes).

The election was administered by the APF secretariat. The Australian and New Zealand Commissions were appointed by Forum Councilors as scrutineers and oversaw the election.

ICC Business and Human Rights Working Group

The APF representatives on the ICC Business and Human Rights Working Group were Malaysia and the Philippines. However the Philippines Commission term expired and nominations were sought to fill this position. Nominations were received from Ms Oyunchimeg Purev, Mongolian Human Rights Commission, Ms Gillian Triggs, Australian

Human Rights Commission and Mr Ali Ben Al-Marri, Qatar Human Rights Committee. Australia and Qatar withdrew their nominations and Mongolia was endorsed by consensus.

Forum Councillors noted that their existing policy was that NHRIs should not hold more than one ICC position to promote equal opportunity and to ensure broad regional representation across the APF membership. In this election, however, all 3 nominating NHRIs held positions on the ICC and no nominations were received from full members that did not hold ICC positions. The Forum Council noted these circumstances and treated this election as an exception to the general policy. Further Forum Councillors reaffirmed the existing policy and reminded NHRIs that already hold an ICC position to consider refraining from nominating for further ICC positions.

7. Location of 22nd APF Annual Meeting and Biennial Conference

The National Human Rights Commissions of Nepal, Afghanistan and the Philippines nominated to host the 22nd APF annual meeting and biennial conference in 2017. The Afghanistan Commission was elected to host APF 22. The votes were: Afghanistan (7), Nepal (5) and the Philippines (3).

The secretariat administered the election and the Australian and New Zealand Human Rights again acted as scrutineers.

Some Forum members expressed a strong desire that future elections should formally establish a 'cut-off' date for the receipt of nominations. The secretariat will develop a policy paper on this issue for the consideration of the Forum Council.

8. Assumption of two APF Deputy Chairs

As per the policy decision of Forum Councillors, the immediate past Chairperson (Qatar) assumed the role of one of the Deputy Chairs and the host institution of the next combined annual meeting and biennial conference (Afghanistan) assumed the role of the other Deputy Chair for 2 years until 2017. It was noted, however, that the APF governance reforms may have an impact on the terms of office for these positions.

9. APF Director's and financial reports

The Director's and financial reports were received and approved.

10. Approval of Audited Accounts

The Audited Accounts were approved and the Forum Councillors adopted the following resolution:

"That on the 27th August 2015 the full members of the Asia Pacific Forum of National Human Rights Institutions approve the "Directors' Declaration" as set out in the audited financial reports for the year ended 30 June 2015 and authorise Mr Byambadorj Jamsran to sign the report on their behalf and the associated management letter to the auditors."

11. APF Annual Operations Plan 2015-2016

The Forum Councillors adopted the APF Operations (annual) plan for 2015-2016.

12. General Business

a) Establishment of a regional mechanism for human rights in South Asia

Ms Sima Samar (Afghanistan) invited Mr Subodh Pyakurel (INSEC), an NGO colleague, to join her. Mr Pyakurel gave the historical background to the development of the concept of a regional human rights mechanism for the sub-region. A taskforce has been established and includes civil society representatives from all SAARC countries. The aim is to advocate for a regional human rights mechanism in South Asia. Ms Samar called on APF members, especially those NHRIs within the SAARC region, to help support this initiative.

b) Death Penalty

Ms Gillian Triggs (Australia) raised the issue of the continued use of the death penalty across the region for a range of crimes. Although a number of countries still employ the death penalty there is an increasing trend for countries to institute (i) a de facto moratorium, or (ii) a reduction in the number of offences for which the death penalty could apply and/or (iii) the abolition of the death penalty. Ms Triggs encouraged the APF to work collaboratively to persuade regional governments to move towards a de facto moratorium or abolition across the region. Some countries have abolished the death penalty including Australia, Timor-Leste, Cambodia, Philippines, Mongolia and New Zealand; some have adopted a de-facto moratorium including Laos, Thailand and Fiji; and others are commuting the death penalty to a life sentence such as Malaysia, Myanmar and Singapore. A number of countries, however, continue to employ the death penalty. Ms Triggs suggested that the APF could lobby, consistent with the UN SG's call, to end the use of the death penalty. Ms Triggs noted that it would also be useful to (i) update the work of the APF's Advisory Council of Jurists (ACJ) on this issue and (ii) aim for a collaborative agreement from APF members to encourage governments to move towards abolition or a de-facto moratorium. Ms Triggs advised on the recent executions of 2 Australians, but highlighted that other nationals are also subject to the death penalty in the region. Ms Triggs thanked the Indonesian and Malaysian Human Rights Commissions for their support.

c) New Zealand National Plan of Action

Ms Jacqueline Miller (New Zealand) presented New Zealand's NAP and demonstrated the Commission's development of a website resource. The website will be updated as and when developments occur and is a critical tool for the Commission's monitoring role. Qatar expressed interest in NAPS and felt the topic could be discussed in greater detail at a future meeting of the APF.

d) ASEM Conference

Mr Sung-Ho Lee (Korea) informed the meeting that ASEM and the National Human Rights Commission of Korea will jointly hold a conference on the rights of older persons in Seoul, Korea from 26-28 October. There will be a one-day special session on the role of NHRIs on 26 October. In 2010, the ICC agreed to form a Working Group on Older Persons (WGOP), however to date the WGOP has not been established. The Korean NHRI would like to reinvigorate the WGOP via this special session. It would also like to identify areas of cooperation between NHRIs and develop an action plan for the ICC re: an international instrument on the rights of older persons. The ICC will be invited along with the APF and individual NHRIs.

- e) Mr York Chow (Hong Kong), provided an update on the Hong Equal Opportunities Commission's work including LGBT and intersex, prevention of sexual harassment in public life, foreign domestic workers, ethnic minorities and students with disabilities. The HKEOC appreciated the opportunity to dialogue with the APF and looked forward to future collaboration.
- f) Ali Nawaz Chowhan (Pakistan) is the Chairperson of the recently established Pakistan National Human Rights Commission. He introduced himself and the work of the Commission to the Forum Councillors and indicated his wish that the Commission could soon become a member.

Report back from Forum Council Working Group

This session examined the recommendations of a Forum Council Working Group (FCWG) of March 2015 in relation to (i) APF governance reforms and (ii) the reform of the Advisory Council of Jurists. The session was facilitated by Mr Muhyieddeen Touq, former Chairperson of the APF.

In relation to the reform of the governance of the APF, two issues were raised for the further consideration of the FCWG:

Governance reforms

- (i) The meeting considered the Governance Reform paper and requested that the FCWG consider whether 'B' institutions should be entitled to vote in the proposed General Assembly. The current rules are that voting powers are provided to Paris Principles compliant (i.e. 'A' or Full member institutions) only. 'B' or Associate members can actively participate in APF activities however they do not have voting powers. The FCWG will consider this question and make its recommendations to the Forum Council.
- (ii) The Governance Paper proposed that a new Board consist of 5 'A' status members. The meeting requested that the FCWG consider and recommend whether it should be expanded to 7 'A' status members.

All other components of the Governance Paper were approved and adopted by the Forum Council.

ACJ Reform

The paper on the Reform of the Advisory Council of Jurists was approved and adopted.

The Forum Councillors resolved to extend the FCWG mandate to continue to advise it on governance reforms.

02



제20차 APF 연례회의 자료

- 제20차 APF 연례회의 안건자료
- APF 거버넌스 개혁안
- 법률가자문위원회(ACJ) 개혁안

● 제20차 APF 연례회의 안건자료



Forum Councillors Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions

Ulaanbaatar, Mongolia, 26 – 28 August 2015

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1 Purpose

This report 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 20th Annual General Meeting to be held in Ulaanbaatar, Mongolia from 26 to 28 August 2015.

2 Background

The Forum Councillors Annual General Meeting ('**AGM**') is a formal meeting held once a year. It is a legal requirement for the APF as a not-for-profit organisation.

The AGM serves as an opportunity for Forum Councillors to review the operation of the APF over the past year and deal with issues such as the election of officers, the admission of new member institutions, and the approval of the annual audited accounts. It is also a good opportunity to discuss matters of mutual interest between member institutions and to communicate with partners and other interested stakeholders.

The meeting is restricted to APF member institutions and invited observers. Traditionally, Forum Councillors have invited the representative of the International Coordinating Committee of National Human Rights Institutions ('**ICC**'), representatives of the United Nations ('**UN**'), national human rights institutions ('**NHRI**') which have applied, or are intending to apply, for membership of the APF, and relevant stakeholders to attend the meeting as observers.

The approved Rules of Procedure for the meetings of Forum Councillors, Annual General Meetings and the APF Conference can be found at Annex 1.

3 Structure of this Paper

The report is structured in the sequence of the agenda items of the Forum Councillor meeting. Agenda items are preceded by a 'cover sheet' which provides the following information:

- the title of the agenda item;
- a summary of the main issues;
- any relevant considerations that should be drawn to the attention of Forum Councillors;
- who prepared the paper; and finally,
- who will introduce the item for discussion.

Where relevant the 'cover sheet' is then followed by a substantive paper. In order to make the information contained in this report as concise as possible,

electronic references are made to the full text of any substantive supporting documentation.

4 Evaluation of the APF

The APF secretariat is committed to providing quality services to APF member institutions. To assist us in this task we request your active participation in evaluating our performance and activities.

The APF secretariat will distribute an evaluation form for the annual meeting to Forum Councillors. Secretariat staff will then collect the completed forms at the conclusion of the meeting.

5 Confirmation of Attendance & Apologies



**Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions**
Forum Council Meeting Paper

Title:	Confirmation of attendance & apologies
Summary of issue:	<p>APF Forum Councillors attend the Forum Council meeting. Please note that as there are currently fifteen (15) full member institutions of the APF, clause 13.3(b) of the APF Constitution provides that the quorum for the meeting is four (4) members.</p> <p>Forum Councillors need to approve any other attendances at the meeting. Invitations have been issued to the ICC Secretary and NHRIs seeking membership of the APF to attend as observers.</p>
Recommendation:	That Forum Councillors (i) determine whether a quorum exists & (ii) approve the requests for observer status.
Relevant considerations:	<p>The APF Rules of Procedure are set out in Annex 1.</p> <p>Observers may be asked to leave the room for the discussion of specific agenda items at the discretion of Forum Councillors.</p>
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

6 Adoption of Agenda



Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions
Forum Council Meeting Paper

Title:	Adoption of the Agenda for the 20 th Annual Meeting of the APF and Biennial Conference
Summary of issue:	A draft agenda has been circulated to all Forum Councillors for comment and is at Annex 2.
Recommendation:	That Forum Councillors adopt the agenda.
Relevant considerations: (Policy, staffing, expenditure, political etc)	None
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

7 Election of APF Chairperson



**Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions**
Forum Council Meeting Paper

Title:	Election of APF Chairperson
Summary of issue:	As per the decision of Forum Councillors, the host institution of the annual meeting & biennial conference assumes the role of Chairperson of the APF. The National Human Rights Commission of Mongolia, as the host institution of the 20 th Annual Meeting of the APF & Biennial Conference, will therefore assume the role of Chairperson.
Recommendation:	That Forum Councillors elect the above Commission to the position of APF Chairperson.
Relevant considerations: (Policy, staffing, expenditure, political etc)	Only "A" status institutions can hold APF positions.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Director

8 Adoption of APF Strategic Plan 2015 - 2020



**Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions**
Forum Council Meeting Paper

Title:	Adoption of APF Strategic Plan 2015 - 2020
Summary of issue:	The draft APF Strategic Plan 2015 – 2020 was informed by APF member’s identification of their strategic priorities and an evaluation of past APF performance undertaken in 2013 and 2014. The first draft of the Strategic Plan was developed by a Forum Councillor Working Group (FCWG) comprised of Palestine, India, Philippines, Korea and Australia. The first draft of the plan was then sent to all Forum Councillors for their feedback and comment and tabled at APF19 for discussion. Following Forum Councillor feedback the FCWG revised the draft and re-submitted it to Forum Councillors for their consideration. The final draft is now presented at APF 20 for adoption.
Recommendation:	That Forum Councillors review and adopt the APF Strategic Plan for 2015 to 2020.
Relevant considerations:	As set out in the following paper and Annex 3.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

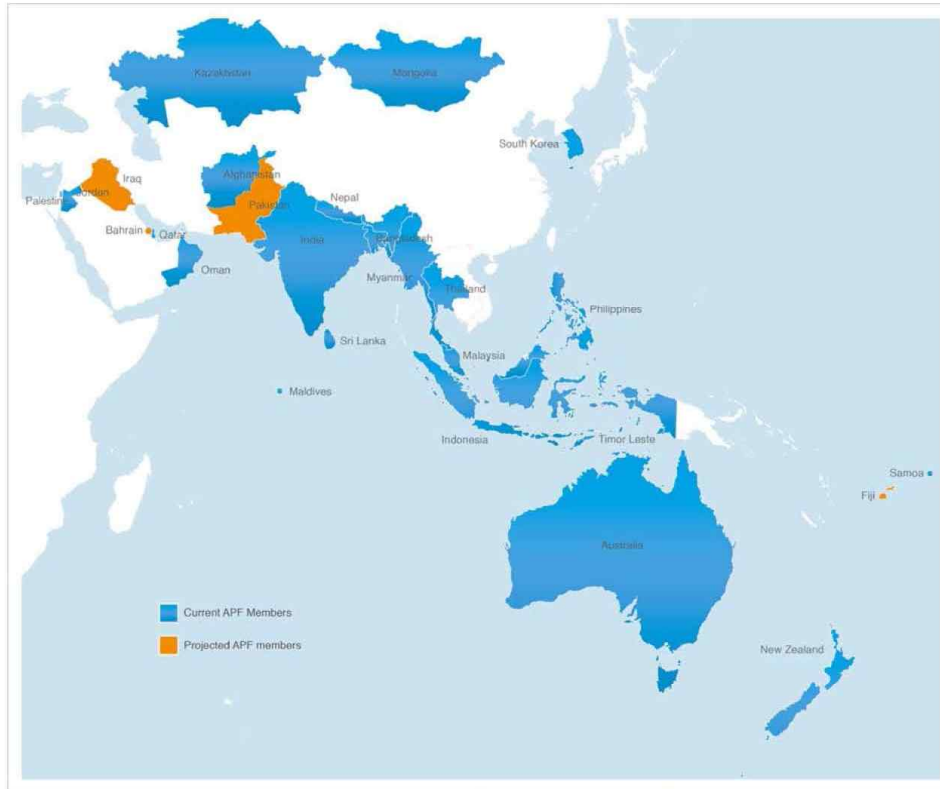
8.1 Asia Pacific Forum of National Human Rights Institutions

The APF is a membership organisation consisting of national human rights institutions (NHRIs) of the Asia Pacific region. It provides its members with advisory, capacity-building, networking and strategic services.

The APF currently has the following 22 member institutions:

- the **Afghanistan** Independent Human Rights Commission
- the **Australian** Human Rights Commission
- the National Human Rights Commission of **Bangladesh**
- the National Human Rights Commission of **India**
- the **Indonesian** National Commission on Human Rights
- the **Jordan** National Centre for Human Rights
- the National Centre for Human Rights of **Kazakhstan**
- the National Human Rights Commission of **Korea**
- the Human Rights Commission of **Malaysia**
- the Human Rights Commission of the **Maldives**
- the **Myanmar** National Human Rights Commission
- the Human Rights Commission of **Mongolia**
- the National Human Rights Commission of **Nepal**
- the **New Zealand** Human Rights Commission
- the National Human Rights Commission of **Oman**
- the **Palestine** Independent Commission for Human Rights
- the **Philippines** Commission on Human Rights
- the National Human Rights Committee of **Qatar**
- the Ombudsman of **Samoa**
- the Human Rights Commission of **Sri Lanka**
- the National Human Rights Commission of **Thailand**, and
- the Provedor for Human Rights and Justice of **Timor-Leste**.

8.1.1 APF Membership



8.2 Approach to Strategic Planning

This strategic plan for 2015-2020 is the result of an extensive program of participatory engagement amongst APF members and key stakeholders. The key elements of the process included an analysis of:

- the performance of the organisation over the past 5 years;
- the emerging human rights context for NHRIs in the region; and
- the views of APF members and key stakeholders including the United Nations, governments, civil society and donors.

8.2.1 Theory of Change

To help guide the development of its strategic direction to 2020, the APF articulated a 'Theory of Change'. The APF's theory of change asserts that independent and effective NHRIs, acting individually and collectively to

influence laws, policies, practices and attitudes, will create an improved human rights environment in the Asia Pacific.

8.3 APF Priorities

The APF's strategic plan for 2015 - 2020 sets out the activities, time frames and targets that will be required to deliver the functions that contribute towards key outcomes. It includes measures to mitigate risks arising from strategic and operational assumptions. The combination of the APF's theory of change, strategic priorities & functions and its vision and mission provide the basis of the APF's strategic plan for the next five years to 2020.

This strategic plan has been developed in recognition of the resources available to the APF. Accordingly the APF has prioritised the activities, time frames and targets described in this plan. These priorities have been developed in light of the strategic and functional priorities identified and approved by APF members.

8.3.1 Strategic Human Rights Priorities

In pursuing its functions from 2015 to 2020 the APF will foster human rights, peace and security by addressing civil, political, economic, social and cultural rights with priority accorded to the following groups:

- Children;
- Women;
- People with disabilities;
- Mass movement of people (including asylum seekers, refugees, migrants, internally and externally displaced persons); and
- Older persons.

In addition to the above, the APF will also prioritise activities relating to business and human rights.

8.3.2 Priority NHRI Functions

In delivering its strategic plan for 2015 to 2020 the APF will prioritise support for the following NHRI functions:

- Complaints;
- Awareness raising, education, training, and research (including national inquiries and campaigns);
- Cooperation with civil society;
- Monitoring; and
- Engagement in international and regional bodies and mechanisms.

8.3.3 Governance

With membership of the APF set to grow over the life of the strategic plan, it has become clear that a comprehensive review of the APF's governance is required

to ensure that the organisation's operational effectiveness, future sustainability, credibility and ownership by its members is strengthened and placed in the best possible position for continued future success. A review of governance arrangements is part of this strategic plan.

8.4 APF Vision, Mission and Functions

8.4.1 APF Vision Statement

The APF's vision is:

An Asia Pacific region where everyone enjoys human rights.

8.4.2 APF Mission Statement

The APF's mission is:

The APF as a network of national human rights institutions in the Asia and Pacific region provides advisory, networking and capacity-building services to our members to support them in their efforts to promote and protect human rights and to comply with international norms and standards.

8.4.3 APF Functions

To achieve its vision and mission the APF will undertake the following six functions. The prioritised activities, time frames, responsibilities and targets in this strategic plan are organised according to these functions:

Function 1: Building stronger NHRIs

The APF strengthens the capacity of our members through training, capacity assessments and high level dialogues.

Function 2: Collaborating and sharing knowledge

The APF exchanges information and experiences, builds cooperation and develops professional human rights networks to encourage peer to peer learning.

Function 3: Providing advice and expertise

The APF provides expert advice to our members, governments and civil society in the region.

Function 4: Contributing at the national, regional and international level

The APF engages nationally, regionally and internationally to promote our members participation and views and to share their expertise with others.

Function 5: Promoting gender equality

The APF promotes gender equality and integrates gender considerations across all our work.

Function 6: Strengthening organisational leadership and governance

The APF is diverse, effectively governed and sustainably resourced.

8.5 APF Outcomes

The APF has identified the following four key outcomes for its work from 2015 to 2020. The effectiveness of the APF in influencing the human rights environment in our region will be measured against these outcomes:

Outcome 1: Increased number of NHRIs complying with UN and international standards.

Outcome 2: NHRIs are better able to perform their functions in the areas of complaints, education, monitoring, advocacy and reporting.

Outcome 3: A more conducive environment for the recognition of NHRIs at the national, regional and international level.

Outcome 4: APF is well-governed, sustainably resourced, strategically directed and member-owned.

The following section describes the rationale for these outcomes.

Outcome 1: Increased number of NHRIs complying with international standards

National Human Rights Institutions and international standards

NHRIs need to fully comply with the minimum international standards set out in the UN endorsed 'Principles Relating to the Status of National Institutions (the Paris Principles) to be recognised as 'A-status' institutions.¹ The *Paris Principles* set out important criteria in relation to an NHRI's independence, pluralism, mandate, function, powers, and engagement with civil society, government, parliament and the international system. At the international level,

¹ <http://www.asiapacificforum.net/members/members/international-standards>

A-status NHRIs enjoy participation rights at the UN Human Rights Council such as separate accreditation status (different from States and NGOs), the right to speak under all items of the Council's agenda and the right to make written statements for inclusion in the official record of meetings. At the regional level, A-status institutions can also be elected to the APF governance board.

The International Coordinating Committee of National Human Rights Institutions (ICC) is the body that accredits NHRIs against the Paris Principles.² The ICC's role in accrediting NHRIs is officially recognised by the UN including the General Assembly, the Human Rights Council and other human rights mechanisms. The ICC develops 'General Observations' to assist in the understanding and interpretation of the Paris Principles. Accreditation of A-status NHRIs is reviewed every five years.

'B-status' NHRIs are those NHRIs not yet in full compliance with the Paris Principles. They do not enjoy the same access to the Human Rights Council as A-status NHRIs, nor can they be elected to the APF governance body.

APF assists in the establishment of NHRIs

In 1996 there were five NHRIs in the Asia Pacific region (Australia, India, Indonesia, New Zealand and the Philippines). Over the last 20 years the APF has provided advice and assistance on the establishment of NHRIs to governments and parliaments in the region. In 2015 the APF has 22 member NHRIs – 15 full members ('A' status)³ and 7 associate members ('B' status).⁴

The APF provides legal and accreditation advice to its members before, during and after the ICC accreditation process to assist them in relation to compliance.⁵ This provides NHRIs with additional knowledge and support to help them engage with their governments with the aim of developing better legislation in compliance with UN and international standards. It also gives NHRIs a better understanding of the accreditation process.

APF advisory services also assist the leadership of new and existing NHRIs to enhance their understanding of the core requirements for an effective NHRI. The APF secretariat also engages in the ICC accreditation process (twice a year the sub-committee for accreditation meets) by providing advice to the APF representative on the ICC sub-committee on accreditation. It also supports the ICC to continuously improve the interpretation of standards.

² <http://www.asiapacificforum.net/members/working-with-others/icc>

³ <http://www.asiapacificforum.net/members/members/full-members>

⁴ <http://www.asiapacificforum.net/members/members/associate-members>

⁵ <http://www.asiapacificforum.net/members/working-with-others/icc/sub-committee-on-accreditation/nhri-accreditation-process>

Outcome 2: NHRIs are better able to perform their functions.

APF provides services that build NHRI capacity

The APF provides a number of services to its members in support of the core NHRI functions (complaints, awareness raising, education, training and research including national inquiries and campaigns, cooperation with civil society, monitoring and engagement in international and regional bodies and mechanisms). The services delivered by the APF to its members include:

- Capacity assessments;
- Training in functional and thematic areas;
- SEO roundtable, specialised peer networks, AGM and biennial conference;
- High level dialogues;
- Assistance to members in strategic planning, newsletter, website;
- Advisory Council of Jurists;
- Strategic planning support; and
- Staff placements between NHRIs.

APF promotes and facilitates gender mainstreaming in the work of NHRIs

The mainstreaming of gender considerations is integrated into the functions of the APF. The APF has identified gender equality as one of its core functions and women and girls human rights as a key strategic human rights issue. The APF has adopted a Gender Policy and established a Gender Focal Point at a senior level within its secretariat to coordinate this focus. Further, the APF has adopted an APF Regional Action Plan on Women and Girls. The APF supports its members through capacity-building to help them to better use their functions to promote and protect women and girls human rights as well as reflect internally on their own institutional practices in relation to gender equality. Gender indicators are also developed to measure and report progress over the 5 year period.

APF builds shared capacity amongst NHRIs

Building collegiality and shared purpose is integrated into the combined APF services, resulting in enduring relationships between NHRI member commissioners and staff and promoting peer to peer interaction and learning. NHRI staff are provided with opportunities through adult learning to become more effective, knowledgeable and skilled. NHRI leadership are provided services that aid their strategic engagement and collaboration on human rights issues in their region.

Outcome 3: A more conducive environment for NHRIs.

APF promotes international and regional recognition of NHRIs

The unique and independent role of NHRIs in bridging the gap between international human rights laws, standards and norms and their implementation on the ground is universally recognised as critically important by the UN, States and civil society. Their existence is closely connected with the international human rights system and their growth can be traced directly back to the strong endorsement they received at the Vienna World Conference on Human Rights in 1993. As official bodies established by national law and/or constitutionally entrenched with a specific human rights mandate, they have a critical role in providing independent, objective information about human rights situations to the UN which is tasked with monitoring and reporting on human rights issues across the globe.

The unique role of NHRIs has been recognised by the UN Human Rights Council (HRC) which provides A-status NHRIs with formal recognition to participate in its sessions and other human rights mechanisms. This formal recognition by the Human Rights Council is set out in its Rules of Procedure. Nonetheless, the level of understanding and formal recognition and participation rights of NHRIs across the whole UN system is mixed. For example, unlike the arrangement at the HRC, 'A-status' NHRIs are unable to be accredited or participate independently in New York based UN bodies such as the General Assembly, ECOSOC, or its regional or functional commissions such as CSW or UN Open-Ended Working Groups. There are, therefore, significant gaps within the UN human rights system in relation to the recognition and participation of NHRIs. These gaps are not conducive to NHRIs effectively participating in those fora.

At the regional level there is no one pan-regional intergovernmental human rights body. Sub-regional institutions do exist, for example the ASEAN Intergovernmental Commission on Human Rights (AICHR). These sub-regional institutions do not officially recognise nor provide participation rights to 'A-status' NHRIs. NHRIs cannot therefore meaningfully engage with these bodies on national or sub-regional human rights issues.

The APF will work with its members to expand the recognition and participation of NHRIs within the international UN human rights forums and regional mechanisms. Through this engagement the APF membership can gain a greater knowledge of these systems and through their expertise influence the development of policies and human rights standards. In turn UN and regional systems could more effectively utilise NHRI authoritative reports and interventions in relation to domestic human rights issues. NHRIs could also more effectively monitor international and regional recommendations made to States and follow up at the national level. The APF will facilitate advocacy efforts and develop strategies for domestic advocacy by NHRIs with governments and partners. The long-term aim is to have 'A-status' NHRIs formally recognised with participation rights in UN-wide mechanisms and in regional human rights bodies. This recognition and greater understanding of

the role of NHRIs at the regional and global level will produce a more conducive environment in which NHRIs can operate. National governments are also assisted in meeting their human rights obligations by having their national accredited NHRIs access important deliberations and processes at the international and regional level.

APF supports Members in times of crisis

At the national level the APF, upon request of a member NHRI, can support individual members in times of crisis or concern. In close cooperation with the affected member, the APF facilitates a coalition of support involving its membership, the UN, civil society and governments. This support to the individual NHRI member also assists in raising awareness in the domestic sphere about the role and independence of NHRIs and helps make the domestic environment more conducive to the effective operation of NHRIs.

Outcome 4: The APF is a well-governed and resourced organisation.

APF requires sustainable resourcing and transparent governance to be effective

In order to achieve the previous three outcomes, the APF must be a highly effective and sustainably resourced organisation serviced by an effective secretariat.

The small six-person secretariat of the APF manage the day-to-day operations including the delivery of services to members, management of human and financial resources, risk management, fundraising, monitoring and reporting, and strategic planning. For continued and effective operations the secretariat requires a professional, high-performing, motivated and diverse mix of staff. It also requires transparent, accountable and equitable decision-making among the Forum Councillors (who are governing board of the APF) and member satisfaction with APF services. A number of challenges in the next five year period will be maintaining existing donors as well as diversifying the funding base for the APF to enable future stability and security in its operations. In addition a more effective monitoring, evaluating and reporting framework must be established.

8.6 Monitoring, Evaluation and Reporting

The business of the APF is complex, long term and unpredictable. It aims to increase the number of its member NHRIs in the Asia Pacific, all operating in their unique circumstances in different political contexts. It supports them in developing strong legislation for their effective operations and seeks to help them strengthen their capacity in the areas of complaints, education, monitoring, advocacy and reporting. It also seeks to develop a greater recognition of NHRI roles at national, regional and international levels including

within the UN system. In all these tasks, the APF is focused on its own good governance and sustainable resourcing, supported by a professional secretariat of six staff. It is a small but strategic organisation in an extremely complicated world of people, politics and bureaucracy.

In response to the Dwyer Review of 2014, the APF secretariat developed a theory of change in December 2014 to better articulate the high-level outcomes the APF is seeking to achieve and some of the interlinked logic of how it seeks to contribute to those outcomes.

The aim of this approach is to develop a straightforward and valid means of evaluating the effectiveness and monitoring the performance of the 2015-2020 strategic plan. This will generate useful performance information to help inform management decisions, satisfy donor reporting requirements and communicate APF performance in implementing its Strategic Plan to members and other stakeholders.

8.6.1 Monitoring

A framework of indicators and measurement methods at Annex 3 is part of this plan to measure performance against outcomes and APF functions. At the outcomes level, monitoring will focus on results achieved. At the functions level, monitoring will focus on the relevance and quality of APF's interventions.

Annual monitoring is assigned to APF secretariat staff. After the cut-off date (31 May each year) staff will collect the required performance information, analyse it and write a short, internal thematic performance report that describes and explains the performance. Quality assurance for these thematic performance reports and support to staff in their preparation will be provided by a consultant. Evidence for thematic performance reports will be systematically maintained as a resource for the evaluations.

The annual member survey will be revised to capture information required by the framework. The revised member survey will be sent to members in May with responses due back within a four-week turnaround period. Information from the member survey will be considered within the staff thematic performance reports where applicable.

The following brief thematic performance reports will be prepared by mid-June each year:

- Training;
- Capacity;
- Gender;
- Legal advice;
- Networking;
- Engagement;
- Communications; and
- Governance

These reports will be further analysed with the survey data and synthesised to produce an annual performance report by end of June that includes all the performance information needed to prepare the Annual Report.

8.6.2 Annual Reporting

A single Annual Report will be prepared to meet the needs of members, donors and prospective donors. It will tell the performance story of the APF, based on the annual performance report. The Annual Report will also draw on the digital storytelling collection, a visual expression using multi-media of the work of our members, which will be developed with our members.

Key to the APF's revised communications strategy is a shared narrative across all channels of communication. This extends to the Annual Report as well as a revised APF website to better reflect our vision, mission and functions. For the first year, 2015, the structure and nature of the Annual Report will be determined in May by secretariat staff and the draft Annual Report will be prepared during July in time for submission to Forum Councillors for consideration at APF 20.

8.6.3 Research

The complex, political and non-linear field of human rights lends itself to research as a means to collect and analyse information, including performance information. The APF could make stronger use of existing research or commission its own independent research. Research into the impact of NHRIs could be addressed on a thematic basis, such as the prevention of torture. Research would also strengthen the understanding around particular areas, for example, on NHRI contributions to public opinion on human rights issues. The APF could support long-term global research efforts on larger topics, such as the degree to which NHRIs are a good vehicle to contribute to the realisation of human rights. In the progressive implementation of this plan, specific research projects may be included as a means to deepen and strengthen performance information.

8.6.4 NHRI own Capacity for Monitoring and Evaluation Systems

The APF will develop and offer training and capacity building for NHRIs in their own monitoring and evaluation systems. This will help the continuous improvement of NHRI effectiveness. Information generated from member's own monitoring and evaluation will also be valuable input to illustrate APF higher order results.

8.6.5 Use of Performance Information by APF Management

Over time, performance information generated through this plan will inform management decisions. Two events are planned in the immediate future to signal this use of performance information for management purposes. The first is a staff forum at the end of the financial year to reflect on the implications of the performance information in thematic performance reports. The second is to initiate a performance conversation at the tabling of the draft Annual Report at the Forum Council at APF 20. Annual consideration of performance information generated from this plan will be an important governance function to be considered by the APF's governing body.

8.6.6 Baseline Report

In order to measure progress of what we want to achieve over the next five years, it is important to have a clear idea of the starting position and a clear idea of what the expectations are into the future, usually expressed as targets. A baseline report for the APF will be an analytic point of reference of the situation at the commencement of the five year strategic plan (1 July 2015) against which progress can be assessed again in the future. Most, but not all, of the performance indicators need a baseline. Much of the baseline data is available to APF secretariat staff, but requires additional resources to pull together. A consultant will facilitate, quality assure this process and research additional baseline information where this is needed. The baseline report should be compiled by December 2015.

8.6.7 Mid-term Review and end of Strategic Plan Evaluation

A mid-term review will be conducted in 2017. The main focus of this review will be to test whether the implementation of the APF's strategic plan is on track to achieve the desired outcomes by 2020. The end of strategic plan evaluation will need to be complete by September 2019 in order for the findings to feed into the next five year planning cycle of 2020-2025. Indicative questions for the evaluation are around effectiveness relevance, efficiency and sustainability, including:

- To what extent did the APF contribute to achieving the desired four outcomes?
- To what extent are the APF's activities the most appropriate for meeting the four outcomes (this tests the theory of change)?
- How efficiently did the APF achieve its outcomes? and
- How sustainable are the outcomes?

The impact of the APF's work will also be considered (see discussion following). The information generated annually from this Monitoring, Evaluation and Reporting Plan will be critical for the evaluation, which will also be likely to draw on case studies. Draft terms of reference for the evaluation will be developed

well in advance of the evaluation in close cooperation with members and donors.

8.6.8 Impact

Impacts are defined by the OECD Development Assistance Committee (DAC) as 'positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended.' Impact is one of the five core OECD DAC evaluation criteria for assessing development results, along with relevance, efficiency, effectiveness and sustainability (discussed above).

Evaluating impact, however, is a highly specialised endeavour. One of the early questions is to determine at what level impact should be measured – at the institutional level or at the beneficiary level (OECD DAC (2009)), both being valid levels depending on the nature of the intervention. The nature of the work of the APF suggests that impact is most sensibly measured at the institutional level. This will be captured in measuring the outcomes of the five year strategic plan. The APF Monitoring, Evaluation and Reporting Plan has been designed to capture impact at the highest reasonable level, for example in terms of member NHRI contributions to changes to laws. Impact in terms of human rights realisation at a beneficiary level (i.e. to individual persons) is too far removed from the work of the APF and extremely difficult to rigorously evaluate and attribute to the work of NHRIs, let alone their member organisation, the APF.

Nonetheless a global research effort could help answer the question of whether NHRIs are a good vehicle to contribute towards the realisation of human rights at a beneficiary level. The APF will advocate such a joint research endeavour with the tripartite group ICC-UNDP-OHCHR.

8.6.9 Progressive Implementation

The intention in designing this approach to monitoring, evaluation and reporting is to roll it out gradually and iteratively. It should not impose too many burdens on the staff at the APF secretariat or on members. Some aspects, for example action on communications, will have increased activity in future years. The first year (2015) will serve as a pilot and test of this approach, and refinements are anticipated following review in September 2015. The approach will then be implemented in line with the five years of the APF strategic plan (2015-2020), commencing 1 July 2015. Support for staff will be offered through consultants in analysing data, quality assurance and implementing the approach.

8.6.10 Annual Reporting Timetable 2016 - 2020

Below is a schedule in relation to the annual cycle of reporting:

Late March	Request for Annual Report on the Implementation of Capacity Assessment Recommendations
Early May	Distribute Annual Member Survey
Early June	APF secretariat collects and analyses performance information in thematic performance reports
Mid June	Analyse member survey and thematic performance reports and synthesize into annual performance report
End June	Staff forum to reflect on performance
Early July	Prepare Draft Annual Report
Mid July	Management review of Draft Annual Report
End July	Draft Annual Report in Forum Council papers
Late August-Sept	APF Forum Council Meeting considers Draft Annual Report

It is also important to note that additional budgetary resources have been allocated to the new Monitoring, Evaluation and Reporting Framework due to the need to source external technical assistance from outside the APF secretariat as well as taking into consideration the additional time and management required for the overall process.

8.7 Recommendation

That the APF Strategic Plan at Annex 3 be adopted.

9 International Activities



Twentieth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions

Forum Council Meeting Paper

Title:	International Activities
Summary of issue:	Dr Alan Miller, Secretary of the International Coordinating Committee of National Institutions ('ICC') and Chairperson of the Scottish Human Rights Commission, will present an oral report on behalf of the ICC Chairpersons.
Recommendation:	That Forum Councillors discuss any issues arising from the reports.
Relevant considerations:	None.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

10 APF – ICC Representation



Twentieth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions

Forum Council Meeting Paper

Title:	APF representation on the International Coordinating Committee of NHRIs, ('the ICC')
Summary of issue:	Nominations from "A" accredited APF member institutions are called for positions on the <ul style="list-style-type: none"> • ICC Sub-Committee on Accreditation; • ICC Business & Human Rights Working Group.
Recommendation:	That Forum Councillors review the roles and responsibilities outlined below and consider whether they wish to nominate individuals from "A" accredited APF institutions to these positions.
Relevant considerations:	As set out in the following paper.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

10.1 Background

The ICC has several organising committees. These are the:

- ICC Bureau (Board of Management);
- ICC Sub-Committee on Accreditation;
- ICC Finance Committee; and
- ICC Business and Human Rights Working Group.

10.1.1 Eligibility

The ICC statute and/or the respective rules of procedure for these bodies specify that only “A” accredited institutions can nominate for these positions.

10.1.2 APF policy

In electing APF members to representative positions on the ICC, Forum Councillors have adopted a policy of:

- encouraging a rotation amongst the APF membership in order to promote broad experience and opportunities for all members; and
- where more than one position exists on a Committee, promote a degree of continuity, knowledge and experience by rotating no more than half the positions at any one time.

Members should therefore note that the following NHRIs will continue to represent the APF at the ICC as follows:

- ICC Bureau: Qatar; Australia; Mongolia; Korea
- ICC Finance Committee: India
- ICC Working Group on Business and Human Rights: Malaysia

Elections for two positions are required due to vacancies. A vacancy on the Business and Human Rights Working Group arises due to the completion of the term of the Philippines Commission for Human Rights. A vacancy on the Sub-Committee on Accreditation arises due to the departure of Randa Siniora from the Palestine Independent Human Rights Commission.

10.2 ICC Sub-Committee on Accreditation (SCA)

10.2.1 Role and functions of the SCA

The role of the SCA is to review NHRI applications for accreditation or re-accreditation by assessing an applicant institution’s compliance with the Paris Principles and ICC General Observations. The SCA makes recommendations to the ICC Bureau, which makes final decisions on accreditation status.

The SCA meets twice annually in Geneva. Meetings are held over 1 full week in both March and (generally) October or November. The March meeting is timed to coincide with the ICC Annual General Meeting.

The SCA consists of 4 “A” accredited members, one from each region, who sit in their **individual capacity** for a term of three years.

For the past year, the APF’s representative on the SCA has been Randa Siniora, the Executive Director of the Palestine Independent Commission for Human Rights (PICHR). However a vacancy has now arisen due to her resignation from the PICHR.

10.2.2 The role of APF members

Nominees participate in the SCA in their individual capacity and are expected to consider applications and apply the relevant international standards objectively and without any regional, sub-regional or domestic bias.

In addition, with the assistance of the APF secretariat, they consult with, and promote the views of APF members in decisions about practice and procedure, and on the development of General Observations on accreditation.

The APF secretariat attends SCA meetings as an ex officio regional observer in order to assist the APF nominee, support the accreditation process, promote the application of the Paris Principles and General Observations, and ensure procedural fairness.

10.2.3 Issues to consider in nominating

Each meeting reviews between 12 to more than 15 applications, with each applicant required to provide documentation on its legislation, functions, membership, staffing, funding etc. Additional information, from UN Treaty Bodies and civil society, may also be submitted.

While the ICC secretariat (the National Institutions and Regional Mechanisms Unit of the Office of the High Commissioner for Human Rights) provides a summary paper of all the information that has been submitted, essential reading for each application is between 50 and 100 pages, with additional supporting material including relevant laws, annual reports, thematic reports and UN UPR and treaty body reports.

Participation on the SCA therefore requires a substantial amount of preparatory work, and the APF’s nominee should be able to review original source documents and consider this material in the context of the Paris Principles and the ICC General Observations prior to each meeting.

Meetings are held predominantly in English. While there is no simultaneous translation, limited informal translation into the ICC languages, either by members of the SCA or the secretariat, is available where necessary.

The SCA meets for two weeks per year in Geneva and representation on the SCA is currently unfunded. Representatives bear the costs associated with their participation, including travel and accommodation.

Given the importance of the work of the SCA, nominees should be at the level of APF Forum Councillor or equivalent.

Forum Councillors from any "A" status institutions can nominate to fill this vacancy. The term of office will be three years commencing from the APF Annual Meeting in August 2015. The first meeting after the election will be held from 16-20 November 2015.

In order to assist members to consider whether to nominate, or who to vote for, the following table shows past APF member eligibility and representation on the SCA.

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total /eligibility
Afghanistan				-	-	-	-	-	-	-	-	-	-	0 / 10
Australia	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Bangladesh														
Fiji	✓	✓	✓	✓										4 / 13
India	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Indonesia	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Jordan						-	-	-	-	-	-	-	-	0 / 8
Malaysia	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Maldives														
Mongolia	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Myanmar														
Nepal	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
New Zealand	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Oman														
Palestine								-	-	-	-	-	✓	1 / 6
Philippines	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Qatar								-	-	✓	✓	✓	-	3 / 6
Republic of Korea	-	-	-	-	✓	✓	✓	✓	✓	-	-	-	-	5 / 13
Samoa														
Sri Lanka	-	-	-	-	-	-								
Thailand	-	-	-	-	-	-	-	-	-	-	-	-	-	0 / 13
Timor Leste						-	-	-	-	-	-	-	-	0 / 8

	Not a member	Member but not eligible	-	Eligible but did not hold the position that year	✓	APF representative for that year
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Recommendation 1

That Forum Councillors consider nominating for the position on the ICC SCA.

The APF calls for nominations from 'A' status NHRIs to serve on the ICC SCA. In nominating and voting, Forum Councillors should note:

- that all four current members on the SCA are male. Forum Councillors should therefore consider nominating suitably qualified female candidates; and
- nominees should be at the level of APF Forum Councillor or equivalent.

APF members wishing to nominate for this position should contact the APF secretariat with a formal letter by **Friday 7 August 2015**. The APF will compile and circulate a list of nominees in the week prior to the meeting.

10.3 ICC Business and Human Rights Working Group

The ICC Business and Human Rights Working Group was established to facilitate NHRI engagement in the emerging area of business and human rights.

It consists of 10 members, two NHRIs from each region, as well as a representative of the ICC Chair and the immediate past Chairperson of the Working Group.

The current APF representatives are the Philippines and Malaysian NHRIs.

At APF 20, the Philippines Commission for Human Rights will complete its term on the Working Group and this position will be subject to re-election.

10.3.1 Issues for consideration

The Working Group pursues activities in three areas:

- Strategic Planning – Facilitating the inclusion of business and human rights issues into baseline research and strategic planning of NHRIs, and providing a platform for regional and international collaboration on joint NHRI programmes;
- Capacity Building and Resource Sharing – Facilitating skills development of NHRI staff in relation to business and human rights issues and providing a platform for NHRIs for the exchange of expertise and best practices and for the joint development of tools and materials; and
- Agenda Setting and Outreach – Facilitating ICC and NHRI participation in key domestic, regional and international developments in the business and human rights field, including in relation to legislation, treaties, soft law mechanisms and institutional developments.

The Working Group:

- meets twice annually for 1-2 days and generally in conjunction with ICC Bureau meetings where possible; and
- operates in English in most cases.

Representation on the ICC Business and Human Rights Working Group is currently unfunded and representatives bear the costs associated with their participation, including travel and accommodation. However, at least one meeting is held in conjunction with the ICC's Annual Meeting in Geneva and this limits the cost of additional travel to one meeting per year.

10.3.2 The role of APF representatives

APF representatives are expected to participate diligently in undertaking these activities, and to promote the interests of APF members in the activities of, and decisions made by this body.

APF representatives are therefore expected to work closely with, and consult, the APF Chairperson, members and the secretariat in carrying out their role, particularly where this relates to proposed positions or action to be taken by the ICC.

10.3.3 Nominations

In order to assist members to consider whether to nominate, or who to vote for, the following table shows APF member eligibility and representation on the Working Group.

	2009	2010	2011	2012	2013	2014	2015	Total /eligibility
Afghanistan	-	-	-	-	-	-	-	0 / 7
Australia	-	-	-	-	-	-	-	0 / 7
Bangladesh								
Fiji								
India	-	-	-	-	-	-	-	0 / 7
Indonesia	-	-	-	✓	-	-	-	1 / 7
Jordan	✓	✓	✓	-	-	-	-	3 / 7
Malaysia	-	-	-	-	-	-	✓	0 / 7
Maldives								
Mongolia	-	-	-	-	-	-	-	0 / 7
Myanmar								
Nepal	-	-	-	-	-	-	-	0 / 7
New Zealand	-	-	-	-	-	-	-	0 / 7
Oman								
Palestine		-	-	-	-	-	-	0 / 7
Philippines	-	-	-	✓	✓	✓	✓	4 / 7
Qatar		-	-	-	-	-	-	0 / 7
Republic of Korea	-	✓	✓	-	✓	✓	-	4 / 7
Samoa								
Sri Lanka								

Thailand	-	-	-	-	-	-	-	0 / 7
Timor Leste	-	-	-	-	-	-	-	0 / 7

	Not a member		Member but not eligible	-	Eligible but did not hold the position that year	✓	APF representative for that year
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Recommendation 2

That Forum Councillors consider nominating for the position as APF representative on the Working Group

The APF calls for nominations from 'A' status NHRIs to serve as the APF representative on this Working Group.

APF members wishing to nominate for this position should contact the APF secretariat with a formal letter by **Friday 7 August 2015**. The APF will compile and circulate a list of nominees in the week prior to the meeting.

11 Location of the 22nd APF Annual Meeting and Biennial Conference in 2017



Twentieth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions

Forum Council Meeting Paper

Title:	Location of the 22 nd APF Annual Meeting and Biennial Conference in 2017
Summary of issue:	Nominations are called to host APF22 in 2017. These events are normally scheduled in September/October.
Recommendation:	That Forum Councillors consider nominees and select the host.
Relevant considerations:	Only full members of the APF are entitled to host. The representative of the host of the combined Annual Meeting and Biennial Conference normally becomes the APF Chairperson for the two-year period 2017 to 2019. Please note, however, that Forum Councillors will be considering possible governance reforms to the APF which may change the appointment of the APF Chairperson and Deputy Chairpersons.
Submission prepared by:	Secretariat
Forum Councillor or officer responsible:	Chairperson

11.1 Background

Every two years the APF holds a combined Annual Meeting and Biennial Conference. The 22nd APF Annual Meeting and Biennial Conference will be held in 2017.

Nominations are called to host the 22nd APF Annual Meeting and Biennial Conference. Nominations are open to all 'A' status institutions.

11.2 APF Annual Meeting and Biennial Conference

Previously the APF held both its annual meeting and conference each year. At the 14th Annual Meeting and Conference of the APF, Forum Councillors agreed to:

- separate the annual business meetings of the APF from the conference;
- continue to convene APF annual business meetings each year;
- convene a combined APF annual meeting and conference every two years; and
- appoint the APF Chairperson at the combined annual meeting and conference and extend the term of office till the next combined annual meeting and conference.

Previous host institutions have been:

- APF 1 – Australian Human Rights Commission (1996);
- APF 2 – National Human Rights Commission of India (1997);
- APF 3 – National Human Rights Commission of Indonesia (1998);
- APF 4 – Philippines Commission on Human Rights (1999);
- APF 5 – New Zealand Human Rights Commission (2000);
- APF 6 – Sri Lankan Human Rights Commission (2001);
- APF 7 – National Human Rights Commission of India (2002);
- APF 8 – National Human Rights Commission of Nepal (2004);
- APF 9 – National Human Rights Commission of Korea (2004);

- APF 10 – National Human Rights Commission of Mongolia (2005);
- APF 11 – Fiji Human Rights Commission (2006);
- APF 12 – Australian Human Rights Commission (2007);
- APF 13 – Human Rights Commission of Malaysia (2008);
- APF 14 – Jordan National Centre for Human Rights (2009);
- APF 15 – National Human Rights Commission of Indonesia (2010);
- APF 16 – National Human Rights Commission of Thailand (2011);
- APF 17 – Jordan National Centre for Human Rights (2012);
- APF 18 – National Human Rights Committee of Qatar (2013);
- APF 19 – National Human Rights Commission of India (2014); and
- APF 20 – National Human Rights Commission of Mongolia (2015).

In 2016, APF 21 will be the annual meeting only. As per the decision of Forum Councillors this will be held at a central regional location without the need for a host institution.

11.3 Considerations

The practice of rotating the APF combined annual meeting and biennial conference around the region has a range of benefits. Members benefit by seeing first-hand the operations of other APF institutions. Equally, the host institution has an opportunity to engage with and forge relationships with other institutions and the APF. Domestic civil society organisations and regional and international NGOs also gain a better appreciation of the conditions in which APF members work.

Hosting an APF combined annual meeting and conference is, however, a considerable undertaking for an individual NHRI. While the majority of the costs associated with these meetings are borne by the APF, the host NHRI needs to fund or facilitate a formal dinner/function. The host NHRI also needs to provide secretariat support in both the lead up to, and the conduct of, the meeting.

Normally the host institution of the combined annual meeting and biennial conference will also assume the role of the APF Chairperson for a period of approximately two years and will undertake activities associated with this position. Please note, however, the Forum Councilor Working Group has made a number of recommendations to the full Forum Council concerning the reform of the APF's governance. If Forum Councillors adopt and implement these recommendations then the linkage between hosting a combined annual meeting

and biennial conference and becoming the Chairperson of the APF will cease. Nominees should therefore note this issue.

11.4 Nominations

At APF 19 the National Human Rights Commission of Nepal nominated to host the 22nd APF Annual Meeting and Biennial Conference in 2017. This nomination was, however, prior to the earthquake in Nepal in 2015. It would be prudent to determine if the Commission wished to still be considered as a nominee.

If any further 'A' status NHRIs wish to nominate to host APF 22 it would be appreciated if they can send a formal letter confirming their nomination by Friday 7 August 2015. All correspondence received will then be circulated to the full Forum Council.

11.5 Recommendation

It is recommended that:

- Forum Councillors consider and select a nominee to host the APF 22nd Annual Meeting and Biennial Conference in 2017. If more than one nominee is received an election will be held.

12 Election of APF Deputy Chairpersons



Twentieth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions

Forum Council Meeting Paper

Title:	Election of two APF Deputy Chairpersons
Summary of issue:	As per the policy decision of Forum Councillors, the immediate past Chairperson (Qatar) assumes the role of one of the Deputy Chairpersons and the host institution of the next combined annual meeting and biennial conference, assumes the role as the other Deputy Chairperson.
Recommendation:	That Forum Councillors elect the Deputy Chairpersons as per the above policy.
Relevant considerations:	Only full members of the APF are entitled to host. Please note that Forum Councillors will be considering possible governance reforms to the APF which may change the appointment of the APF Chairperson and Deputy Chairpersons during the proposed period of office.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

13 APF Directors and Financial Report



Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions
Forum Council Meeting Paper

Title:	APF Directors and Financial Report
Summary of issue:	The Directors report on APF activities and finances over the last reporting period is at Annex 4.
Recommendation:	That Forum Councillors consider and discuss any issues arising from the APF Directors and Financial Report. In particular Forum Councillors should review the APF performance information contained in the report and initiate a discussion on APF performance as part of the Forum Council's oversight of the APF.
Relevant considerations:	As detailed in the attached report at Annex 4.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Director

14 APF Audited Accounts



**Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions**
Forum Council Meeting Paper

Title:	APF Audited Accounts
Summary of issue:	The APF audited accounts are at Annex 5.
Recommendation:	That Forum Councillors adopt the Directors and Financial Report and pass the following resolution: “That on the 27 th August 2015 the full members of the Asia Pacific Forum of National Human Rights Institutions approve the “Directors’ Declaration” as set out in the audited financial reports for the year ended 30 June 2015 and authorise the APF Chairperson to sign the report on their behalf and the associated management letter to the auditors.”
Relevant considerations:	These procedures are required in order to satisfy the APF’s obligations under the <i>Corporations Act</i> (Cth) 2001 (the Act).
Submission prepared by:	Director
Forum Councillor or officer responsible:	Director

15 APF Annual Operations Plan for 2015-2016



Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions
Forum Council Meeting Paper

Title:	APF Annual Operations Plan for 2015-2016
Summary of issue:	Each year the APF secretariat produces an annual operations plan which provides details on the activities to be undertaken in line with the previously approved APF five-year strategic plan.
Recommendation:	That Forum Councillors consider and approve the draft annual operations plan at Annex 6.
Relevant considerations:	As set out in the 2015 to 2020 APF Strategic Plan and the following paper.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Director

15.1 Draft Annual Operations Plan for 2015-2016

The draft annual operations plan for the period 1 July 2015 to 30 June 2016 is submitted for the consideration and approval of Forum Councillors.

15.1.1 Purpose

The APF annual plan outlines the operations of the APF for 2015-16 to meet its vision and mission.

15.1.2 Functions

The APF's 2015 to 2020 strategic plan focuses on the following six key functions. The prioritised activities, time frames, responsibilities and targets in this operations plan are organised according to these functions:

Function 1: Building stronger NHRIs

The APF strengthens the capacity of our members through training, capacity assessments and high level dialogues.

Function 2: Collaborating and sharing knowledge

The APF exchanges information and experiences, builds cooperation and develops professional human rights networks to encourage peer to peer learning.

Function 3: Providing advice and expertise

The APF provides expert advice to our members, governments and civil society in the region.

Function 4: Contributing at the national, regional and international level

The APF engages nationally, regionally and internationally to promote our members participation and views and to share their expertise with others.

Function 5: Promoting gender equality

The APF promotes gender equality and integrates gender considerations across all our work.

Function 6: Strengthening organisational leadership and governance

The APF is diverse, effectively governed and sustainably resourced.

15.1.3 Outcomes

In keeping with the APF's strategic plan, operations for 2015-16 will cover the professional activities necessary to achieve the following four outcomes. The effectiveness of the APF in influencing the human rights environment in our region will be measured against these outcomes:

Outcome 1: Increased number of NHRIs complying with UN and international standards.

Outcome 2: NHRIs are better able to perform their functions in the areas of complaints, education, monitoring, advocacy and reporting.

Outcome 3: A more conducive environment for the recognition of NHRIs at the national, regional and international level.

Outcome 4: APF is well-governed, sustainably resourced, strategically directed and member-owned.

15.1.4 Activities

APF activities for 2015 to 2016 are detailed at Annex 6.

15.2 Recommendation

That Forum Councillors approve the draft annual operations plan at Annex 6.

16 General Business



**Twentieth Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions**
Forum Council Meeting Paper

Title:	General Business
Summary of issue:	<p>Forum Councillors have requested that the following issues be placed on the agenda as General Business items;</p> <ul style="list-style-type: none"> - Establishment of a regional human rights mechanism for South Asia (Afghanistan) - Death Penalty (Australia) - New Zealand National Plan of Action (New Zealand) - ASEM Conference (Korea)
Recommendation:	That Forum Councillors discussion these general business items and determine whether discussion of any additional general business items is required.
Relevant considerations:	None.
Submission prepared by:	Director
Forum Councillor or officer responsible:	Chairperson

17 Annexure

Annex 1 – APF Rules of Procedure

Annex 2 – APF 20 Program

Annex 3 – APF Strategic Plan 2015 - 2020

Annex 4 – APF Directors and Financial Report

Annex 5 – APF Audited Accounts

Annex 6 – APF Annual Operations Plan 2015 - 2016



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

ANNEX 1 Rules of Procedure

Forum Councillors Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions

Ulaanbaatar, Mongolia, 26 – 28 August 2015

Annex 1 – APF Rules of Procedure

Meetings of Forum Councillors

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Rules of Procedure for a meeting of Forum Councillors of the APF

1. Statement of Purpose

Forum Councillors of the Asia Pacific Forum of National Human Rights Institutions (APF) (Forum Councillors) are directors for the purposes of the Australian Corporations Act (Cth) 2001 (the Corporations Act). The Forum Councillors are responsible for managing the APF's business and affairs. A meeting of Forum Councillors provides an opportunity for Forum Councillors to meet and discuss general business, policy, strategy and membership issues of the APF. The following Rules of Procedure apply to meetings of Forum Councillors.

2. Convening a meeting of Forum Councillors

2.1 Frequency, time and place

The Forum Councillors may meet together and otherwise regulate their meetings as they think fit. They will, however, hold a meeting of Forum Councillors once in each calendar year immediately before the APF Annual General Meeting ('AGM').

2.2 Adjournment of a meeting of Forum Councillors

The Forum Councillors may adjourn their meetings as they think fit.

2.3 Notice of a Meeting of Forum Councillors

At least 6 weeks notice must be given to each Forum Councillor for the meeting of Forum Councillors held immediately before the APF AGM. Reasonable notice should be provided for all other meetings of Forum Councillors. Such notice must be given either personally, by telephone, facsimile, electronic means or by post. The notice must specify the time and place of the meeting. It may state the general nature of the business to be transacted at the meeting.

3. Documentation for a meeting of Forum Councillors

3.1 Provision of background papers

Background papers prepared will be available to all Forum Councillors 14 days prior to the meeting of Forum Councillors which occurs immediately before the APF AGM. Background papers for all other meetings of Forum Councillors will be provided as soon as practicable prior to the meeting.

3.2 Communications/submissions by members prior to a meeting of Forum Councillors

Any communications, submissions or documents to be tabled at a meeting of Forum Councillors should be forwarded to the APF Secretariat by electronic mail within 21 days of the date of the meeting.

4. Attendance, Representation and Credentials

4.1 Forum Councillors

All Forum Councillors may attend and vote at a meeting of Forum Councillors.

4.2 Appointment of Alternate Forum Councillors to attend and vote at a meeting of Forum Councillors

A Forum Councillor may, with the approval of the Forum Councillors, appoint a person as his or her alternate for a specified period in accordance with rule 14.14 of the Constitution. If the appointer does not attend the meeting, the alternate Forum Councillor may attend and vote in place of, and on behalf of, the appointer.

4.3 Invitation to attend a meeting of Forum Councillors

The Forum Councillors may invite any person to attend a meeting of Forum Councillors or part thereof. Invitees may speak, with the permission of the Chairperson, but not vote at the meeting.

4.4 Credentials

All invitees must inform the Secretariat in writing of their intention to attend a meeting of Forum Councillors at least two weeks in advance of the meeting and, if an organisation, must nominate one spokesperson for their organisation.

5. Conduct of meetings of Forum Councillors

5.1 Chairperson

The Forum Councillors may elect a Forum Councillor as Chairperson (and one or more Forum Councillors as deputy Chairpersons) and may decide the period for which that person is to be the Chairperson¹.

The Chairperson elected by the Forum Councillors must preside as Chairperson at meetings of Forum Councillors.

If at a meeting there is no Chairperson, or the Chairperson is not present within ten minutes after the time appointed for the meeting, or the Chairperson is present but is unwilling to chair the meeting, then the Forum Councillors present must elect one of the Forum Councillors as Chairperson.

The Chairperson shall be responsible for the control of the meeting and for ensuring that the Rules of Procedure are adhered to. Any question arising

¹ Generally the positions of Chairperson, first and second deputy Chairpersons are rotated annually. The established practice has been that the Chairperson/Chief Commissioner/President of the host institution of the APF Annual General Meeting (AGM) is elected as the Chairperson of the APF. The position of first deputy Chairperson is accorded to the Chairperson/Chief Commissioner/President of the institution that will host the next AGM and the position of second deputy Chairperson is accorded to the Chairperson/Chief Commissioner/President of the institution that held the most recently concluded AGM.

relating to the order of business, procedure or conduct of the meeting must be referred to the Chairperson whose decision is final.

5.2 Business to be discussed

The Forum Councillors must discuss any applications for membership to the APF which have been received since the preceding meeting of Forum Councillors. The applicant must not be in attendance while their application for membership is being discussed.

The Forum Councillors may discuss such other business as they see fit. However, where a Forum Councillor has a material personal interest in an issue that is being discussed they must not be present while the matter is being considered.

5.3 Quorum

No business may be transacted at a meeting of Forum Councillors unless a quorum of Forum Councillors is present at the time the business is dealt with.

A quorum consists of a fixed number for the quorum determined by the Forum Councillors.

If the Forum Councillors have not fixed a number, a quorum will be:

- (i) If the number of Forum Councillors is 9 or less, 3 Forum Councillors;
- (ii) If the number of Forum Councillors is between 10 and 15, 4 Forum Councillors; or
- (iii) If the number of Forum Councillors exceeds 15, 5 Forum Councillors.

5.4 Order for discussion

The order for discussion is progression through the agenda.

5.5 Decision-making

Decisions at a meeting of Forum Councillors should, as far as possible, be arrived at by consensus. Where there is no consensus decisions must be decided by a majority of votes cast by the Forum Councillors present. Such a decision is for all purposes a decision of the Forum Councillors. Each Forum Councillor has one vote. Where the votes on a proposed resolution are equal the Chairperson does not have a second or casting vote and the proposed resolution is lost.

5.6 Written resolutions

If a majority of Forum Councillors entitled to vote at a meeting of Forum Councillors assent to a document containing a statement that an act, matter or

thing has been done, or a resolution has been passed, and they would have constituted a quorum at a meeting of Forum Councillors then that act, matter, thing or resolution is taken as done at or passed by a meeting of the Forum Councillors.

If the Forum Councillors assented to the document at different times or on different days, the meeting will be taken as being held at the latest time, or on the last day, when the document was assented to.

A Forum Councillor may signify assent to a document by signing the document or by notifying the Forum Councillors of the Forum councillor's assent in person or by post, telephone, fax or other electronic means.

5.7 Working language of a Meeting of Forum Councillors

The working language of the meetings of the APF shall be English.

6. The APF secretariat

6.1 Role

The Secretariat shall facilitate the work of the meeting of the Forum Councillors by:

- (i) Providing necessary advice, clarifications, inputs and information;
- (ii) Acting as resource persons – particularly in the preparation of background papers; and
- (iii) Summarising discussions and preparing the final report of the meeting.

6.2 Reporting

The Secretariat will publish the executive summary of the meeting of the Forum Councillors within 60 days of the meeting being held.

7. Adoption and Amendment of Rules of Procedure

7.1 Adoption and Amendment

These Rules shall come into force on adoption by the Forum Councillors, will remain in force until amended by the Forum Councillors, and can be amended by the Forum Councillors as required.

7.2 Matters not covered by the Rules

Any matter not covered by these rules may be determined by a vote of the Forum Councillors.

Annual General Meeting

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Rules of Procedure for Annual General Meetings of the APF

1. Statement of Purpose

The following Rules of Procedure apply to Annual General Meetings of the Asia Pacific Forum of National Human Rights Institutions (the APF).

The APF must hold an Annual General Meeting (AGM) each year in order to satisfy its obligations under the Australian Corporations Act (Cth) 2001 (the Act). The purpose of the Annual General Meeting (which is hosted by one of the full member institutions of the APF) is to enable the full members of the APF to receive the APF's annual financial report, directors' report and auditor's report.

2. Convening an AGM

2.1 Frequency, time and place

The APF must hold an AGM once in each calendar year and within 5 months after the end of its financial year.

2.2 Extension of time for holding the AGM

If an extension of time is needed for holding the AGM beyond 5 months after the end of the financial year, the Forum Councillors must apply to the Australian Securities and Investments Commission for that extension in accordance with Section 250P of the Act.

2.3 Notice of an AGM

At least 6 weeks notice of an AGM must be given to every full member institution, each Forum councillor and the auditor of the APF personally, by facsimile, by e-mail or by pre-paid post. The notice must specify the date, time and place of the meeting and state the general nature of the business to be transacted at the meeting.

2.4 Adjourning an AGM

Prior to an AGM, the Forum Councillors may change the venue for, postpone or cancel the Meeting (in accordance with clause 13.1 of the Constitution).

At the AGM, the Chairperson may, and must if so directed by the meeting, adjourn the meeting time and place. The only business that can be discussed at any adjourned meeting is the unfinished business from the meeting at which the adjournment took place.

3. Documentation for the AGM

3.1 Provision of background papers

Background papers will be available to all full member institutions 14 days prior the meeting.

3.2 Communications/submissions by member institutions prior to an AGM

Any communications, submissions or documents to be tabled at an AGM must be forwarded to the APF Secretariat by electronic mail within 21 days of the date of the meeting.

4. Attendance, Representation and Credentials

4.1 Full member institutions/ Forum Councillors/ Auditor

All full member institutions may attend and vote at AGMs. Forum Councillors may attend and speak at AGMs. The APF's auditor or his/her representative is also entitled to attend and speak at an AGM.

4.2 Representation at AGMs

Each full member institution has one vote and may vote by proxy, attorney or representative in accordance with clause 13.9 of the Constitution.

4.3 Candidate and Associate Member Institutions and Observers

Any person may attend an AGM if invited by the Forum Councillors and, with the permission of the Chairperson, may speak but not vote at the meeting.

4.4 Credentials

All invitees should inform the Secretariat of their intention to participate in an AGM in writing at least two weeks in advance. If that invitee is an organisation, it must nominate, in writing, one spokesperson.

5. Conduct of the Meeting

5.1 Chairperson

The Chairperson of Forum Councillors must preside as Chairperson at each AGM and shall be responsible for the control of all sessions of the meeting and for ensuring that the Rules of Procedure are adhered to. Any question arising relating to the order of business, procedure or conduct of the meeting must be referred to the Chairperson whose decision is final.

If that Chairperson is not present, or not willing to act as Chairperson of the meeting, the full member institutions present must elect a Chairperson of the meeting.

5.2 Agenda

The Forum Councillors shall approve the provisional agenda prepared by the Secretariat.

5.3 Business to be discussed

The business of an AGM shall be the consideration of the annual financial report, directors' report and auditor's report, the fixing of the auditor's remuneration and any other item on the Agenda approved by the Forum Councillors.

The Forum Councillors must present the following reports to the AGM:

- The financial report;
- The directors' report;
- The auditors' report.

The Chairperson must also allow a reasonable opportunity for full member institutions to ask questions about, or comment upon, the management of the Forum.

If the auditor or his/her representative attends the AGM, the Chairperson must also allow a reasonable opportunity for full member institutions to ask questions about the conduct of the audit and the preparation and content of the auditor's report.

5.4 Quorum

No business may be transacted at an AGM, except the election of a Chairperson and adjournments, unless a quorum of full member institutions is present when the meeting proceeds to business. A quorum is either a number determined by the full member institutions or, if the full member institutions have not fixed a number, by the following method:

- (i) If the number of full member institutions is 9 or less, 3 full member institutions;
- (ii) If the number of full member institutions is between 10 and 15, 4 full member institutions; or
- (iii) If the number of full member institutions exceeds 15, 5 full member institutions.

If there is no quorum 30 minutes after the starting time of an AGM then it can be adjourned to another date. If there is no agreement about the date for the adjourned AGM it must be adjourned to the same day in the next week at the same time and place.

5.5 Order for discussion

The order for discussion is progression through the agenda.

5.6 Speaking Rights

Full member institutions may speak to each agenda item and then candidate and associate member institutions and other observers may speak (with the permission of the Chairperson) prior to moving onto the next agenda item.

5.7 Decision-making

Decisions at AGMs will, as far as possible, be arrived at by consensus. Where the Chairperson deems that there is no consensus the matter will be decided by a majority of votes by hand. Only full member institutions may vote on agenda items and each full member institution present has one vote. A proxy, attorney or representative is entitled to a separate vote for each full member institution that the person represents. Where the votes are equal the proposed resolution is lost. Candidate and associate member institutions do not have voting rights.

5.8 Working language of AGMs

The working language of the meetings of the APF shall be English.

6. The APF secretariat

6.1 Role

The Secretariat shall facilitate the work of the AGMs of the full member institutions by:

- (i) Providing necessary advice, clarifications, inputs and information;
- (ii) Acting as resource persons – particularly in the preparation of background papers; and
- (iii) Summarising discussions and preparing the final report of the meeting.

6.2 Reporting

The Secretariat will publish the executive summary of the AGM within 60 days of the meeting being held.

7. Adoption and Amendment of Rules of Procedure

7.1 Adoption and Amendment

These Rules shall come into force on adoption by the Forum Councillors, will remain in force until amended by the Forum Councillors, and can be amended by the Forum Councillors as required.

7.2 Matters not covered by the Rules

Any matter not covered by these rules may be determined by a vote of the full member institutions.

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Rules of Procedure for APF Conference

1. Statement of Purpose

The Asia Pacific Forum of National Human Rights Institutions (APF) plenary Conference (the Conference) is the key participatory Conference for all APF member institutions and registered observers in the Asia Pacific region. The aim of the Conference is to bring together national human rights institutions, the United Nations (UN), governments and Non-Governmental Organisations (NGOs) in a harmonious and practical setting in order to mobilise co-operation for regional human rights initiatives and to facilitate the establishment of new national human rights institutions in accordance with the Paris Principles. At the Conference, APF member institutions and registered observers hear and discuss reports from APF member institutions, Asia-Pacific governments and NGOs and discuss human rights issues of regional significance.

2. Representation and Attendance

2.1 Attendees

The Conference may be attended by all APF member institutions (full, candidate and associate), representatives of the OHCHR (and other UN agencies), government and NGO representatives, other relevant institutions and individuals who have been invited to observe or address the Conference.

All invitees should inform the Secretariat of their intention to participate in the Conference in writing at least four weeks in advance and must nominate one spokesperson for their organisation that has been granted powers by a proper authority enabling him or her to represent the organisation at the Conference.

2.2 Proxies/representatives

If an attendee has given notice of their intention to participate but they cannot subsequently be present at the Conference, she/he may nominate, in writing, one representative/proxy to attend instead.

3. Conduct of the Conference

3.1 Working Language.

The working language of the Conference of the APF shall be English.

3.2 Frequency, time and place of Conference

The frequency, time and place of the Conference shall be determined by the APF Forum Councillors.

3.3 Notice requirements

The APF Forum Councillors shall provide notice of the Conference at least 6 weeks prior to the Conference date by electronic mail. Notice will be given to all APF member institutions, representatives of the OHCHR and any other UN

agencies invited to address the Conference, government and NGO and other relevant institutions.

3.4 Agenda

The Chairperson of the Forum Councillors shall approve the provisional agenda prepared by the APF Secretariat.

3.5 Chairing of Conference and Conference sessions

The Chairperson of the Forum Councillors (Chairperson) shall preside at the Conference and ensure that the Rules of Procedure are adhered to. Any question arising relating to the order of business, procedure or conduct of the Conference must be referred to the Chairperson whose decision is final.

Conference's sessions will be chaired by an APF full member institution (session Chairperson) as determined by the agenda. The session Chairperson will be responsible for the control of the session and for ensuring that the Rules of Procedure are adhered to. The session Chairperson shall endeavour to allow all who wish to make interventions to do so during the allotted time.

3.6 Background papers

Background papers prepared for sessions will be available, where possible, to all participants or can be downloaded from the APF website at www.asiapacificforum.net.

3.7 Communications/submissions prior to the Conference

Any communications, submissions or documents to be tabled at the Conference are to be forwarded to the APF Secretariat by electronic mail at least 14 days prior the date of the Conference.

3.8 Order for discussion

The order for discussion is progression through the agenda.

4. Participation

4.1 Participation of APF member institution representatives

Member institutions of the APF are the principal actors of the Conference and interventions by them will take place before those of other participants.

For each session, APF member representatives may make initial introductory presentations and make subsequent comments. If APF member institutions propose to make introductory presentations they should provide a copy or outline of the presentation to APF Secretariat in electronic format 14 days before the Conference.

The responsibility for finalising the Conference conclusions lies with the Forum Councillors.

4.2 Participation of the United Nations

Representatives of the Office of the High Commissioner for Human Rights and other specified United Nations agencies may be invited to observe or address the Conference.

United Nations representatives with prepared written statements are requested to provide a copy of these to the APF Secretariat in electronic format 14 days before the Conference.

The session Chairperson should allow an appropriate opportunity for interventions by representatives of the United Nations.

4.3 Participation of Government representatives

Representatives of Government may be invited to observe or address the Conference.

Government representatives with prepared written statements are requested to provide a copy of these to the APF Secretariat in electronic format 14 days before the Conference.

The session Chairperson should allow an appropriate opportunity for interventions by government representatives.

4.4 Participation of NGOs

NGO representatives may be invited to observe or address the Conference.

NGO representatives are encouraged to prepare a collective report and to nominate a single representative to make any oral submissions. A copy of the collective report should be provided to the APF Secretariat in electronic format 14 days before the Conference.

The session Chairperson may allow, if time permits, an opportunity for additional interventions by NGOs.

5. Final Conference Statement

5.1 Content of the Final Conference Statement

The Final Conference Statement may only contain a summary of items discussed during the Conference.

5.2 Preparation of the Final Conference Statement

Only Forum Councillors may draft and adopt the Final Conference Statement and they will do so in closed session(s). Candidate and associate member institutions may observe the session(s).

6. The Role of the APF Secretariat

6.1 Role

The Secretariat shall facilitate the work of the Conference by:

- (i) Providing necessary advice, clarifications, inputs and information;
- (ii) Acting as resource persons – particularly in the preparation of background papers;
- (iii) Assisting the Chairperson and session Chairperson; and
- (iv) Summarising discussions and preparing the final report of the Conference.

6.2 Reporting

The Secretariat will publish the executive summary of the Conference on the APF website within 60 days of the Conference being held.

7. Adoption and Amendment of the Rules of Procedure

7.1 Adoption and amendment

These Rules shall come into force on adoption by the Forum Councillors and may be amended by the Forum Councillors as required.

7.2 Matters not covered by the Rules

Any matter not covered by these rules may be determined by a vote of the Forum Councillors.



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

ANNEX 2 APF 20 Program

Forum Councillors Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions

Ulaanbaatar, Mongolia, 26 – 28 August 2015



**TWENTIETH ANNUAL MEETING AND BIENNIAL CONFERENCE OF THE
ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS**

26 – 28 August 2015

Best Western Premier, Ulaanbaatar, Mongolia

DRAFT PROGRAM # 11 (6 August)

DAY 1 – Wednesday 26 August (Forum Councillors only)		
08:30 – 09:00	Registration	Registration desk located outside Soyombo Hall
09:00 – 10:30	<p>Fund Development Update and Workshop</p> <p><i>Facilitator: Ms Karen Van sacker, Vice President, Global Philanthropy</i></p> <p>This workshop will assist Forum Councillors to develop an understanding of fundraising theory and practice, along with their role in it. The workshop will be supported by practical, hands-on guidance for members to organise and facilitate awareness programs and donor cultivation meetings within the framework of other APF programs.</p>	Soyombo Hall
10:30 – 10:45	Group photograph	
10:45 – 11:00	Morning Tea	
11:00 – 12:45	Fund Development Update and Workshop (cont.)	
12:45 – 14:00	Lunch	
14:00 – 16:00	<p>APF – NGO dialogue: NHRIs and Human Rights Defenders</p> <p><i>Facilitator: Dr Muhyieddeen Touq</i></p> <p><i>Speaker: Mr Michel Forst, UN Special Rapporteur on the situation of human rights defenders</i></p> <p>The dialogue will provide an opportunity for NHRIs and civil society representatives to discuss the role of NHRIs in protecting HRDs, and NHRIs at risk when they promote and protect human rights.</p> <p>Discussion and ‘Questions and Answers’ session</p>	
16:00 – 16:15	Afternoon Tea and CLOSE	
16:30	<p>CULTURAL PROGRAM AND WELCOME DINNER</p> <p>Hosted by the National Human Rights Commission of Mongolia</p>	Chinggis Khaanii Khuree

DAY 2 – Thursday 27 August (Forum Councillors and invited observers only)		
09:00 – 10:30	<p>APF Forum Councillors and Annual General Meeting</p> <p><i>Chair: Dr Ali Bin Smaikh Al-Marri, Chairperson, National Human Rights Committee of Qatar.</i></p> <p style="text-align: center;">Agenda</p> <ul style="list-style-type: none"> • Confirmation of Attendance and Apologies (Chairperson) • Adoption of Agenda (Chairperson) • Election of APF Chairperson (secretariat) <p><i>Chair: Mr Byambadorj Jamsran, Chief Commissioner, National Human Rights Commission of Mongolia.</i></p> <ul style="list-style-type: none"> • Adoption of APF Strategic Plan (2015 – 2020) • ICC Chairperson’s Report • APF – ICC Representation • Location of 22nd APF Annual Meeting and Biennial Conference in 2017 (Chairperson) • Election of APF Deputy Chairpersons (secretariat) • APF Directors and Financial Report (secretariat) • Approval of Audited Accounts (secretariat) • APF Annual Operations Plan 2015-2016 • General business <ul style="list-style-type: none"> ○ Establishment of a regional mechanism for human rights in South Asia (Dr Sima Samar) ○ Death penalty (Professor Gillian Triggs) ○ New Zealand National Plan of Action (Dr Jacqueline Miller) ○ ASEM Conference (Korea) 	Soyombo Hall
10:30 – 10:45	Morning Tea	
10:45 – 12:30	APF Forum Councillors and Annual General Meeting (cont.)	Soyombo Hall
12:30 – 13:30	Lunch	
13:30 – 15:15	<p>Report back from Forum Council Working Group</p> <p><i>Facilitator: Dr Muhyieddeen Touq</i></p> <p>The report and recommendations of the Forum Council Working Group on (i) APF governance reforms and (ii) the reform of the Advisory Council of Jurists will be presented and discussed.</p>	Soyombo Hall
15:15 – 15:30	Afternoon Tea	
15:30 – 16:50	Report back from Forum Council Working Group (cont.)	Soyombo Hall
16:50 – 17:00	Evaluation Forms	

DAY 3 – Friday 28 August		
CONFERENCE: THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN PREVENTING TORTURE AND OTHER FORMS OF ILL-TREATMENT		
08:30 – 09:00	Registration	Registration desk located outside Soyombo Hall
09:00 – 09:30	<p>Welcome and Keynote Speech</p> <p>Welcome: <i>Mr Byambadorj Jamsran</i>, Chief Commissioner, National Human Rights Commission of Mongolia and Chairperson, Asia Pacific Forum of National Human Rights Institutions.</p> <p>Keynote Speech: <i>Mr Otgonbayar Yondon</i>, Chairman of Parliamentary Sub-Committee on Human Rights, Member of Mongolian Parliament.</p>	Soyombo Hall
09:30 – 11:00	<p>Session 1: The role of National Human Rights Institutions in Preventing Torture and other forms of ill-treatment</p> <p>Facilitator: <i>Tan Sri Hasmy Agam</i>, Chairperson, Human Rights Commission of Malaysia</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Ms Oyunchimeg Purev, Commissioner, National Human Rights Commission of Mongolia • “House of Prevention”, Ms Shazeera Zawawi, Asia Pacific Programme Officer, Association for the Prevention of Torture • Dr Simar Samar, Chairperson, Afghanistan Independent Human Rights Commission • Sevan Doraisamy, Executive Director, SUARAM <p>Discussion and ‘Questions and Answers’ session</p>	
11:00 – 11:15	Morning Tea	
11:15 – 12:45	<p>Session 2: Monitoring under the Optional Protocol to the Convention Against Torture (OPCAT)</p> <p>Facilitator: <i>Mr Marco Mona</i>, Former President, Association for the Prevention of Torture</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Ahmed Abdul Kareem, Member, Human Rights Commission of the Maldives (TBC) • Dr Jacqueline Miller, Equal Employment Opportunities Commissioner, Human Rights Commission of New Zealand • Dr Mousa Burayzat, Commissioner General, Jordan National Centre for Human Rights • Shahindha Ismail, Executive Director, Maldivian Democracy Network 	

	Discussion and 'Questions and Answers' session	
12:45 – 14:00	Lunch	
14:00 – 15:30	<p>Session 3: Engaging Law Enforcement and Security Forces</p> <p><i>Facilitator: Professor Amara Pongsapich, Chairperson, National Human Rights Commission of Thailand</i></p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Kazi Reazul Hoque, Member, National Human Rights Commission of Bangladesh • Mr Nur Kholis, Chairperson, National Human Rights Commission of Indonesia (TBC) • Justice Shri Cyriac Joseph, Acting Chairperson, National Human Rights Commission of India • Poengky Indarti, Executive Director, Imparsial <p>Discussion and 'Questions and Answers' session</p>	
15:30 – 15:45	Afternoon Tea	
15:45 – 16:45	<p>Session 4: APF Torture Prevention Ambassadors (TPAs)</p> <p><i>Facilitator: Professor Gillian Triggs, President, Australian Human Rights Commission</i></p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Agar-Erdene Gankhuyag, Torture Prevention Ambassador, National Human Rights Commission of Mongolia • Ms Young-Hye Kim, Torture Prevention Ambassador, National Human Rights Commission of Korea • Mr Sidonio Soares, Torture Prevention Ambassador, Timor Leste Office of the Provedor for Human Rights and Justice <p>Discussion and 'Questions and Answers' session</p>	
16:45 – 16:50	Evaluation Forms	
16:50 – 17:00	<p>CLOSING REMARKS and CLOSE</p> <p><i>Mr Byambadorj Jamsran, Chief Commissioner, National Human Rights Commission of Mongolia and Chairperson, Asia Pacific Forum of National Human Rights Institutions.</i></p>	



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

ANNEX 3 APF Strategic Plan 2015 - 2020

Forum Councillors Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions

Ulaanbaatar, Mongolia, 26 – 28 August 2015

APF Strategic Plan 2015 - 2020

Outcomes	Functions	Activities	Priority	Timeframe
<p>Outcome 1: Increased number of NHRIs complying with UN and international standards.</p>	<p>Function 1. Advising The APF provides expert advice on NHRIs to our members, governments and civil society in the region.</p>	<p>1.1 Paris Principles compliance: 1.1.1 Maintain expert capacity in Paris Principles compliance 1.1.2 Constant communication with members regarding relevance of advice, face-to-face engagement, accessibility and cultural and political sensitivity</p> <p>1.2 ICC accreditation: 1.2.1 Participation in ICC accreditation processes and interpretation of standards 1.2.1 Support and advice on accreditation and legislation for existing NHRIs</p> <p>1.3 Legislative advice to governments and NHRIs: 1.3.1 Support and advice on legislation to establish or improve existing NHRIs 1.3.2 Scoping missions</p>	<p>High High</p> <p>High High</p> <p>High Medium</p>	<p>Ongoing Ongoing</p> <p>Ongoing Ongoing</p> <p>Ongoing Ongoing</p>
	<p>Function 2. Networking The APF exchanges information and experiences, builds cooperation and develops professional human rights networks to encourage peer-to-peer learning.</p>	<p>2.1 Annual General Meetings 2.1.1 Maintain expert capacity in stakeholder management and facilitation 2.1.2 Build collegiality and shared purpose</p> <p>2.2 Biennial Conferences 2.2.1 Relationships built</p> <p>2.3 Senior Executive Officer Network: 2.3.1 Deliver SEO Round Table 2.3.2 Encourage peer interaction and learning 2.3.3 Facilitate knowledge & skills transfer between staff placement & host NHRI 2.3.4 Review the need for other specialised peer to peer networks</p> <p>2.4 Facilitate the development of a Communications Focal Point Network</p> <p>2.5 Communications: 2.5.1 Develop a communications strategy that will also support the APF's fundraising strategy and enhances its visibility and regional leadership role, including: <ul style="list-style-type: none"> • Website • e-bulletin </p>	<p>High High</p> <p>Medium</p> <p>Medium High Low Low</p> <p>Medium</p> <p>High</p>	<p>Annual Annual</p> <p>2015, 2017, 2019</p> <p>Annual Ongoing Occasional 2016</p> <p>2016 - 2020</p> <p>2015</p>

<p>Outcome 2: NHRIs are better able to perform their functions in the areas of complaints, education, monitoring, advocacy and reporting.</p>	<p>Function 3: Building capacity The APF strengthens the capacity of our members through training, capacity self-assessments and high level dialogues.</p>	<p>3.1 Training and education: 3.1.1 Maintain expert capacity in human rights training development and delivery 3.1.2 Develop a 2015 – 2020 APF Training Plan that continues to expand the use of blended learning and gives priority to online training to assist language barrier issues. The Plan to include: <ul style="list-style-type: none"> • Role of NHRIs in monitoring economic, social and cultural rights; • Role of NHRIs in relation to business and human rights; • Role of NHRIs in relation to women and girls human rights within a broader context of gender equality; • Role of NHRIs in relation to the human rights of people with disabilities; • Role of NHRIs in relation to migrant worker's rights; • Torture Prevention and Detention Monitoring; • NHRIs and the international human rights system; • Developing and delivering human rights education; • Investigation skills and techniques; • Train the Trainer' program, especially national TOTs to get a critical mass; and • 'Master Training' programs. 3.1.3 Participation in any training is conditional on knowledge sharing requirements being met 3.1.4 Liaise with West Asian APF members to ensure quality of translation into Arabic (modern standard). 3.1.5 Map training services and post-graduate courses available in the region 3.1.6 Encourage universities not yet teaching human rights to do so 3.1.7 Review implementation Training Action Plans</p>	<p>High High</p>	<p>2015 – 2020</p>
<p>Outcome 3: A more conducive environment for the recognition &</p>	<p>Function 4: Engaging regionally and internationally</p>	<p>3.2 Capacity self-assessment: 3.2.1. Develop a 2015 – 2020 Capacity Assessment Program 3.2.2 Review Implementation Capacity Assessment recommendations 3.3 High level dialogues 3.4 Advisory Council of Jurists: 3.4.1 FCWG to develop proposal for a revised ACJ structure, composition and reference process 3.5 Strategic planning: 3.5.1 Provide expert assistance to members in NHRI strategic planning 4.1 International Coordinating Committee of National Institutions: 4.1.1 Continue expert representation on ICC 4.1.2 Continue to support member representation on ICC 4.2 UN bodies and agencies: 4.2.1 Participate in the UN Human Rights Council and its mechanisms</p>	<p>High High Medium High</p>	<p>Ongoing Ongoing 2016 2017 2015 Ongoing Ongoing 2016 Occasional Annual Ongoing Ongoing</p>

effectiveness of NHRIs & a greater understanding of the role of NHRIs at the national, regional & international level.	The APF engages regionally and internationally to promote our members participation and views and to share their expertise with others.	4.2.2 Participate in the General Assembly	Medium	4.2.2 Participate in the General Assembly 4.2.3 Participate in the Conference of State Parties on Disability 4.2.4 Participate in the UN Open-ended Working Group on Ageing 4.2.5 Monitor in country support for member NHRI 4.2.6 Facilitate the development of coalition of support for NHRIs in times of crisis 4.2.7 Review costs and benefits of UN engagement in terms of human rights outcomes	Ongoing
		4.2.3 Participate in the Conference of State Parties on Disability	Medium		Ongoing
Outcome 4: APF is well-governed, sustainably resourced, strategically directed and member-owned	Function 5: Governance The APF is effectively governed and sustainably resourced through (i) a revised governance structure (ii) strategic planning (iii) human resources and financial management (iv) fundraising strategy and (v) monitoring, evaluation and reporting.	4.3 Engage with ASEAN Intergovernmental Commission on Human Rights.	Medium		Ongoing
		4.4 Engage with Arab League	Medium		Ongoing
		4.5 Engage with Pacific Island Forum	Medium		Ongoing
		4.6 Engage with South Asian Association for Regional Cooperation	Medium		Ongoing
		5.1 FCWG to develop a proposal for a revised APF governance structure	Medium		2017
		5.2 Strategic Planning:	High		2015
		5.2.1 Finalise APF Strategic Plan 2015 – 2020	Medium		2018
		5.2.2 Develop a strategic planning process for 2020 – 2025	High		Ongoing
		5.3 Human resource management	High		Ongoing
		5.4 Financial management	High		Ongoing
Function 6: Gender Equality The APF promotes gender equality and mainstreams gender across all our work	6.1 Continue to implement the APF Gender Mainstreaming Policy 6.1.1 Maintain expert capacity as gender focal point 6.1.2 Finalise Gender Mainstreaming Strategy	5.5 Develop Fundraising Strategy	High		2015
		5.5.1 Diversify funding base	High		2015
		5.6 Develop a monitoring, evaluation and reporting Program	High		2015

Framework of indicators and measurement methods

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
Outcome Indicators				
Outcome 1: Increased number of national human rights institutions complying with UN and international standards				
# of NHRIs that are APF members	Baseline (2015) 22 Target (2020) 25	Count at cut-off date each year	APF Forum Council decision in meeting record of decisions	Annual
# of A/ B accredited members	Baselines (2015): 15A and 7B Target (2020): 16A and 9B			Annual
Strength of NHRI legislation	Baseline needed ¹	Assessment against international standards	SCA reports	Annual
Percentage of NHRI Commissioners and staff who are women	Prior stats to give baseline. No target is set but pluralism principles must be advanced for successful achievement.	1. Annual member survey 2. Capacity Assessments	1. NHRIs 2. APF-UNDP-OHCHR (can be supplemented by NHRI websites and Annual Reports)	Annual

¹ Note that no target is set – a linear progression in strength of legislation is not necessarily anticipated. This qualitative and contextual indicator is designed to add depth to the discussion around indicators 1 and 2.

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
Outcome 2: National Human Rights Institutions are better able to perform their functions in the areas of complaints, education, monitoring, advocacy and reporting				
Member capacity	Baseline analysis of existing CAPS (17 out of 22). Note baseline analysis must include gender mainstreaming.	<ul style="list-style-type: none"> Analysis of: <ol style="list-style-type: none"> Reviews of Progress UNDP country office evaluations if available Gender mainstreaming 	<ol style="list-style-type: none"> NHRI/APF UNDP <ul style="list-style-type: none"> (may be supplemented by ANNI reports and NHRI annual reports) 	Annual
Integration of gender considerations into the core functions of NHRIs participating in the APF's gender program	Baseline needed	<ol style="list-style-type: none"> Sub regional training programs (pre- and post-questionnaires) Action plan MOU and reports APF knowledge from gender program implementation Capacity Assessments and Reviews of Progress 	<ol style="list-style-type: none"> NHRI APF <ul style="list-style-type: none"> (may be supplemented by NHRI Annual Reports, UN Women, UNFPA, NHRI websites, online media and searches) 	Annual
Number of laws influenced (changed, improved or created)	Needs no baseline	<ol style="list-style-type: none"> Annual member survey Email APF secretariat staff and consultants to find out existing knowledge Follow up member survey with interviews if necessary 	<ol style="list-style-type: none"> Members APF secretariat staff knowledge 	Annual
Outcome 3: A more conducive environment for the recognition and effectiveness of NHRIs at the national, regional and international level.				

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
Increased participation and recognition of NHRIs within UN framework	Baseline audit of formal and informal participation and recognition of NHRIs in UN framework	<ol style="list-style-type: none"> UN resolutions SG Report ICC reports APF internal reports 	<ol style="list-style-type: none"> UN UN ICC 	Annual
APF and member cooperation with civil society	Baseline needed	<ol style="list-style-type: none"> NGO participation in APF meetings and conferences and vice versa Engagement with civil society elements of CA annual reports Engagement with civil society in APF projects 	<ol style="list-style-type: none"> Meeting records CA annual reports Project records 	Annual
Recognition of the role of member NHRIs by national governments	Baseline needed	<ol style="list-style-type: none"> Whether parliament and executive respond to NHRI reports (annual member survey) Fewer reprisals 	<ol style="list-style-type: none"> NHRIs ANNI/ civil society APF 	Baseline, 2 years and 4 years
Outcome 4: The APF is a well-governed, sustainably resourced, strategically directed and member owned organisation				
Good governance standards are agreed and met	Can create baseline once standards agreed	<ol style="list-style-type: none"> Annual reflection Analysis of meeting records Interviews 	Meeting records for FCWG	Annual
Function Indicators				
Quality and relevance of advisory function				
Number of legal advices sought and provided	Historic data for baseline	Tallied by APF	APF records	Annual

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
Member satisfaction with accreditation and other substantial legal advice	Historic data for baseline	Survey member to determine satisfaction post each advice and SCA	NHRIs	Annual
Quality of advice	No baseline	Correlation between issues raised by APF and ICC SCA recommendations, analysed by APF	APF records SCA records	Annual
Quality and relevance of networking function				
Number of members participating in APF activities	100% (AGM) 100% (B/A Conference)	Attendance and participation records	Meeting records	Annual
Number of women and men participants	Baseline from previous events	Post SEO survey	SEOs	Annual
Quality and relevance of capacity building function				
Implementation of CA recommendations	70% of recommendations implemented by the end of the strategic plan.	1. Annual returns on implementation (target 80% returns) 2. Supplemented by interview if necessary 3. Follow up visits to discuss implementation	• Returns and discussions	Annual

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
Gender mainstreamed in Capacity Assessments	Incorporated in baseline design for capacity assessment	Analysis of reports	1. Specific annual CAP reports 2. Reviews of Progress	Baseline, 2 years and 4 years
Number of people trained disaggregated by gender	No baseline	Include specific question at registration	Training records	Annual
Gender incorporated into all training programs	No baseline	Review of training programs by trained APF staff plus trainee feedback	APF training report and post training survey	Annual
Relevance and accurate targeting of training courses to participants	Baseline from training records	1. Analysis of answers to relevance questions in end of training questionnaire 2. Analysis of cvs and experience of trainee	1. End of training questionnaire 2. Registration documents	Annual
Quality of training courses delivered	Baseline from training records	1. Analysis of answers to quality questions in end of training questionnaire 2. Views of APF observer	1. End of training questionnaire	Annual
Number of accredited trainers who are conducting training	Baseline from training records	Tally	Training records	Annual
Satisfactory implementation of communications strategy	Some baseline from historic data	Initially, through the annual member survey: • Relevance of the APF website to members	NHRIs	Annual

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
		<ul style="list-style-type: none"> Relevant content of the monthly APF Bulletin Relevance and timeliness of APF email broadcasts Progressively: <ul style="list-style-type: none"> Stakeholder engagement with APF website content Stakeholder engagement with APF email-based communications tools Member engagement in shaping APF communications. 		
Quality and relevance of engagement nationally, regionally and internationally				
NHRI participation in UN processes	Historic data for baseline	1. Annual member survey 2. Reports of Treaty Body Reviews & UPR	Reports and discussions	Annual
Progressive and appropriate NHRI participation in regional bodies	Historic data for baseline	Annual member survey	NHRIs and Secretariat staff	Baseline, 2 years and 4 years
Value to members of APF role in engaging with UN mechanisms	Historic data for baseline	Annual member survey	NHRIs	Annual
Quality and relevance of governance				

Indicator	July 2015 Baseline/ June 2020 Target	Measurement Method	Source of data	Frequency of measurement
Value of membership perceived by members	Historic data for baseline	Annual member survey ratings and comments about what is valued	Member NHRIs	Annual
APF program expenditure by objective reflects APF priorities	Historic data for baseline	Compare expenditure to priorities	Financial records and strategic plan	Annual
Diversity and security of income sources	Historic data for baseline	# of donors, type of donors and length of contracts	Financial records	Annual
Member satisfaction with APF's governance and organisational structure	Historic data for baseline	Annual member survey	Member NHRIs	Annual
Quality and relevance of gender mainstreaming function				
Percentage of APF overall budget expenditure which is spent on women and girls human rights as well as gender mainstreaming.	Historic data for baseline	Analysis of APF expenditure	APF financial records	Annual
Implementation of recommendations from gender mainstreaming review 2014	Baseline from gender mainstreaming review 2014	1. Analysis of performance information from other areas 2. Document review 3. Interviews with APF staff	1. Performance reports from APF programs 2. Strategic Plan documentation 3. APF staff	Annual



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

APF communications strategy 2015-17

Background

Good communication is vital to the work, effectiveness and financial sustainability of the APF.

In addition to providing relevant and timely information, good communication helps foster collegiality between our members and promotes close cooperation with our partners.

Stories about the work of the APF and our members also demonstrate impact to donors, partners and other stakeholders, as well as showcase the unique role of national human rights institutions (NHRIs) in leading positive change.

This communications strategy was developed to support the APF 2015-2020 Strategic Plan.

A key goal of the 2015-2020 Strategic Plan is to support APF members undertake their work by providing relevant training, networking and other capacity building programs. It also has a strong focus on fundraising activities, especially to introduce potential donors to the vision and approach of the APF.

Accordingly, the primary objective of the communications strategy is to support and enhance the APF's efforts in these key areas.

APF members and stakeholders have consistently endorsed the relevance and usefulness of the APF's communication activities, including the APF website, the monthly *APF Bulletin*, video resources and regular email broadcasts.

However, to ensure that the APF is able to support the implementation of the 2015-2020 Strategic Plan, it is critical that we take steps to address the following key communication challenges:

- To reach more staff, from more APF members with information relevant to their professional needs
- To collect and share more stories of impact, good practice and "lessons learned"
- To address barriers around language.

The communication strategy sets out a range of initiatives to work towards these outcomes.

Ongoing monitoring, drawing on quantitative and qualitative data, will be used to assess the effectiveness of these initiatives. The communications strategy will be reviewed in early 2017 and revised, as needed, to support implementation of the remaining three years of the 2015-2020 Strategic Plan.

Importantly, APF members have been involved in the development of this communications strategy and will play a critical role in its implementation and ongoing review.

APF 2015-2020 Strategic Plan

The 2015-2020 Strategic Plan, endorsed in March 2015 by the Forum Council, sets out six strategic functions:

- Building stronger national human rights institutions
- Collaborating and sharing knowledge
- Providing advice and expertise
- Contributing at the national, regional and international level
- Promoting gender equality
- Strengthening organisational leadership and governance.

Each strategic function includes a wide range of APF initiatives, including training and capacity building activities; provision of advisory services; and engagement with regional and international human rights bodies.

At the APF's 19th Annual Meeting in October 2014, Forum Councillors also agreed:

- That the APF enhance its visibility and regional leadership role
- That the APF adopt a communications strategy that will also support the APF's fundraising strategy
- That APF members should decide the scope of communications.

The priority human rights issues identified in the 2015-2020 Strategic Plan are:

- Children
- Women
- People with disabilities
- Mass movement of people (including asylum seekers, refugees, migrants, internally and externally displaced persons)
- Older persons
- Business and human rights.

Other core human rights issues – such as the prevention of torture and promoting and protecting the rights of vulnerable and marginalised groups – will continue to be an important focus of the APF's training and capacity building work.

Communication objectives

The APF communications strategy has been developed to support and enhance the activities set out in the 2015-2020 Strategic Plan, especially in relation to the first two priority areas (“Building stronger national human rights institutions” and “Collaborating and sharing knowledge”).

It is structured around the following four objectives and outlines an integrated set of communication initiatives to complement the APF’s training, networking and capacity building activities.

The four objectives are to:

- Support Commissioners and staff of APF members to do their work more effectively
- Strengthen links and understanding between APF members
- Demonstrate the role and contribution of the APF to key stakeholders
- Support the APF’s fundraising objectives

A focus on gender equality will be reflected in both the operation and the delivery of the communications strategy.

Audiences

The APF communications strategy will focus on engaging the following audiences:

- **APF members**, to support Commission members, managers and staff in their work and to foster links and understanding between our members
- **Partner organisations**, to demonstrate the role and contribution of the APF
- **Donors and potential donors**, including government agencies, corporations and philanthropic bodies, to support the APF’s fundraising and reporting objectives.

Governments, civil society organisations, academics and other groups engaged on human rights issues in the Asia Pacific region will continue to be important audiences for the APF.

Key communication elements

Through annual surveys and other feedback mechanisms, APF members and other stakeholders have strongly endorsed the relevance and usefulness of the APF’s communication initiatives, including the [APF website](#), the [APF Bulletin](#) and broadcast emails for NHRI Chairpersons and Senior Executive Officers.

The APF communications strategy builds on this foundation. It also proposes a series of new initiatives that reflect and respond to the information needs of our members, partners and donors.

These new initiatives include:

- Sourcing and sharing good practice examples, success stories and “lessons learned” from all APF members, that identify the ways in which NHRIs can lead change and protect the rights of vulnerable groups
- Developing digital stories (in multiple languages) that provide a “human face” to the work our members, demonstrate their commitment to promote and protect human rights, and highlight the impact they are having
- Producing a regular “APF Professional Series” email for Commissioners and staff, featuring accessible summaries of the professional development content in [APF training manuals](#) and links to video resources
- Publishing a “Year in Review” document, featuring high-profile activities and stories of impact from all APF members
- Developing a “new format” APF Annual Report that provides an accessible overview of our work and achievements across the six key areas of our 2015-2020 Strategic Plan
- Preparing video and text-based resources that explains the unique work of the APF and its members for donors and potential donors, such as the video on [Introducing the APF](#) (published in June 2015).

The APF website is currently being redeveloped to reflect the information needs of members and other stakeholders. The new website, online in the second half of 2015, will feature “good practice” case studies, success stories and digital stories across all sections of the site.

Social media

The use of social media (other than YouTube) has not been included as the APF’s primary audiences for this phase of the communications strategy are its members, partners and donors.

The communication initiatives set out above provide a more focused and direct form of engagement with these audiences, as opposed to more public-oriented social media platforms such as Facebook and Twitter.

Further, the significant investment of human resources necessary to deliver an effective social media presence would limit the APF’s ability to achieve the communication goals set out in this strategy.

Where appropriate, members will be encouraged to share relevant APF resources and news articles on their social media channels.

Access to video

Some APF members have limited access to the Internet or limited access to certain video sharing sites, such as YouTube and Vimeo. The APF will provide its video resources to these members on DVD/USB to ensure access for all staff within those institutions.

“Professional Series” emails which link to APF video resources will include a description of the specific video file to ensure that staff can easily locate the relevant file on the DVD/USB supplied.

Language barriers

While English is the agreed common language of the APF, the diversity of languages in use across the countries of our 22 members remains a major barrier to effective communication.

During this phase of the communications strategy, different online translation tools will be researched for their accuracy and utility. Digital stories will also be prepared in two languages (English and the language of the relevant NHRI) as a means of broadening their potential use.

The APF makes all its resources, including its [professional training manuals](#), available for translation by its member institutions. We will also provide the necessary publishing files to ensure the same format can be adapted for any translated document.

Where possible and within budget limitations, the APF will fund the translation of key resources into languages that maximise their use by staff of our member institutions.

Advice and feedback will be sought on an ongoing basis from members of the APF Communications Network to identify other approaches that can address language barriers and improve access to APF resources.

Member-driven approach

The APF communications strategy has been developed and will be implemented with the cooperation of APF members, through the APF Communications Network.

The APF Communications Network was established in April 2015 and includes senior staff from our members with wide-ranging professional skills and expertise in human rights education, communications and promotion.

Their active involvement will be critical to the success of the APF Communications Strategy. They provide a link between the APF secretariat and their respective NHRIs and will have a particular role to promote the APF's activities and share the APF's professional resources with Commissioners, managers and frontline staff in their organisations.

APF Communications Network members will also provide project updates, good practice case studies and "success stories", which can be featured on the APF website, in the *APF Bulletin* and in other communication initiatives for members, partners and donors.

An outline of the proposed involvement of APF Communications Network members is listed at Appendix 2.

Promoting gender equality

Promoting gender equality is a key objective of the APF. It is built into all our activities.

A focus on gender equality will be reflected in both the operation and the delivery of the APF communications strategy.

The APF Communications Network is currently composed of 10 women and 14 men (initially 11 women and 13 men). This broad gender balance ensures that men and women will be jointly involved in sourcing and preparing materials for use by the APF.

In particular, members of the APF Communications Network will be encouraged to identify and share project updates, success stories and good practice case studies on their NHRI's efforts to advance gender equality and to promote and protect the rights of women and girls.

This material will be published across all of the APF's communication channels.

Monitoring and evaluation

The APF communications strategy includes a range of quantitative and qualitative measures to identify whether our communication initiatives are delivering the outcomes we intend.

Quantitative measures will track the use of and engagement with the APF's electronic communication tools, such as the APF website, APF Bulletin, video resources and so on.

Online surveys and discussions with APF members, partners and other stakeholders will also provide relevant data to assess the effectiveness and utility of these communication initiatives

Data will be collected and analysed on a regular basis, with suggestions for improvements sought from the APF Communications Network to ensure that our shared effort is focused on those areas that are most useful and which have the greatest impact.

The APF communications strategy will be formally reviewed and updated in early 2017, in order to best support implementation of the final three years of the APF 2015-2020 Strategic Plan.

Engaging with the media

At the APF's 19th Annual Meeting in October 2014, Forum Councillors agreed that that the APF should enhance its visibility and regional leadership role.

Engaging with the media is an important way that the APF can draw public attention to issues of common concern to all members. It also provides an opportunity for the APF to build its public profile as a human rights leader in the Asia Pacific Region.

The primary goal of engaging with the media is to promote the work of the APF and to discuss issues of concern to the APF and its member institutions, especially initiatives related to:

- Establishing new national human rights institutions in the region
- Strengthening and supporting existing national human rights institutions
- Regional cooperation on human rights issues.

In some instances the APF may choose to make public comment on political, legislative or judicial developments that have the potential to undermine the independence or effective operation of an APF member institution.

The APF communications strategy includes a Media Policy (see Appendix 1) that sets out the process by which the APF will engage the media.

It reflects the decision of Forum Councillors at the APF's 19th Annual Meeting that "[a]ll public communications (for example, APF opinion pieces or press releases) be channelled through the Forum Council Chairperson and be in conformity with international law and standards".

Objective 1: Supporting Commissioners and staff of APF members to work more effectively

Outcome	Audiences	Channels	Outputs	Challenges & risks	Monitoring
Engage Commissioners, SEOs and staff with short, accessible plain language resources on key rights, issues and NHRI working methods	Commission members (especially in relation to engaging with the international human rights system) Senior Executive Officers	APF website, including through dedicated sections on professional development and "good practice" examples APF Bulletin, which will feature links to professional development resources and opportunities	Produce short and accessible summaries of key content in APF training manuals Produce and curate video resources relevant to the professional needs of NHRI staff and Commissioners	Need to source and curate "good practice" examples on a regular basis, including from APF Comms Network and APF Torture Prevention Ambassadors	No. of visits to professional resources section of website No. of clicks from "Professional Series" emails No. of subscribers to "Professional Series" email list
Promote professional development opportunities in a timely manner	Staff with experience or responsibilities for: - Women's rights - Children's rights - People with disabilities - Migrants/refugees - Older people - Torture prevention / detention monitoring - LGBTI people - Indigenous peoples - Investigations - Education and training - Media and communications	APF "Professional Series" emails, featuring web-based text and video resources, distributed to tailored email lists APF YouTube Channel, which will feature content and stories organised around key rights issues and NHRI working methods	Collect, curate and publish "good practice" examples of work campaigns from APF members Create and maintain email contact list for APF "Professional Series" emails Distribute APF Bulletin 11 times per year Distribute APF "Professional Series" emails on a regular basis	Need to test and validate the most effective way to reach NHRI staff and Commissioners Need to identify the extent to which language remains a barrier for staff and Commissioners in accessing APF resources (written and video)	No. of additional subscribers to APF Bulletin Open and click through rate for APF Bulletin No. of "good practice" examples collected Survey Commissioners, SEOs and NHRI staff to assess the extent to which they feel the APF resources are useful reference tools
Promote timely sharing of information and resources among SEO Network					
Promote awareness of APF communication channels / resources among Commissioners, SEOs and staff					
Gender focus: Content for the APF website, APF Bulletin, APF "Professional Series" emails and digital stories will feature the work of APF members to promote and protect the rights of women and to advance gender equality. The APF Communications Focal Point Network will include an appropriate gender balance to ensure that men and women are equally involved in sourcing and developing content.					

Objective 2: Strengthen connections and understanding between members

Outcome	Audiences	Channels	Outputs	Challenges & risks	Monitoring
Build greater awareness among Commissioners and staff about the work priorities and activities of other APF members	Commission members Senior Executive Officers Staff members	APF website, by featuring digital stories, "Year in Review" publication and key news stories APF Bulletin, which will feature a greater range of content sourced by APF Focal Points	Create a short "Year in Review" document, featuring success stories or high profile activities from each APF member (to be organised by country or by theme) Create and distribute a minimum of four digital stories each year, profiling APF representatives from different sub-regions Distribute APF Bulletin 11 times per year	Need to source up-to-date stories and project information on a regular basis from APF Focal Points Need to provide a streamlined process and easy-to-follow template to assist APF Focal Points to collect the necessary elements to create a strong digital story	No. of APF members contributing content for "Year in Review" document Open and click rate for "Year in Review" campaign email No. of additional subscribers to APF Bulletin Open and click through rate for APF Bulletin
Build greater understanding among all APF members of work being undertaken on priority human rights issues (e.g. women, children, business and human rights)		Email prepared by APF directing NHRI staff to featured content on the APF website, distributed internally by APF Focal Points APF broadcast emails to Commissioners and SEOs, as required APF YouTube Channel, featuring content on priority human rights issues APF Annual Meeting	Draft a short summary of key stories in each APF Bulletin, for APF Focal Points to distribute to staff in their NHRI	Need to provide a streamlined process and clear template for NHRI staff to provide information for the "Year in Review" document	Increased use of Bulletin/website among NHRI staff through summary email No. of views of digital stories Survey Commissioners, SEOs and NHRI staff to assess awareness of the work of other APF members and their sense of membership of the APF
Strengthen the sense of "membership" of the APF, especially among NHRI staff					
Gender focus: Content for the APF website, APF Bulletin, APF "Professional Series" emails and digital stories will feature the work of APF members to promote and protect the rights of women and to advance gender equality. The APF Communications Focal Point Network will include an appropriate gender balance to ensure that men and women are equally involved in sourcing and developing content.					

Objective 3: Demonstrate the role and contribution of the APF to key stakeholders

Outcome	Audiences	Channels	Outputs	Challenges & risks	Monitoring
Demonstrate the effectiveness of APF members by promoting examples of "good practice" and success stories in progressing a human rights agenda, especially in relation to priority human rights issues	Governments in the Asia Pacific region, including those where the establishment of NHRIs has been recommended Current donors, including government funders Potential donors, including individual philanthropists and corporate foundations Partner organisations, including key NGOs and UN agencies	APF website, which will feature digital stories, "Year in Review" publication and key news stories APF Bulletin, which will feature digital stories and a greater range of news items sourced by APF Focal Points	Create a short "Year in Review" document, featuring success stories or high profile activities from each APF member Create and distribute a minimum of five digital stories each year, profiling different sub-regions Distribute APF Bulletin 11 times per year to a growing number of partners, donors and potential donors Produce, distribute and promote a "new format" APF Annual Report Develop news articles and other resources tailored for inclusion in the newsletters of key partner organisations	Need to source up-to-date stories and project information on a regular basis from APF Focal Points Need to present stories and case studies that cover a diversity of issues and sub-regions Need to review and update email lists for donors, potential donors and partners on a regular basis Need to liaise with partner organisations to identify content areas / focus most relevant to their needs of their stakeholders	Open and click rate for "Year in Review" campaign email No. of additional subscribers to APF Bulletin Open and click through rate for APF Bulletin No. of views of digital stories Feedback from stakeholders on new format Annual Report No. of times APF material is utilised by partner organisations in their external communications Survey key donors and partners to see if they feel they have a clear understanding of the role and contribution of the APF.
Build understanding of the work of the APF to strengthen the capacity of its members and to promote the establishment of new NHRIs in the region Promote the advocacy work of the APF at the international level, and in developing common policy positions among its membership		Distribute the "Year in Review" document via a targeted email campaign to donors and stakeholders Distribute the APF Annual Report to donors and stakeholders Liaise with partner organisations to identify opportunities to include content in their external communications			
Gender focus: Content for the APF website, APF Bulletin, APF "Professional Series" emails and digital stories will feature the work of APF members to promote and protect the rights of women and to advance gender equality. The APF Communications Focal Point Network will include an appropriate gender balance to ensure that men and women are equally involved in sourcing and developing content.					

Objective 4: Support the APF's fundraising objectives

Outcome	Audiences	Channels	Outputs	Challenges & risks	Monitoring
<p>Build understanding of the unique role of national human rights institutions using simple language and practical examples</p> <p>Convince stakeholders that NHRIs are the most effective group in the Asia Pacific region to help drive long-term positive change on human rights</p> <p>Position the APF as the leading human rights organisation operating across the Asia Pacific region, with high standards of transparency, efficiency and accountability</p>	<p>Current donors, including government agencies</p> <p>Potential donors, including individual philanthropists and corporate foundations</p>	<p>Direct email communication with donors and potential donors, including the provision of supporting resources</p> <p>Face-to-face meetings with donors and potential donors</p> <p>Link donors and potential donors to the APF website, for detailed information about the role and approach of the APF</p> <p>Ongoing email communication, including through the APF Bulletin, to build and strengthen relationships and knowledge</p>	<p>Develop "Introducing the APF" promotional video</p> <p>Publish a short "Year in Review" document, featuring success stories or high profile activities from all APF members</p> <p>Create and promote a minimum of five digital stories each year, profiling APF representatives from different sub-regions</p> <p>Produce a new format APF Annual Report</p> <p>Produce clear and compelling reports that meet the reporting requirements of donors</p> <p>Promote APF donors on our website and all external communication channels</p>	<p>Need to present stories and case studies that cover a diversity of issues and sub-regions</p> <p>Need to ensure a consistency of messaging across all APF materials</p> <p>Need to ensure APF materials are presented in plain, accessible language</p> <p>Need to ensure clear and intuitive pathways for donors to access relevant information on the APF website</p>	<p>Feedback from donors on the clarity and usefulness of APF materials</p> <p>NB: This will be measured more formally through the APF's monitoring and reporting framework for fundraising activities.</p>
<p>Gender focus: Content for the APF website, APF Bulletin, digital stories, "Year in Review" document and Annual Report will feature the work of APF members to promote and protect the rights of women and to advance gender equality.</p>					

APF Media Policy

Background

The APF Media Policy sets out:

- who has responsibility for public comment on behalf of the APF
- the broad issues on which the APF will – and will not – provide public comment
- the importance of identifying potential topics of media interest prior to participating in regional missions, training programs or human rights forums
- the steps that a delegated representative of the APF should take before s/he speaks to the media
- the need for the delegated representative to report back to the APF secretariat on any media comment or coverage.

Responsibility for public comment

Public comment on behalf of the APF will be provided by the APF Chairperson. In some cases, these responsibilities may be delegated to the Director of the APF secretariat.

As appropriate, the Director of the APF secretariat may authorise the following to provide public comment to the media: **staff members of the APF secretariat, consultants to the APF and delegated representatives of APF member institutions** undertaking formal duties on behalf of the APF.¹

Issues for media engagement

The primary goal of engaging with the media is to promote the work of the APF and to discuss issues of concern to the APF and its member institutions, especially initiatives related to:

- establishing new national human rights institutions in the region
- strengthening and supporting existing national human rights institutions
- regional cooperation on human rights issues.

In some instances the APF may choose to comment on political, legislative or judicial developments that have the potential to undermine the independence or effective operation of an APF member institution.

APF member institutions may also agree to issue a joint public statement on major human rights issues of concern in the region as part of the APF Annual Meeting.

¹ A delegated representative of the APF may also need the approval of the Chairperson or responsible Commissioner of his/her national human rights institution. The Director of the APF secretariat will provide the necessary information to support the delegated representative's application, should it be required.

The APF's delegated representative **will not** respond to media requests to comment on the domestic human rights situation of countries in the Asia Pacific region or the performance of individual national human rights institutions. This dialogue is more appropriately held between the government, national human rights institution and civil society organisations of those particular countries.

Further, the APF's delegated representative will not comment on regional human rights issues where APF members have not developed an agreed position.

Preparing for media engagement

When preparing for participation in regional missions, training courses and human rights conferences, the APF secretariat will discuss with its partner organisations whether formal media commitments will be included in the program.

Where it is likely that media comment will be sought, the APF's delegated representative should liaise with the Director of the APF secretariat in advance of the program to identify some key speaking points. These should form the basis of any engagement with journalists.

In the event that a media request is made during the course of the program and the delegated representative does not feel sufficiently prepared or equipped to provide comment, s/he should:

- request the interview be postponed to a later time, so further information can be sought
- seek feedback or direction from the Director of the APF secretariat.

It should be stressed that the delegated representative is under no obligation to provide public comment, especially if there is concern about the context in which his/her comments may be reported.

Where necessary, the delegated representative can also direct the media request to the Director of the APF secretariat.

Responding to media requests

If the APF's delegated representative is requested to give a **media interview**, s/he should:

- clarify with the journalist the nature of the media request (topics to be covered, the media outlet where comment will be published, when and how the interview will be conducted, etc)
- determine whether the request falls within the agreed areas for APF media engagement (see above)
- determine whether s/he is the most appropriate person to provide public comment and whether s/he feels confident to do so.

In the event that a **press conference** is organised as part of an initiative involving the APF, the delegated representative should clarify with organisers:

- which media outlets will be invited to the press conference
- the other participants in the press conference

- what issues are likely to be canvassed during the press conference and which participants will be responsible for responding to which queries.

The APF's delegated representative is not required to give a media interview or participate in a press conference if s/he feels that it is not appropriate to do so or if s/he does not feel sufficiently confident.

S/he must also be formally authorised to speak with the media by the Director of the APF secretariat. This authorisation can be provided prior to the delegated representative participating in the program. Alternatively, authorisation can be sought via email, phone or SMS during the course of the program.

When providing public comment, the delegated representative should clarify with the journalist the capacity in which they are representing the APF (e.g. as a staff member of the APF secretariat, as a consultant to the APF or as representative of a member institution of the APF).

The delegated representative should refrain from providing 'off the record' information to a journalist. Every interaction with a journalist, and all comments provided, should be considered as being 'on the record'.

Reporting on media engagement

If public comment is provided to an individual journalist or to media representatives as part of a press conference, the APF's delegated representative should provide the APF secretariat with an email summarising:

- the journalist/media outlets involved
- the key issues/questions raised
- the responses provided
- any subsequent media coverage (if known or available).

Role of the APF Communications Network

The role of the APF Communications Network is to provide professional advice and input to support the development and implementation of the APF's communication strategy.

This input will ensure that the communications activities proposed are achievable and relevant to the interests and needs of Commissioners, managers and staff within their NHRIs. It should also contribute to greater reach and effectiveness of the APF's communication activities.

Members of the APF Communications Network will be asked to:

- Review and provide comments on the draft APF communications strategy
- Provide relevant news stories and project updates involving their NHRIs to the APF on a regular basis (e.g. forwarding a press release or newsletter)
- Provide assistance with sourcing information from which "success stories" and "good practice" case studies on the work of their NHRIs can be prepared
- Promote the APF Bulletin, the "APF Professional Series" emails and other resources to relevant Commissioners and staff within their NHRIs, including encouraging them to subscribe to the APF Bulletin and the APF Professional Series
- Contribute to the development of a digital story featuring their NHRI, should there be interest and capacity within the NHRI to do so
- Share relevant APF resources on their NHRIs' website and social media channels
- Review data collected on communications initiatives and propose changes to the APF communications strategy, as needed
- Contribute to a full review of the APF communications strategy in the first half of 2017.

The APF recognises that members of the APF Communications Network have a significant workload in meeting their responsibilities for human rights education, promotion and communication within their respective NHRIs.

Accordingly, the time requirements on members of the APF Communications Network will be kept to a minimum, with any requests for assistance scheduled well in advance.

The group will be coordinated by the APF's communications consultant, James Iliffe.

It is anticipated that the APF will provide professional development support and peer-learning opportunities for members of the APF Communications Network by hosting a blended learning course on media and communications.

The APF Communications Network currently includes representatives from all 22 APF member institutions, as well as representatives from the NHRIs of Bahrain and Iraq.



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

ANNEX 4 Directors & Financial Report

Forum Councillors Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions
Ulaanbaatar, Mongolia, 26 – 28 August 2015

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Appendix 3: Calendar of major activities for 2014-15

List of abbreviations

ANNI	Asian NGOs Network on NHRIs
APF	Asia Pacific Forum of National Human Rights Institutions
APT	Association for the Prevention of Torture
ICC	International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights
NGO(s)	non-governmental organisation(s)
NHRI(s)	national human rights institution(s)
NPM(s)	national preventive mechanism(s)
OHCHR	Office of the United Nations High Commissioner for Human Rights
Paris Principles	Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights
SPT	United Nations Subcommittee on the Prevention of Torture
UN	United Nations
UNDP	United Nations Development Programme
UPR	Universal Periodic Review

About the Asia Pacific Forum

The Asia Pacific Forum of National Human Rights Institutions (the APF) is the leading human rights organisation in the region. Established in 1996, we are a coalition of national human rights institutions (NHRIs) from all corners of the Asia Pacific.

NHRIs are independent bodies, established by law or via a constitution provision, to promote and protect human rights in their respective countries. While they are established by the government, they operate independently from government.

Strong and effective NHRIs help bridge the “protection gap” between the rights of individuals and the responsibilities of the State by:

- Monitoring the human rights situation in the country and the actions of the State
- Providing advice to ensure the State meets its international and domestic human rights commitments
- Receiving, investigating and resolving complaints of human rights violations
- Undertaking human rights education programs for all sections of the community.

Unlike the other regions in the world, there is no regional court or protection system covering the Asia Pacific that people can turn to when their human rights are violated.

This makes the role of NHRIs in our region even more critical.

The APF provides practical support and advice to our members in order to help them be as effective as possible. We also provide advice and expertise to governments and civil society groups in the region to support the establishment of independent NHRIs that meet the international standards set out in the Paris Principles.

The APF brings member institutions together to develop a shared vision and shared strategies to tackle many of the most serious and complex human rights challenges in the region.

We also develop partnerships at the international and regional levels to promote and protect human rights, raise the profile of NHRIs and ensure that the collective voice of our members is heard.

The APF is a progressive organisation directed towards bringing about genuine change and reform. We need this kind of collective spirit in addressing questions of injustice, impunity and inequity.

Loretta Rosales
Outgoing Chairperson, Commission on Human Rights of the Philippines

Source: APF interview, March 2015

Our vision

An Asia Pacific region where everyone enjoys human rights.

How we seek to create change

Bringing about change on complex issues is hard, long-term work. It is the result of many committed groups and individuals working together for shared outcomes.

Our goal is to work with others – governments, civil society and international partners – to build communities where the human rights of all people are respected, protected and fulfilled.

During the past year, we developed a Theory of Change which illustrates the complex and interconnected pathways through which our activities lead to four higher order outcomes:

- Outcome 1: Increased number of NHRIs complying with UN and international standards.
- Outcome 2: NHRIs are better able to perform their functions in the areas of complaints, education, monitoring, advocacy and reporting.
- Outcome 3: A more conducive environment for the recognition and effectiveness of NHRIs at the national, regional and international level.
- Outcome 4: The APF is a well-governed, sustainably resourced, strategically directed and member-owned organisation.

Indicators were developed for these outcomes, as part of a robust monitoring and evaluation system that will underpin the APF 2015-2020 Strategic Plan, which will commence in July 2015.

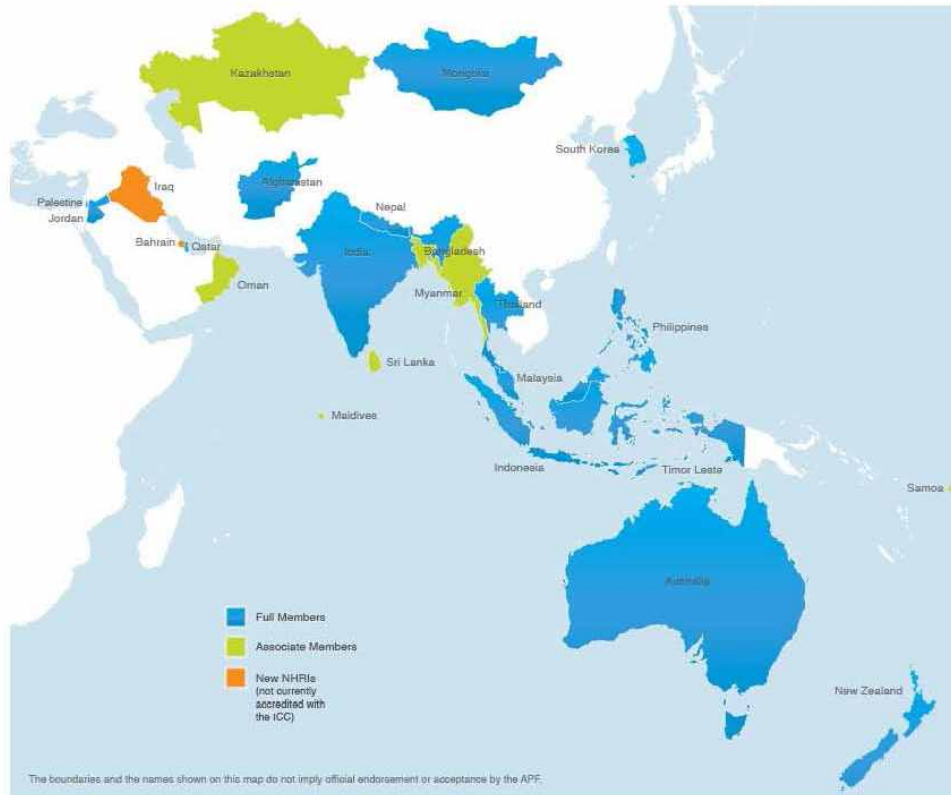
To achieve these outcomes, the APF will undertake the following six functions:

- Providing advice and expertise
- Building stronger national human rights institutions
- Collaborating and sharing knowledge
- Promoting gender equality
- Contributing at the national, regional and international level
- Strengthening organisational leadership and governance.

These functions have been designed and will be implemented in a way that contributes to each of the outcomes over the life of our five-year Strategic Plan.

As part of our transition to the new Strategic Plan, the 2014-15 Annual Report records our progress over the past year in performing these functions, drawing on data from a APF member survey and analysing performance information related to the delivery of our activities by a secretariat of six staff and a small number of external consultants.

Our members



The APF currently has the following 15 full members and seven associate members, drawn from all corners of the region:

- **Afghanistan** Independent Human Rights Commission
- **Australian** Human Rights Commission
- National Human Rights Commission of **Bangladesh**
- National Human Rights Commission of **India**
- **Indonesian** National Commission on Human Rights
- **Jordan** National Centre for Human Rights
- National Centre for Human Rights of **Kazakhstan**

- Human Rights Commission of **Malaysia**
- Human Rights Commission of the **Maldives**
- **Myanmar** National Human Rights Commission
- National Human Rights Commission of **Mongolia**
- National Human Rights Commission of **Nepal**
- **New Zealand** Human Rights Commission
- National Human Rights Commission of **Oman**
- Independent Commission for Human Rights of **Palestine**
- **Philippines** Commission on Human Rights
- National Human Rights Committee of **Qatar**
- National Human Rights Commission of **Korea**
- Ombudsman of **Samoa**
- Human Rights Commission of **Sri Lanka**
- National Human Rights Commission of **Thailand**
- Provedoria for Human Rights and Justice of **Timor-Leste**.

The important point to understand about national human rights institutions is that they are independent of government and they become, in a sense, the conscience of their country. We have a statutory power that allows us to speak the truth to power.

Professor Gillian Triggs
President of the Australian Human Rights Commission

Source: APF interview, May 2015

Highlights for 2014-15

Growing APF membership

Membership of the APF has grown to 22, with the National Centre for Human Rights of Kazakhstan admitted as an associate member at our 19th Annual Meeting in September 2014. The NHRI is based on an Ombudsman model and, in 2012, was accredited with “B status” by the ICC. In the past year, decisions on the international accreditation status of APF member institutions from Afghanistan, Mongolia, Nepal and Bangladesh were finalised by the ICC. Three members were re-accredited as “A status” and one was re-accredited as “B status”. The APF provided high quality advice to each member institution throughout the process.

Supporting NHRIs under threat

During the past year, we advocated strongly on behalf of three APF members – the Australian Human Rights Commission, the Human Rights Commission of the Maldives and the National Human Rights Commission of Thailand – who have faced reprisals for undertaking their work or serious threats to their independence. We also helped mobilise the support of the international community – including UN agencies, the ICC and leading NGOs – in support of our members.

Establishing an innovative approach to torture prevention

In November 2014, nine Torture Prevention Ambassadors from seven APF members met to develop their proposals for a large-scale torture prevention project in their respective countries. Our goal is to marshal their efforts to develop “good practice” models that others can draw on and advance a torture prevention agenda within the Asia Pacific region. We are undertaking this initiative in partnership with the Association for the Prevention of Torture, as part of a comprehensive three-year program of torture prevention activities for NHRIs in the Asia Pacific, funded by the European Union

Promoting the human rights of women and girls

Between January and April 2015, the APF held its first blended learning training course on the human rights of women and girls. Participants from our South Asia members (Afghanistan, Bangladesh, India, the Maldives, Nepal and Sri Lanka) explored how they could make full use of their mandates to promote gender equality and address the serious and systematic human rights violations that women and girls experience. The APF will provide \$5,000 “seed” funding to two members to assist them implement the action plans they developed as part of the course.

Inspecting places of detention in Samoa

For the first time ever, prisons and other places of detention in Samoa have been inspected by the Office of the Ombudsman, as part of its expanded mandate as the country's NHRI. Over a five-day period in January 2015, a team of inspectors visited six facilities and then presented their findings and recommendations in a report to Parliament. The inspections followed a tailored four-day APF training course held in Apia, Samoa, for staff of the Office of the Ombudsman and representatives from the Ministries of Police and Prisons and Correctional Facilities.

Advancing respect for the rights of LGBTI people

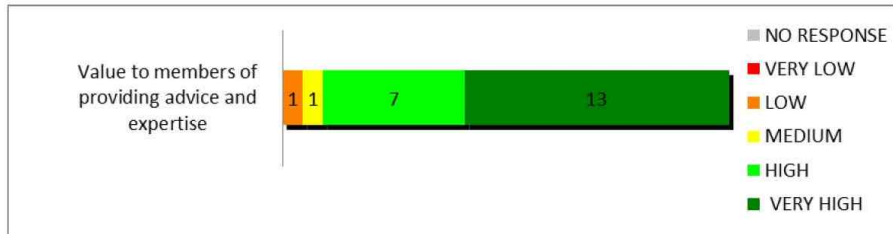
In February 2015, the APF and UNDP ran a workshop on the 'Role of NHRIs in Promoting and Protecting the Rights, including Health, of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) People in Asia and the Pacific'. Representatives from 16 APF members attended the two-day workshop, along with civil society groups in the region. The outcome document set out a range of practical goals and activities for NHRIs in relation to capacity building, research, monitoring, advocacy and education, promotion and dialogue. The APF has already taken steps to implement commitments we made at the workshop, by commencing work on a manual for NHRIs on sexual orientation and gender identity. This manual will be used in a blended learning training program for APF members.

The APF is one of four regional coordinating committees of NHRIs. Regional coordinating committees have also been established to support the NHRIs of Africa, the Americas and Europe. At the global level, the ICC promotes the establishment and operation of NHRIs in compliance with the Paris Principles.

What sets the APF apart is the breadth and depth of the services we offer to our members, including thematic training programs and an innovative capacity assessment program. We are the only body that provides specialist advice on NHRI legislation and international accreditation for our members, governments in the region and other stakeholders.

In addition, the APF continues to be a leader among NHRI bodies in promoting and monitoring gender equality.

Providing advice and expertise



Source: APF Member Survey 2015

In a region that does not have a comprehensive intergovernmental system to monitor, promote and protect human rights, the role and contribution of NHRIs is vital.

A fundamental goal of the APF is to support the establishment of independent NHRIs in Asia Pacific region and to strengthen those that do exist.

To do this, we provide advice to governments and civil society groups on the unique status of NHRIs; their roles and functions; their relationship with government, parliament and civil society; and the international accreditation process.

This may include legal advice on compliance with the international standards for NHRIs set out in the Paris Principles and technical advice on operational issues, such as organisational structure, operational procedures and financial resources.

Members highly value the APF's provision of advice on legislation, accreditation, policy and practice. Those who rated the value of this APF function lower did not receive direct advice from the APF during the reporting period.

1. Membership and accreditation

The National Centre for Human Rights of Kazakhstan was admitted as an associate member at the APF's 19th Annual Meeting in September 2014, bringing the APF's membership to 22.

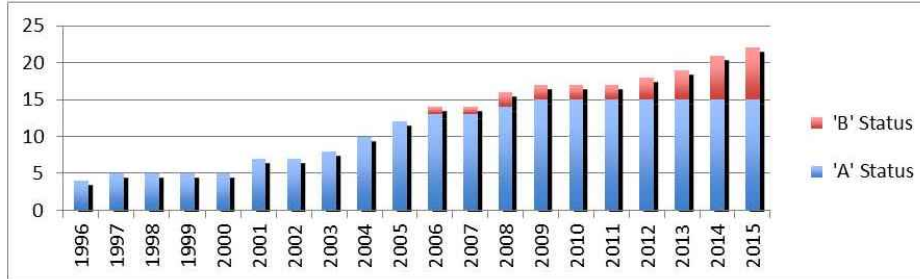
The APF now has 15 full members and seven associate members.

To be admitted as a full member, a NHRI institution must fully comply with the minimum international standards set out in the Paris Principles. Institutions that partially comply with the Paris Principles are granted associate membership.

To ensure consistency and to minimise duplication, we use the accreditation decisions of the ICC to determine APF membership status. Full membership of the APF is equivalent to the ICC accreditation of "A status" and associate membership of the APF is equivalent to the ICC accreditation of "B status".

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Figure 1: Growth in APF membership



2. Advisory services

In 2014-15, the APF responded to 40 requests from NHRIs, governments, UN agencies, international organisations, civil society organisations and other stakeholders. These requests covered a broad range of issues, including:

- Legislation to establish or re-establish NHRIs
- Legislative amendments to strengthen existing NHRIs
- International accreditation of NHRIs
- Improvements to the international NHRI accreditation process
- Comparative analysis of legislative good practice
- Policy and practice development.

In our efforts to promote the establishment or strengthening of NHRIs, it is critical to ensure that that our advice, while promoting international standards, is drafted with an appreciation of the constitutional, political, social and cultural context in which the proposed or existing NHRI operates.

Another challenge relates to the provision of advice to NHRIs that may be subject to, or threatened with, reprisals for raising concerns about human rights violations. In these cases, it is important that advice is constructed and provided in a way that is most likely to promote a positive outcome.

Legislation to establish or re-establish NHRIs

The APF provided advice to government ministers and OHCHR on the application of the Paris Principles and General Observations as they relate to proposals to re-establish an NHRI in Fiji.

Legislative amendments to strengthen existing NHRIs

The APF provided advice to member institutions on amendments to their NHRI's enabling legislation to address concerns about compliance with the Paris Principles and

General Observations as they relate to the selection of Commissioners in Palestine and Korea.

International accreditation of NHRIs

The Paris Principles provide the core framework for assessing the independence and effectiveness of NHRIs. In particular, they are used by the ICC to determine the accreditation status of NHRIs. The APF provided advice on international standards and accreditation to Bangladesh, the Maldives, Myanmar, Nepal, Iraq, Palestine and Jordan.

This advice related primarily to an NHRI's legislative or practical compliance with existing international standards, highlighting those issues that were likely to impact on the effectiveness and efficient operation of NHRIs, as well as the practice and procedure of the ICC Sub-Committee on Accreditation.

In the reporting period, decisions on the accreditation status of four APF members and one non-member NHRI were finalised (Afghanistan, Iraq, Mongolia, Nepal and Bangladesh). A comparison of the APF's advice against the issues raised in decisions of the ICC Sub-Committee on Accreditation shows a direct correlation in 19 out of 22 issues. This is seen to reflect very high quality and relevant advice.¹ Three APF members were re-accredited as "A status" by the ICC and one was re-accredited as "B status".

The APF was represented on the ICC Sub-Committee on Accreditation by the Independent Commission for Human Rights of Palestine. The APF secretariat attended meetings of the Sub-Committee as an observer, along with the regional coordinating bodies of NHRIs from Africa, the Americas and Europe.

Improvements to the international NHRI accreditation process

The APF participated in a review of the accreditation provisions in the ICC Statute, including preparation of a policy paper, facilitating a consultation session with Board members and preparing a report for consideration of future amendments of the ICC Statute.

Comparative analysis of legislative good practice

The APF provided advice to an academic research institution on the application of the Paris Principles and General Observations as they relate to proposals to establish an NHRI in China.

¹ The correlation of advice against issues raised by the ICC is an indicator of its quality and relevance. Whether the advice is taken up by an NHRI and the actual accreditation outcome is a matter of the degree to which the country or NHRI takes up the advice.

Policy and practice development

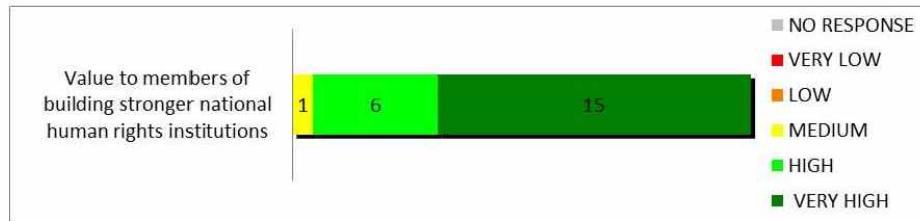
The APF supports members through the provision of advice and assistance in relation to institutional policy and practice. The APF assisted the Office of the Ombudsman of Samoa to develop a website application to support the institution undertake its work.

... ICHR highly values the APF's contributions in reviewing its by-laws and giving legal advice on means of developing those bylaws to ensure ICHR's compliance with Paris Principles regulating the work of NHRIs. In this context, ICHR also appreciates support given to ICHR through conducting special workshops in Amman in February 2015 to support ICHR in preparing its re-accreditation documents for the upcoming review of ICHR at the Sub-Committee on Accreditation in November 2015.

Independent Commission for Human Rights of Palestine

Source: APF Member Survey 2015

Building stronger national human rights institutions



Source: Annual Member Survey 2015

Independent and effective NHRIs can be powerful agents for change.

They can use their complaint handling, investigation, advisory and education functions to promote and protect the rights of all people, especially vulnerable groups, as well as engage with the international human rights system to draw attention to pressing issues.

Many of the APF's activities are directed towards supporting our members to do this work as effectively as possible, by providing:

- Capacity assessments that enable our members to identify achievable steps to strengthen their institutions
- Training programs to build knowledge and skills that are central to the work of effective institutions
- Specialist programs tailored to the needs of individual members.

Of all our functions, our work to build stronger NHRIs is rated the most highly by our members.

[We have] benefited a great deal from the efforts and activities of the APF, especially the capacity building programmes, as well as the array of manuals developed by the APF on various human rights thematic issues, which have served as valuable sources of reference for the Commission.

National Commission on Human Rights of Indonesia

Source: Annual Member Survey 2015

1. Strengthening the capacity of our members

The Capacity Assessment Program is an initiative to build strong and effective NHRIs in the Asia Pacific region.

The goal is to support our member institutions to identify the capacities they have and those they need to strengthen in order to fulfil their mandate to promote and protect rights at the national level.

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It is a forward-looking process that identifies strategies to bolster the capacity of the NHRI in the following five-year period.

Run in partnership with the UNDP and OHCHR, 17 APF members have undertaken a capacity assessment since the program was first run in 2008, including the Provedoria for Human Rights and Justice in Timor Leste in January 2015.

Each capacity assessment is based on a self-assessment process that draws on the expertise and insights of those working within the NHRI, including Commissioners and all staff. There is a particular focus to ensure that the perspectives of female Commissioners and staff are captured and presented in the final report.

The report of the capacity assessment proposes strategies to strengthen the NHRI as a whole, to develop the capacities of staff individually and collectively, and to make the internal processes of the NHRI more effective and efficient.

The report is a confidential document, owned by the NHRI, although the NHRI is encouraged to share the report or a summary with key stakeholders, including those who contributed to the capacity assessment process. It includes recommendations for capacity development initiatives that are strategic, long-term and integrated.

Implementation of recommendations

In March 2015, 16 of the 17 APF members that had undertaken capacity assessments were asked for the first time to report comprehensively on their progress in implementing the proposed strategies that they had accepted. Eleven (69%) provided reports, which was a high response rate given the detailed scope of the questionnaire.

The capacity assessment reports to those 11 NHRIs contained 243 recommendations. As independent NHRIs, they are free to accept each recommendation fully or in part or to reject it. All but three of the 243 recommendations were accepted by the NHRIs concerned.² The very low rejection rate indicates that the overwhelming majority of recommendations are considered relevant, appropriate and achievable.

Of the remained 240 recommendations, 90 were reported as "complete", 136 were "in progress" and 14 were "not started".

The completion rate is far higher for NHRIs that undertook a capacity assessment before 2013, which is to be expected. Among this group, almost half the recommendations have been completed.³

The high completion rate indicates that the capacity assessments are effective in building the capacity of participating members. The even higher "in progress" rate reflects the commitment of APF members to pursue implementation of the recommendations.

² The three rejections were due to lack of financial resources for implementation or the action being no longer relevant or being considered unnecessary.

³ 44% compared with 9%.

Reasons given for the large number of recommendations still “in progress”, include:

- That the recommendations relate to the continuing work of the NHRI, such as human rights education or complaint handling, and so they can never be truly “completed”
- That the NHRI sees completion as depending on some factor outside its control; for example, changes to its founding legislation.
- Inadequate financial resources, which means implementation has to be staged over a period of time.

Where implementation has “not started”, the reason was generally a lack of financial or staff resources for the task.

As a further measure of implementation capacity, the APF will track member efforts to enact or amend laws to promote and protect human rights. An analysis of data drawn from three NHRI re-accreditation applications finalised in the reporting year provides evidence of a very active role in promoting the ratification of international human rights treaties and the enactment of domestic laws to address a wide range of human rights issues, including torture, human trafficking, children’s rights, disability rights and economic, social and cultural rights.

Future development of the Capacity Assessment program

In 2014-15, two APF members – the Human Rights Commission of Sri Lanka and the Commission on Human Rights of the Philippines – invited the APF to assist them review progress in implementing the recommendations from the capacity assessment they had previously undertaken. These visits have led to progress reports that have again been the subject of discussion with UNDP Country Offices. Based on the value of these two reviews, the APF will offer similar support to other members that have undertaken capacity assessments.

2. Providing quality training services

The APF offers a broad range of training programs that help build the professional skills and strengthen the capacity of Commissioners and staff working in our member institutions.

We use a blended learning approach to deliver our training, combining online learning and discussions, usually held over four to six weeks, with a face-to-face workshop that brings together participants from a broad range of our members.

The online training is conducted on the APF’s Virtual Learning Environment (VLE). There were 6,539 visits to the VLE and 37,112 page views during 2014-2015. This compares with 5,473 visits and 30,284 page views in the previous year.

In 2014-15, we ran a total of eight training courses, benefitting 158 staff from all but one of our members. This included 80 (51%) female participants and 78 (49%) male participants. Further information on these courses is available at Appendix 2.

The APF draws on expert trainers to lead our training programs, nearly all of whom have experience working in NHRIs. Where appropriate, we also invite APF Master Trainers to help facilitate these courses. APF Master Trainers are experienced human rights educators from our member institutions who have completed the APF's Trainer of Trainer course, along with other follow up training requirements. APF Master Trainers helped facilitate two courses in the last year. Our intention is to grow the number of APF Master Trainers who can support us in this work.

Language continues to be a barrier to participation for some staff of APF member institutions. In previous years, we have run blended learning training courses in Arabic for staff of NHRIs in West Asia. In November 2014, we conducted a Bahasa-language training program for staff of the NHRIs of Indonesia, Malaysia and Timor Lester. We also translated a number of APF training manuals into Arabic.

In 2014-15, the APF published the following professional development manuals:

- *A Manual on National Human Rights Institutions*
- *Defending Dignity: A Manual for National Human Rights Institutions on Monitoring Economic, Social and Cultural Rights* (published in partnership with the Center for Economic and Social Rights)
- *Promoting and Protecting Women and Girls Human Rights: A Manual for National Human Rights Institutions* (Arabic version; translated by the Bahrain National Institute for Human Rights)
- *Promoting and Protecting Women and Girls Human Rights: A Manual for National Human Rights Institutions* (Tetum version)
- *Promoting and Protecting the Rights of Migrant Workers: A Manual for National Human Rights Institutions* (Arabic version)

While evaluation data demonstrates that APF training programs help to significantly strengthen the knowledge and skills of individual participants (see Appendix 2), a key goal is to help strengthen the institutional capacity of our members to respond effectively to the human rights challenges in their countries. As part of the training programs, participants develop practical "action plans" to promote and protect the human rights under discussion, for implementation by their respective NHRIs.

One way to encourage implementation of these action plans is to provide "seed funding", as the APF committed to do as part of the 2015 training course on the human rights of women and girls for the NHRIs of South Asia.

The APF also develops training programs on selected issues for specific member institutions, where the participation of a range of NHRI staff, including decision makers, is assured. The effectiveness of this approach was demonstrated through a training program we delivered on inspecting places of detention for staff of the Office of the Ombudsman of Samoa in January 2015, which was immediately followed by inspections of six facilities across the Pacific Island nation.

Inspecting places of detention in Samoa

For the first time ever, prisons and other places of detention in Samoa have been inspected by the Office of the Ombudsman, as part of its expanded mandate as the country's NHRI.

Over a five-day period in January 2015, a team of inspectors from the Office of the Ombudsman visited six facilities, including Tafaigata prison and Police Headquarters Custody in Apia, as well as the newly opened Mental Health Unit at Motootua, the Olomaanu Juvenile Detention Centre and Vaaita Prison in Savaii.

The purpose of the visits was to build an understanding of the current conditions within these places of detention, especially in key areas such as security, health, safety and education. The findings and recommendations from the inspections were presented in a report to the Parliament of Samoa.

Inspectors from the Office of the Ombudsman were assisted in the visits by Jacki Jones (Chief Inspector for the Office of the Ombudsman, New Zealand), Michael Woodhead (Office of the Commonwealth Ombudsman) and Ashley Bowe (APF Project Manager).

In preparation for these visits, staff from the Office of the Ombudsman, including the Deputy Ombudsman, and representatives from the Ministries of Police and Prisons and Correctional Facilities attended a four-day APF workshop on the principles of monitoring places of detention. The workshop drew on an inspections handbook produced last year by the APF which provides a framework of standards for all areas of detention.

A plan of inspections for 2015-16 has since been developed by the Office of the Ombudsman.

3. Innovative approaches to building capacity: Torture Prevention Ambassadors for the Asia Pacific

While the UN Convention against Torture places an absolute prohibition on torture and ill-treatment of people held in detention, there is inevitably a gap between what the law says should happen and what happens in practice. Preventing torture is about narrowing that gap.

Across the Asia Pacific, staff and Commissioners from our member institutions regularly monitor places of detention, from prisons and police lock ups to immigration detention centres and closed psychiatric facilities.

Their work has been crucial in driving positive changes to laws, policies, practices and community attitudes in many countries across the region.

To help bolster progress in this long-term work, the APF and the Association for the Prevention of Torture jointly launched the Torture Prevention Ambassadors scheme in

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2014. The aim is to encourage APF members to undertake a large-scale torture prevention project in their own country and collectively advance a torture prevention agenda within the region.

APF members were invited to submit a draft project plan and nominate a candidate to participate in a competitive selection process. Nine Torture Prevention Ambassadors (six female and three male) from seven APF member institutions were selected in September 2014.

The participating institutions include Australia, New Zealand, Korea, Maldives (two participants), Mongolia (two participants), the Philippines and Timor Leste. Our Torture Prevention Ambassadors include Commissioners and senior staff, all with considerable prior experience of working on or advocating for the prevention of torture.

Their projects focused on promoting greater respect for the rights of people in police stations, in immigration detention and in mental health units; encouraging ratification of the Optional Protocol to the Convention against Torture; and strengthening the ability of national preventive mechanisms (NPMs) to build cooperative relationships and generate systemic changes in places of detention.

The projects also combine different approaches and methodologies, including monitoring visits, investigations, training, capacity building and community awareness initiatives.

All Torture Prevention Ambassadors attended an initial planning meeting in November 2014 where they worked with two expert mentors to develop and finalise their project plans. The APF signed a Memorandum of Understanding with each participating member institution to ensure the continuity of the project in the event that a Torture Prevention Ambassador leaves his or her institution.

The APF provided grants of 5,308 Euros for each project. As part of their participation in the program, each Torture Prevention Ambassador will receive ongoing support from a program mentor.

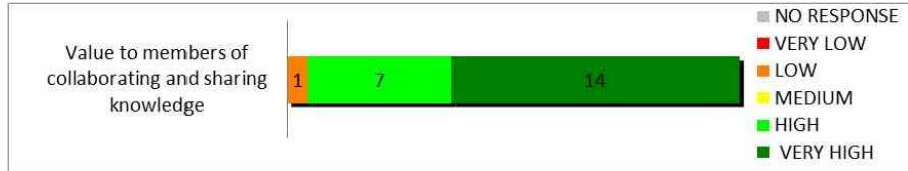
They will also report on how their project is progressing through regular blog postings, media interviews and formal presentations, sharing lessons learned and effective approaches to torture prevention with colleagues in other NHRIs in the region.

National human rights institutions have access to a whole series of actors at the national level; to the parliament, to government ministers and to the media. If they play their cards right, they can be the ones who really bring about change.

Mark Thomson
Secretary-General, Association for the Prevention of Torture

Source: APF interview, March 2015

Collaborating and sharing knowledge



Source: Annual Member Survey 2015

Despite the diverse social, political and cultural environments in which they operate, our members demonstrate a deeply-held commitment to sharing experiences, exchanging information and working collaboratively to address common human rights challenges.

In recent years, this has included undertaking work to advance the human rights of women and girls, preventing torture in places of detention, promoting respect and understanding on issues relating to sexual orientation and gender identity, and developing a common position on a possible Convention on the Rights of Older Persons.

The APF provides members with the opportunity to network, discuss issues and develop a strong, collective voice.

I have to say that it is very good to be with the others and learn from the others. In our case, it has been very helpful and very cooperative, and they always support us when we are in a very difficult situation.

Dr Sima Samar
Chairperson, Afghanistan Independent Human Rights Commission

Source: APF interview, March 2015

1. Networking

Each year, the APF hosts a range of meetings and workshops that bring together representatives from our members and provide opportunities for discussion and networking.

We also convene professional and thematic networks to support Commissioners and staff our members to share information and resources, develop collaborative partnerships and establish 'best practice' standards.

APF Annual Meeting

The 19th APF Annual Meeting was held from 3-5 September 2014 in New Delhi and hosted by the National Human Rights Commission of India. All 21 members were

represented and, during the meeting, the National Centre for Human Rights of Kazakhstan, was admitted as an associate member.

APF members contributed to discussions about the development of the APF 2015-2020 Strategic Plan, with its focus on developing practical strategies to promote and protect the rights of the most vulnerable groups in the Asia Pacific region and to work with business on human rights issues.

The meeting featured a dialogue with representatives from the Asian NGO Network on National Human Rights Institutions, as well as a lively discussion on the work of APF members to implement the APF Action Plan on Women and Girls' Human Rights, with presentations from the NHRIs of India, Jordan and Mongolia.

Of the 60 participants at the meeting, 24 were women and 36 were men. All APF members rated the meeting as excellent or very good.

APF Communications Network

The APF Communications Network was established in April 2015 to support the exchange of information, resources and examples of good practice among our members.

The group includes senior staff with wide-ranging professional expertise in human rights education, communications and promotion. All 22 APF members have nominated representatives, as have the NHRIs of Iraq and Bahrain.

Through the APF Communications Network, our members contributed to the development of a communications strategy which will support the implementation of the APF 2015-2020 Strategic Plan. Members of the APF Communications Network will also play a key role in implementing a range of new communications initiatives, starting in the second half of 2015.

Members of the APF Communications Network helped distribute a short introductory video on the APF in June 2015, uploading it to their websites and social media channels. With this support, it became the most watched video on the APF YouTube channel in 2014-15.

The APF Communications Network currently comprises 10 women and 14 men. This gender balance ensures that men and women are jointly involved in sourcing and preparing materials for use by the APF. Network members are also encouraged to identify and share stories and case studies on their institutions' efforts to promote and protect the rights of women and girls.

Torture Prevention Ambassadors

The Torture Prevention Ambassadors scheme is an innovative program that supports participating APF members to undertake a large-scale torture prevention project within their respective countries and collectively help advance a torture prevention agenda in the Asia Pacific region.

The program is coordinated by the APF in partnership with the Association for the Prevention of Torture, as part of a comprehensive suite of activities on preventing torture

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for NHRIs in the Asia Pacific region, to be held over three years with funding from the European Union.

In November 2014, the nine Torture Prevention Ambassadors, representing seven APF members, met in Sydney to discuss and further develop their projects. The APT established a virtual networking platform to encourage the Torture Prevention Ambassadors to continue their networking between the face-to-face meetings.

The second meeting of the group will be held in Mongolia in August 2015.

APF-UNDP Regional Workshop on Sexual Orientation and Gender Identity

In February 2015, the APF and UNDP ran a workshop on the Role of NHRIs in Promoting and Protecting the Rights, including Health, of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) People in Asia and the Pacific.

Held in Bangkok, the two-day workshop was attended by 31 participants, including 19 representatives from 16 APF members and 14 from civil society groups and other organisations.

The workshop was held to review the contribution of NHRIs in the Asia Pacific to the promotion and protection of the human rights of LGBTI people; to agree on priorities for strengthened engagement by NHRIs on LGBTI human rights and health issues between 2015 and 2017; to identify needs for capacity building, training, regional exchanges of experiences and other support that may be included in forthcoming regional development programming; and to make recommendations to UN bodies and other development partners accordingly.

The outcome document – the “Program of Action and Support” – sets out a range of clearly defined goals and activities for NHRIs in relation to capacity building, research, monitoring, advocacy and education, promotion and dialogue. It also includes recommendations for the APF and UNDP. The value of the document comes from the high level of participation provided by the delegates, the frankness of their discussions and the inclusion of non-NHRI representatives in the workshop.

The APF has already taken steps to implement the Program of Action and Support by developing a manual for NHRIs on sexual orientation and gender identity. This manual will be used in a blended learning training program for APF members.

Networking among APF training participants

As a follow-up to APF training programs, participants are invited to stay in touch with each other via social media and continue to share experiences and information. For example, Facebook groups were established for participants who took part in the training course on the rights of women and girls (organised by a participant from the Afghanistan Independent Human Rights Commission) and the training course on the rights of indigenous peoples.

The WhatsApp SMS application has been particularly useful for post-workshop networking in West Asia, with an SMS group started by the participants of an Arabic-language course in 2013 still ongoing as of early 2015.

The APF is well recognised as the most effective regional network NHRIs in the world. I think it speaks volumes for the way APF has been able to work and to get a disparate group in Asia to work together.

Tan Sri Hasmy Agam
Chairperson, Human Rights Commission of Malaysia

Source: APF interview, December 2014

2. Communication

Figure 2: Member rating on quality and relevance of APF communications



Source: Annual Member Survey 2015

The APF uses a number of channels to communicate with members, partners and other stakeholders, including the APF website, the monthly *APF Bulletin*, email broadcasts and posting video resources on YouTube.

Our members strongly endorsed the usefulness and relevance of the APF's communication activities in 2014-15.

There were 45,631 visits to the APF website in the past 12 months, with 113,569 page views. This is broadly equivalent to figures from previous years. Most visits to the website (60%) came from search traffic, while 18% of visits resulted from the *APF Bulletin* emails.

The *APF Bulletin* was very well utilised by subscribers and continues to perform well above industry benchmarks for non-profit organisations. In 2014-15, it had an average

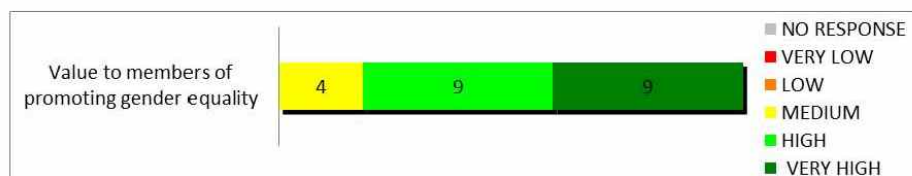
unique open rate of 36.7% (industry benchmark 25.6%) and an average click through rate of 42.8% (industry benchmark 3.0%).

A focus on gender equality and the rights of women and girls is reflected in the news articles, events, videos and other materials that are collected and published across the APF's communication channels. Over the past year, 35 gender-related articles, videos and other resources were featured in the *APF Bulletin* (equivalent to 3.66 items in each *APF Bulletin*).

While English is the agreed common language of the APF, the diversity of languages in use across the countries of our 22 members remains a major barrier to effective communication.

Advice and feedback will be sought on an ongoing basis from members of the APF Communications Network to identify effective approaches to address language barriers and to improve access to the APF information and resources.

Promoting gender equality



Source: Annual Member Survey 2015

Women and girls in all countries across the Asia Pacific are at risk of serious violations of their human rights, such as gender-based violence and harassment.

Entrenched roles, attitudes and stereotypes also mean that many experience poverty, discrimination and unequal access to services and participation in community life.

APF members have made the promotion and protection of the human rights of women and girls a priority in their respective countries. It is also a focus for collective action by our members.

Promoting gender equality is a core part of our strategic plan. We have developed a specialised and integrated approach to guide our work in this area.

1. Supporting our members

As part of the APF Regional Action Plan on the Human Rights of Women and Girls, adopted in 2012, our members pledged to take concrete steps to address the unequal status of women and girls in their respective countries.

This complements similar commitments made by NHRIs globally under the Amman Declaration and Programme of Action, adopted in 2012 at the 11th International Conference of National Human Rights Institutions.

NHRIs can promote and protect the rights of women and girls by receiving and investigating complaints, providing human rights education and training, making recommendations to government on law reform, building partnerships for change in the community and raising issues with the international human rights system.

To support our members in this work, the APF published *Promoting and Protecting the Human Rights of Women and Girls: A Manual for National Human Rights Institutions* in 2014. This manual has been translated into Arabic (courtesy of the National Human Rights Committee of Bahrain) and Tetum, with funding support provided by the APF.

Between January and April 2015, we ran a new blended learning training program on the human rights of women and girls, bringing together representatives from APF member institutions in South Asia (Afghanistan, Bangladesh, India, the Maldives, Nepal and Sri Lanka).

In the past 12 months, the APF entered into Memorandums of Understanding with the two of the UN's most significant agencies working to advance the human rights of women and girls: UN Women and the United Nations Population Fund (UNFPA). These MOUs aim to provide practical support for the work of our members; for example, to assist NHRIs undertake national inquiries relating to reproductive rights.

The APF also provides advice to individual members when requested. In the past year, we supported the Ombudsman of Samoa to provide for gender equality in the composition of its Advisory Council and to integrate gender mainstreaming across all of the organisation's operations and activities. The provision of this support can be especially important with newer NHRIs as it helps embed a culture of gender equality and gender analysis within those institutions.

States have the obligation to protect, respect and fulfil human rights and national human rights institutions, with their monitoring function and their promotion function, can command attention to redress and remedy violations, not only at the hands of state actors but also non-state actors.

Roberta Clarke
Regional Director, UN Women Regional Office for Asia and the Pacific

Source: APF interview, December 2014

New APF training course advances gender equality

Between January and April 2014, the APF ran its first blended learning program on the human rights of women and girls. Representatives from the NHRIs of Afghanistan, Bangladesh, India, Maldives, Nepal and Sri Lanka took part in the course, which was based on the APF's manual on the topic.

The course focused on the international standards and mechanisms relating to the rights of women and girls and the ways in which NHRIs can use their legal powers and mandates to promote gender equality and respond to the serious and systematic human rights abuses experienced by women and girls.

Discussions also explored the practical steps that NHRIs can take to "mainstream" gender equality and the rights of women and girls across all areas of their work and operations.

Following a five-week online course, participants attended a week-long workshop in Kathmandu, hosted by the National Human Rights Commission of Nepal.

As part of the workshop, participants proposed a number of concrete actions in their action plans. These ranged from establishing a maternal health program to a focus on incorporating a gender perspective into all the member's work and internal policies and

processes. The APF will provide \$5,000 'seed' funding to two member institutions to assist them implement these action plans.

The course was rated very highly by participants in terms of its relevance and quality. It will be run again in 2015-16 to involve members from other sub-regions of the Asia Pacific.

Working to end sexual harassment and violence against women

Tackling sexual harassment and violence against women and girls is an important role of NHRIs, as set out in the Amman Declaration and Programme of Action and the APF Regional Action Plan on the Human Rights of Women and Girls.

Examples of activities or programs undertaken by or involving APF members include:

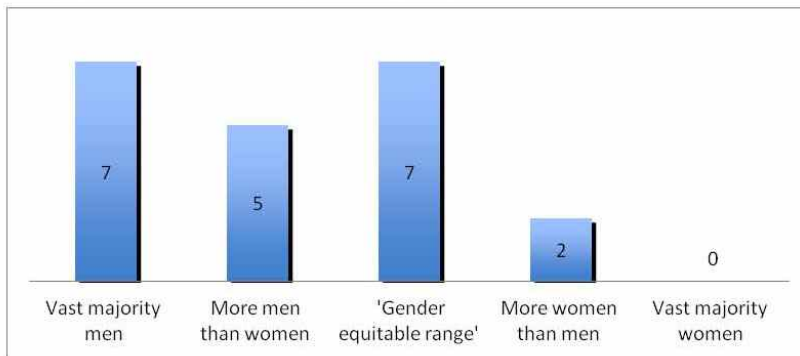
- In **Afghanistan**, the Commission continued to advocate for implementation of the recommendations in the landmark report of its National Inquiry into Rape and Honour Killing
- In **Australia**, the "Know the Line" campaign is supporting employers and employees address unwelcome sexual behaviour at work.
- In **Bangladesh**, the "Brave Men" campaign is encouraging boys and young men to stand up to violence against women
- In **India**, the Commission successfully advocated for the passage of the Sexual Harassment of Women in the Workplace (Prevention, Prohibition and Redressal) Act 2013
- In **Jordan**, the NCHR partnered with CARE International to implement a two-year project to examine the extent of violence against women and girls, to raise awareness of the issue within specific sectors; and to highlight the issue through education and media
- In the **Maldives**, the "Dhoadhi" campaign is helping build awareness about the new Domestic Violence Act among women, men and government officials
- In **Mongolia**, the Commission has advocated that the Parliament revise the Law against Domestic Violence and amend other relevant legislation to eliminate domestic violence
- In **Nepal**, a solidarity campaign and petition was initiated, in partnership with Human Rights Film Focus, to end violence against women
- In **New Zealand**, the "Bring Back Kate" campaign is tackling violence against women and children.

2. Encouraging gender equality within our members

The Paris Principles require that NHRIs demonstrate pluralism, including a membership that broadly reflects the society in which they work. Too often, however, women are under-represented at the leadership and senior management level of NHRIs.

The APF promotes the principle of gender equality⁴ within our members, including equal representation at the level of Chairpersons and Commissioners. At the time that the APF member survey was completed in 2015, seven of our 22 members fell within a “gender equitable range”⁵ of 40-60% women (40-60% men) among their government-appointed Commissioners (see figure 3).

Figure 3: Gender balance of APF member Commissioners



Source: Annual Member Survey 2015 (note one member did not provide usable data)

	Definition	Number of members
Vast majority men	80-100% men, 0-20% women	7
More men than women	61-79% men, 21-59% women	5
“Gender equitable range”	40-60% women, 40-60% men	7

⁴ In this context, gender equality refers to equality of representation between men and women. The APF acknowledges the diverse range of gender identity that exists beyond a female-male binary.

⁵ If there are five Commissioners, for example, and two are men and three are women (or vice versa), this is considered to fall within the “gender equitable range”. This range is proposed as the most practical, as opposed to a strict 50:50 ratio of women and men Commissioners, which will never be achieved when there are an odd number of Commissioners.

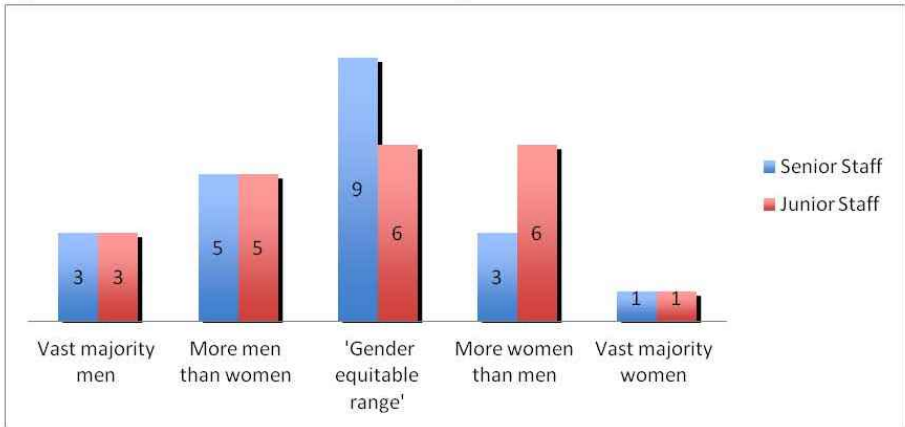
More women than men	61-79% women, 21-59% men	2
Vast majority women	80-100% women, 0-20% men	0

The conclusion is that women are not yet effectively represented in leadership roles. Given that terms of appointment are usually several years, and in some cases the legislation governing the NHRI hinders or prevents equity, this situation will take time to improve.

Governments in the region, however, should be advised of the importance of ensuring that appointments to NHRIs are representative of their societies and that a focus on gender is incorporated into the appointment process.

Figure 4 illustrates the gender composition in relation to senior and junior staff among our members. Ten members fall within the “gender equitable range” (41-60% women) for senior staff and six members fall within the “gender equitable range” for junior staff. Members outside this range fall on both sides, with either an over-representation of women and men. While this representation may be slightly distorted for smaller institutions, the ideal position would be for the majority of APF members to fall within the “gender equitable range” (41-60% women).

Figure 4: Gender balance of APF staff among members



Source: Annual Member Survey 2015 (one member did not provide usable data)

The APF Capacity Assessment program frequently includes recommendations related to gender issues. Of the 11 NHRIs to report this year on their implementation of recommendations, five had received recommendations specifically on gender. Those recommendations principally addressed the position of women within the NHRI.

Beyond the requirement for pluralism under the Paris Principles, difficulties can arise for women alleging discrimination and human rights violations where a shortage of qualified women staff results in an NHRI not being able to provide appropriate services to women victims in an appropriate manner.

Of the four NHRIs that received recommendations on gender representation among members and staff, three reported progress in implementing the recommendation. Another NHRI received a recommendation on developing a gender policy which it reported had been implemented fully.

We have to get our own house in order first and then we can take these messages out to the rest of the world ... The data is clear: those organisations that have better gender diversity, particularly at the senior levels, perform better.

Elizabeth Broderick
Sex Discrimination Commissioner, Australian Human Rights Commission

Source: APF interview, April 2015

3. Gender integration in the APF secretariat

In June 2014, the APF commissioned an independent report on how the secretariat could work towards the progressive realisation of integrating and mainstreaming gender equality into the internal operations of the APF secretariat.

To date, six of the 12 recommendations have been completed. These include integrating gender in the APF's strategic plan; developing monitoring indicators and measures; recording gender disaggregated data; identifying gender expenditure; and annual reporting. Action has commenced on the remaining six recommendations.

The six staff members of the APF secretariat include one female and one male at senior management level and two females and two males at other levels. The Deputy Director of the APF secretariat also acts as the APF Gender Focal Point.

APF expenditure on gender integration and activities specific to the rights of women and girls accounted for 13% of total APF expenditure in 2014-15. This is the first time that gender-specific expenditure has been identified.

Contributing at the national, regional and international level



Source: Annual Member Survey 2015

Promoting genuine and sustained change on human rights issues at the national level is long-term and complex work. To contribute to this change, NHRIs need to work with a number of different stakeholders, including the government, the parliament, the judiciary, civil society organisations and international agencies.

Our members also seek to raise human rights concerns with the international human rights system and different regional bodies that exist.

The APF supports our members in this important work by building understanding among governments in the region about the unique role and functions of independent NHRIs. During the past year, we also advocated strongly on behalf of individual members who faced reprisals and threats to their independence.

In addition, we work to support greater recognition and participation of NHRIs at the international and regional levels, as well as contribute the collective voice of our members to discussions in these fora.

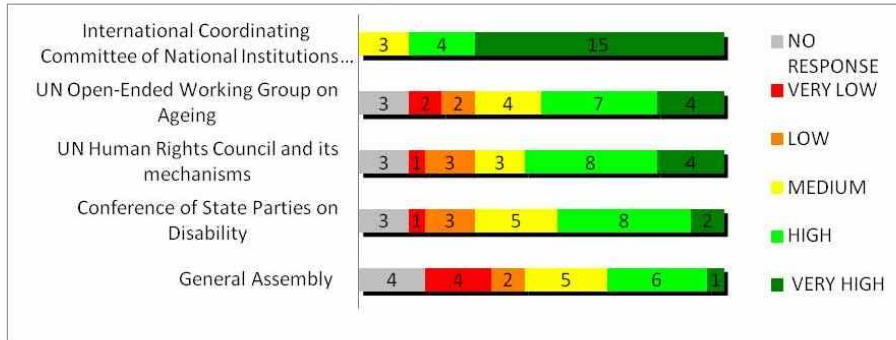
In light of the fact there is no regional charter, framework or court, the Commission sees the role of the APF as critical in promoting and protecting human rights in the Asia Pacific region.

Australian Human Rights Commission

Source: Annual Member Survey 2015

1. Contributing at the international level

Figure 5: Value to members of APF engagement with UN and international mechanisms



Source: Annual Member Survey 2015

The APF promotes recognition and participation of NHRIs with various UN and international mechanisms in different ways.

With some, such as the Conference of State Parties on Disability, we keep a watching brief and take up opportunities to advocate on behalf of our members as they arise. With other bodies, such as the ICC, we contribute substantially to regular meetings and events, including the ICC's 28th Annual Meeting, held in Geneva in March 2015, and the biannual meetings of the ICC's Sub-Committee on Accreditation.

NHRIs that are accredited as "A status" have comprehensive participation rights within the UN Human Rights Council and its mechanisms. This includes having designated seating; the right to submit written statements and to make oral statements; and the opportunity to organise side events.

The APF played a leading role in advocating for NHRI participation when the rules and procedures for the Human Rights Council were established. The participation rights of NHRIs were further enhanced in 2011.

The contribution made by NHRIs to the Human Rights Council has been repeatedly welcomed by Member States and described as "increasingly important". Along with this acknowledgement, States have encouraged NHRIs in their efforts to seek participation rights in other UN processes.

While NHRI participation has been welcomed and facilitated in some General Assembly processes, such as the UN Permanent Forum on Indigenous Issues, such participation has generally been restricted and ad hoc.

In 2013, the General Assembly requested the Secretary-General to focus his upcoming report on NHRIs on the current practice of NHRI participation at the UN and the feasibility of extending those rights. This report will be discussed at the 70th session of the General Assembly in September 2015.

During the past year, the APF has contributed to the substance of this discussion in relation to the recognition and participation of NHRIs and their coordinating committees

at the General Assembly and ECOSOC by contributing to a third-party submission and ICC survey. The results of this engagement will be assessed after September 2015.

Member participation in UN and international bodies

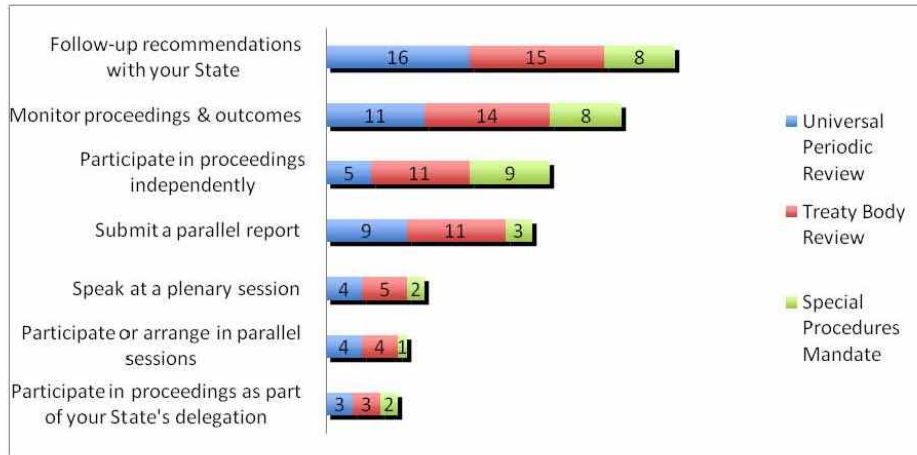
Our members, as with other NHRIs around the globe, are increasingly seeing the benefits that arise from their unique participation rights at the UN Human Rights Council and its mechanisms, in terms of raising critical issues and advocating for practical recommendations that can be made to their respective States.

From 2011 to 2014, the number of NHRIs contributing to sessions of the Human Rights Council increased from 21 per year to 31 per year. NHRIs have also been quick to make use of new modes of participation. In March 2011, three NHRIs participated in the Human Rights Council by submitting recording video messages. By September 2014, this number had increased to 12.

NHRIs have demonstrated a strong level of engagement in relation to the UPR process and in following up recommendations made to their respective governments. There continues to be a consistent level of engagement with the human rights treaty bodies. However, there appears to be less engagement with the UN special procedure mechanisms (see Figure 6).

While APF members provided a number of positive examples of their engagement with the international human rights system, others expressed frustration over the lack of NHR participation rights in some UN bodies, such as the Commission on the Status of Women, and the high costs of travel to Geneva to participate in UN meetings. In a very concerning case, the Human Rights Commission of the Maldives suffered significant reprisal following its engagement with the UPR process in 2014.

Figure 6: Member engagement with UN processes



Source: Annual Member Survey 2015

Positive examples of engagement with UN human rights mechanisms

Philippines

The Commission's advocacy with the Executive Branch contributed to the UN Subcommittee on the Prevention of Torture (SPT) being invited to undertake an official visit to the country from 23 May-5 June 2015. As part of this visit, the Commission met with the SPT and presented reports on the state of detention in the country, including an unprecedented study on the human rights situation in lock-up cells in the National Capital Region. The Commission also informed the SPT of its current initiatives on torture prevention, including the APF Torture Prevention Ambassador project, and pending legislation to establish a national preventive mechanism (NPM) attached to the Commission. Although the SPT's report is confidential, the head of delegation publicly called for the approval of the NPM bill at the conclusion of the visit.

Timor Leste

For the first time, the Office of the Provedoria for Human Rights and Justice (PDHJ) prepared reports for the Committee against Torture and the Committee on the Elimination of Discrimination against Women without the assistance of external institutions. The Provedor and the Deputy Provedor spoke extensively to the treaty committees and were able to respond to questions based on research that the PDHJ had undertaken. The PDHJ also arranged meetings with civil society organisations before the submission of its reports and will meet further with them once the recommendations of the treaty bodies have been released.

2. Contributing at the regional level

Across the Asia Pacific region there are two sub-regional intergovernmental bodies established for the promotion of human rights: the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the Arab Human Rights Committee monitors the implementation of the revised Arab Charter of Human Rights. However, both bodies have very limited mandates to promote and protect human rights and both have limited geographic jurisdictions. NHRIs do not have formal participation rights under them.

Other bodies such as the Pacific Island Forum and the South Asian Association for Regional Cooperation focus primarily political, economic or social issues, rather than human rights issues. They are therefore difficult bodies for NHRIs to find space in.

A number of APF members (particularly Afghanistan and Bangladesh) in the South Asian region are cooperating to develop momentum around the establishment of a future human rights mechanism for South Asia. In West Asia, all four Arab members are engaging with the Arab Human Rights Committee.

In relation to the AICHR, the Human Rights Commission of Malaysia commented that:

While the past year has seen greater engagement by AICHR with stakeholders such as CSO and NHRIs through consultations and workshops, AICHR as a whole, still does not officially recognise NHRIs as a dialogue partner and their important role in promoting and protecting human rights. Although only five of the ten ASEAN member states have NHRIs, the Commission strongly believes that AICHR, as a regional intergovernmental human rights body, should have frequent and formal engagements with the existing NHRIs in the region so that their views and recommendations could be given due consideration by AICHR and ASEAN Governments.

3. Contributing at the national level

APF members reported that their relationships with their respective parliaments, executives and judiciary were mixed but generally good. They said they could simultaneously experience positive and challenging relationships with each of the three groups.

Some APF members, however, experienced very challenging relationships.

There were three instances this year of reprisals and threats to the independence of APF members. The APF offered strategic and ongoing support to each of these members.

Responding to reprisals and threats to independence

In September 2014, the Supreme Court of the Maldives launched a *suo moto* case against the five members of the **Human Rights Commission of the Maldives** for high treason. The case concerned comments regarding the Supreme Court which were included in the Commission's report to the UPR of the Maldives. In its submission to the UPR, the Commission cited criticism of the Maldivian judicial system by the UN's independent experts.

On 16 June 2015 the Supreme Court handed down its verdict, declaring the Commission's UPR submission "unlawful" and requiring the Commission to abide by a set of 11 very broad guidelines in carrying out its activities. One such guideline set out that the Commission should refrain from communicating with international bodies other than through the government.

Throughout, this period the APF updated members on developments and engaged with the international community.

In September 2014, the APF wrote two letters to the President of the Maldives, urging the President to preserve the independence of the Commission and to guarantee the immunity of its members. We offered to send a delegation to the Maldives in November 2014 to meet with the Commission, Attorney-General and other relevant stakeholders. The Commission decided not to proceed with the APF delegation as it felt it may have a negative impact on its relationship with the Attorney-General. The APF continues to maintain close personal contact with the Commissioners.

In February 2015, the Constitutional Drafting Committee established by the Thai military government stated that it proposed to merge the **National Human Rights Commission of Thailand** with the Office of the Ombudsman. The Commission opposed the planned merger and stated that combining the two organisations might signify that a reduced priority will be given to the promotion and protection of human rights in the country.

In February 2015, with the support of the Commission, the APF wrote to the Constitutional Drafting Committee to express concern about the proposal and highlight the very different roles and functions of an NHRI and an Ombudsman. The APF offered support to the Committee, including the provision of advice. The offer of support was not accepted at that time but the APF stands ready to provide advice on the international standards relevant to the establishment and functioning of national human rights institutions, including their accreditation at the international level.

The **Australian Human Rights Commission** and, in particular, its President, sustained ongoing criticism following the release in February 2015 of its report documenting the violation of the rights of children in Australia's immigration detention centres. The scale and intensity of this criticism were unprecedented in Australia and have come from the highest levels of government, including the Prime Minister, the Attorney-General and the Minister for Immigration. This sustained criticism seeks to undermine the integrity, impartiality and judgement of the President in the eyes of the Australian public.

The APF has worked with the international community, including the ICC, OHCHR and the International Service for Human Rights, to support the Commission. We also maintained close personal contact with the Commission and its President.

In September 2014, the **UN Human Rights Council** adopted a resolution on NHRIs which stressed that NHRIs "should not face any form of reprisal or intimidation ... as a result of activities undertaken in accordance with their respective mandates", including their engagement with the international human rights system. The resolution was co-sponsored by 76 States, including Australia, the Maldives and Thailand. The APF will continue to work with our members, the international community and other partners to remind governments of the content and spirit of this resolution.

The APF has a vital role to play in safeguarding national human rights institutions when they are under attack and speaking out against those acts of reprisal.

Phil Lynch
Director, International Service for Human Rights

Source: APF interview, March 2015

4. Cooperating with civil society

During the year, the APF continued to constructively engage with the Asian NGO Network on National Human Rights Institutions (ANNI), a regional peak NGO relating to NHRIs. ANNI was invited to APF Annual Meeting in September 2014 to participate in a

Forum Councillors-NGO/ANNI dialogue to discuss the practical ways in which they can engage cooperate on the APF's new five-year strategic plan. ANNI/Forum Asia wrote to the APF to express its appreciation for its measures to improve collaboration. The APF also attends ANNI meetings, as it did in April 2015 in Taiwan.

Promoting engagement with civil society is also a feature of the APF's Capacity Assessment program. Of the 11 members to report on implementation of their capacity assessment, eight had received recommendations specifically on civil society engagement. Their reports indicate that implementation of these recommendations is either completed or in progress.

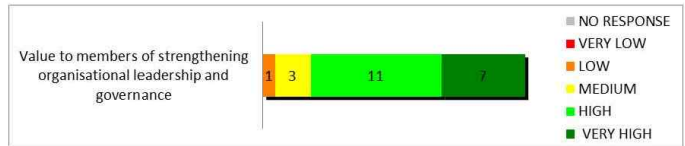
Two NHRIs reported that they had entered formal memorandums of understanding with civil society organisations for joint work in accepting and investigating complaints and in human rights education. Another reported that it convened tripartite meetings of civil society organisations, government ministries and the NHRI in which the civil society organisations have unequalled opportunities for direct advocacy with government. Several NHRIs reported that they now hold quarterly or half-yearly meetings with civil society organisations to discuss their work.

NGOs are the main supporters of the Commission in promoting and protecting human rights ... A way of ensuring pluralism in the Commission, specified in the founding legislation of the Commission, is through an Advisory Board composed of NGOs, scholars, lecturers and other stakeholders that work in the field of human rights. In addition, the Commission conducts joint studies based on an agreement or contract with research institutions and independent researchers.

National Human Rights Commission of Mongolia

Source: ICC reaccreditation submission, 2014

Strengthening organisational leadership and governance



Source: Annual Member Survey 2015

The APF seeks to operate according to the highest levels of accountability, efficiency, transparency and member participation.

We are an independent, non-profit legal entity, with a board of directors – the Forum Council – that reflects the APF’s regional diversity.

The key elements of the APF’s governance structure include:

- The Forum Council, which is the decision-making body of the APF. Established by the APF Constitution, the Forum Council is composed of one voting councillor nominated by each full APF member. It sets the APF’s policies and priorities, decides membership applications and exercises all the powers set out in the Constitution.
- The APF Chairperson, who is elected by the Forum Council and supported by two Deputy Chairpersons.
- A management committee, established by the Forum Council which oversees the operations of the APF and its secretariat.
- The APF secretariat, which reports to the Forum Council, APF Chairperson and management committee.

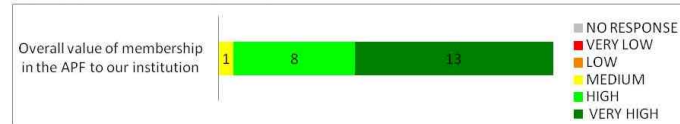
During the year, the APF secretariat was responsible for:

- Servicing the APF Chairperson, meetings of the full Forum Council and sub-committees established by the Council;
- Implementing all the activities approved by the Forum Council in the APF’s Strategic Plan;
- Completing all monitoring, evaluation and reporting requirements;
- Identifying and implementing risk management strategies for all project activities and the overall operation of the APF;
- Fundraising and donor liaison; and

human resources.

1. Value of membership perceived by members

Figure 7: Member rating of overall value of membership



Source: Annual Member Survey 2015

Feedback and comments provided by our members demonstrate the significant value they attach to their membership of the APF.

In particular, our members say they place value on:

- Mutual learning and exchange, which emphasises the role of the APF to bring members together to exchange information and examples of good practice
- APF services in all areas, including accreditation advice, capacity building, training, communications and promoting gender equality
- The role the APF to support the development of collective action to address regional (or sub-regional) issues of mutual concern
- The role of the APF to strengthen the voice of members.

2. Member satisfaction with APF governance and organisational structure

In 2014, the APF commenced an 18-month period of consultation and review to produce its five-year Strategic Plan for 2015-2020.

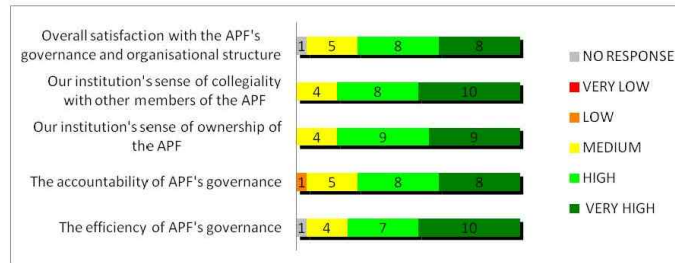
We adopted a participatory approach to guide our strategic planning process, drawing on the expertise and knowledge of our members and other stakeholders, including partner organisations, UN agencies, donors and experts.

We worked with our members to analyse the context in they operate in order to arrive at a consensus on the priority human rights issues and on key member functions. This extensive consultation, led by a five-member working group of the Forum Council, provided robust guidance to the APF in planning its objectives for the coming five years.

Another important outcome was the decision to initiate a governance reform process for both the Forum Council and the Advisory Council of Jurists. This decision was made in

discussion phase.

Figure 8: Member satisfaction with the APF's governance and organisational structure



Source: Annual Member Survey 2015

Figure 8 indicates the current satisfaction levels of members with different aspects of the APF's governance.

While the feedback is overwhelmingly positive, there is a clear sense that governance and organisational structure could be improved across the board. This supports the initiation of the governance reform process.

Comments provided by individual APF members demonstrate the high value that members place on ownership and "collective decision making" in relation to APF policy and operational decisions.

Feedback from the Human Rights Commission of Malaysia highlights the importance of maintaining collegiality as APF membership grows in the coming years:

With the expansion of the APF's membership, the Commission believes that there is a need to ensure that the sense of collegiality is strengthened so that member institutions could work closely together especially in terms of sharing experience, expertise and good practices.

The APF will continue to respond to the needs of our diverse and growing membership. We will closely monitor governance indicators and respond accordingly as we progress through the new 2015-2020 Strategic Plan.

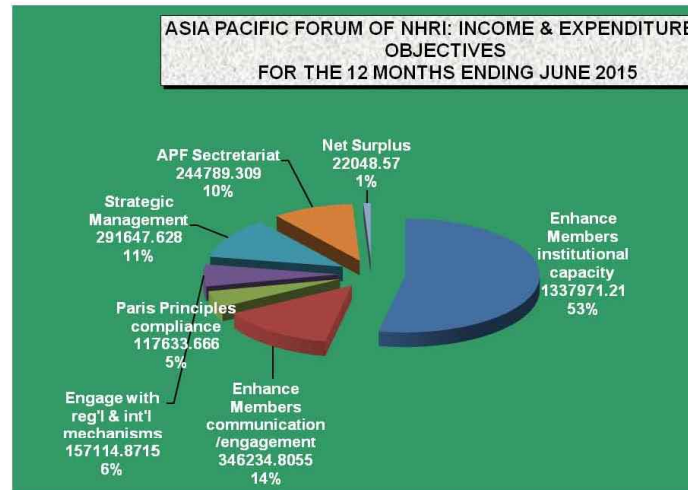
3. Financial expenditure and income security

The APF's income for 2014-15 was \$2,517,440, up by \$153,677 from the 2013-14 financial year. Expenditure was \$2,495,391, producing a modest operating surplus for the year of \$22,000.

Enhancing our members' institutional capacity was the largest area of our expenditure, accounting for 53% of total expenditure. This included services such as training,

10% of total expenditure (down from 11% in 2013-14), reflecting the APF's commitment to operating an efficient, member-focused organisation.

Figure 9: 2014-15 income and expenditure by APF objective⁶



The APF receives funding from governments, foundations, NHRIs and, in the past year, one private donor. The increase in the APF's overall income reflects a continuing trend of modest growth that has occurred over the last five years. This trend is in line with the APF's efforts to secure increased donor support. However of particular concern is the continuing impact of the global financial crisis and the resulting difficult financial environment for many agencies working in the area of aid/human rights. The impact of this crisis on the APF has been lessened due to the APF having pre-existing multi-year contracts with many of our donors. However as these contracts come to an end it is likely that the APF will be negatively affected as have so many other agencies working in the area of human rights and development.

While the financial environment for the APF becomes more difficult, anticipated growth in APF membership in the coming years will result in a greater demand for services and support. Accordingly, we are actively seeking ways to broaden our donor base and ensure the long-term sustainability of the APF's work in the region. Part of our strategy

⁶ Expenditure for 2014-15 has been categorised according to the objectives of the 2010-14 APF Strategic Plan. The 2015-16 Annual Report will outline expenditure according to APF's six key functions on which this year's Annual Report is based.

has involved commissioning a professional fundraising firm to assist the APF to better understand its profile amongst donors, develop its fundraisings materials and identify individual philanthropists and corporate partners with a shared commitment to human rights. In the past year, we have held meetings with a range of interested parties to explain the unique contribution of the APF. This work is ongoing and, of course, requires a long-term commitment.

Appendix 1: APF performance framework

During 2014-15, the APF upgraded its performance measurement system, in preparation for the implementation of the 2015-2020 Strategic Plan in July 2015.

As part of this process, the APF developed a Theory of Change which illustrated the complex and interconnected pathways by which the APF's activities lead to four higher order outcomes:

- Outcome 1: Increased number of national human rights institutions complying with UN and international standards.
- Outcome 2: National Human Rights Institutions are better able to perform their functions in the areas of complaints, education, monitoring, advocacy and reporting.
- Outcome 3: A more conducive environment for the recognition and effectiveness of NHRIs at the national, regional and international level.
- Outcome 4: The APF is a well-governed, sustainably resourced, strategically directed and member owned organisation.

Indicators were developed for these outcomes as well as for the six functions of the APF. The annual member survey was simplified. A new survey of progress against capacity assessments was introduced. The performance system now relies on secretariat staff and consultants to engage with a broader range of performance information and to tell performance stories around particular themes.

A formal baseline report will be put together by December 2015, but some of the baseline information is already contained in this report. A mid-term evaluation of the Strategic Plan is scheduled for 2017 and a final evaluation for 2019. This will allow sufficient time to feed into the preparation of the subsequent strategic plan commencing in 2020.

The main differences between the new and old performance systems are:

	Old system	New system
Level of performance information	Generally lower level activity information	Both activity level and higher order results
Source of performance information	Reliance on annual member survey	Multiple sources, requirement for clear evidence trail
Type of performance information and analysis	Quantitative information, generally averaged	More granular quantitative analysis and qualitative analysis of information,

		triangulation where possible
Engagement of APF staff with performance information	Limited engagement	Engaged, both through preparation of thematic performance reports and, progressively, through performance workshops
Gender considerations	Limited consideration	Mainstreamed, gender disaggregation
Ownership of system	Largely outsourced	Move towards largely in-house, indicators and means of measurement developed by APF staff
Baseline information	Historical data used but no formal baseline	Planned for 2015
Evaluation	Donor-led, end of strategic plan	Mid-term and final evaluations planned for 2017 and 2019, to be negotiated with donors
Use of performance information	Mainly accountability	Accountability, learning and management

These changes require a culture shift within the APF, as well as some additional responsibilities and workload for staff. It is typical that such changes take several years to embed.

Appendix 2: APF training courses for 2014-15

1. Library and Information Management Systems Training: Online, 1-31 August, Workshop in Kuala Lumpur from 22-26 September 2014

Average ratings by the 17 participants (6 female, 11 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
N/A	3.9/5	4.6/5

This is the only known training course specifically targeting librarians and other documentation staff in NHRIs. It was run by documentation specialists from the Raoul Wallenberg Institute with the participants from 12 APF member institutions. The APF's role was confined to promoting the course to its membership and covering the costs of several participants' travel and accommodation expenses.

2. EU Blended-Learning Course on Monitoring Police Custody: Online, 13-24 October, workshop Jakarta, 25-28 November 2014

Average ratings by the 15 participants (11 female, 4 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
4.5/5	4.2/5	4.3/5

The Bahasa speaking NHRIs of Indonesia, Malaysia and Timor Leste participated in this blended-learning course, which was the first APF-APT activity to focus specifically on torture and other ill-treatment within police custody. The decision to focus on police custody was taken following the UN Special Rapporteur on Torture's identification of the period of detention within police custody as a particular flash point for torture in the Asia-Pacific region. The objectives of the course were to provide NHRI staff with an understanding of issues within police custody, enhance participants' skills to undertake effective monitoring visits to places of police custody, and encourage the 3 participating institutions to institutionalise a programme of regular monitoring visits to police detention facilities.

The course was unique in being the first APF course to cater for speakers of Bahasa, as the key course readings and all of the workshop sessions were all translated into Bahasa. This course was an attempt to make APF training more accessible⁷. The course evaluation data and report indicates that the online and workshop were both very

⁷ An APF survey in 2014 indicated that only 40% of staff from Indonesia for example have an adequate working knowledge of English for APF training courses conducted in English. The same survey showed 100% of staff from Malaysia have sufficient English, but other survey data suggests Timor-Leste staff have very limited English language capacity.

well received by participants and successful in meeting the objectives of providing the individual officers with information and skills to undertake monitoring visits of police custody. However, the extent of institutional uptake from the training is less clear.

3. Inspecting Places of Detention: Samoa Workshop 6th-9th January 2015, Inspections 13th-19th January

Average ratings by the 11 participants (5 female, 6 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
5/5	N/A	4.8/5

This national level workshop was attended by NHRI staff, a member of the NHRI Advisory Council, the Commissioner for Prisons and Correctional Facilities and a Police Officer stationed at one of Samoa's prisons. The objective of the workshop was to train the NHRI staff in their new role of places of detention inspectorate. The content of the workshop was based on a manual for inspecting places of detention, written by the APF for the Office of the Ombudsman. The workshop focused on inspections principles and methodology before moving on to develop a program of inspections to be undertaken the following week.

Having a specific focus for the workshop (developing an action plan of inspections and its subsequent undertaking) proved to be extremely effective in terms of maintaining participant's interest and application. The learning was subsequently consolidated by the application of the new skills and knowledge they had acquired in the week of inspections. A further positive aspect of the workshop was the involvement of the outside agencies relevant to the workshop, namely the Ministries of Police and Prisons. Not only were they able to bring useful insight and knowledge that fed directly into the action plans but it also served as a learning experience for them and led to a better understanding of the NHRI's inspection function and the establishment of a good working relationship.

4. Foundation Training for Regional Office Staff of the Mongolian National Human Rights Commission, Workshop, Ulaanbaatar, 9-13 March 2015

Average ratings by the 26 participants (18 female, 8 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
Not Yet Available	Not available at time of writing	Not available at time of writing

This induction training course was offered to the Mongolian Commission because of the recent expansion in its staffing numbers through the recruitment of 21 new officers from the same number of *aimags* (provinces). The workshop sessions were structured around the contents of the newly published APF Manual on National Human Rights Institutions, which had been translated into Mongolian for the training. An APF Master Trainer from the NHRI of India was part of the training team. In consultation with the

participants, the trainers made a decision not to include an action planning session because the aim of the training was to provide the new provincial staff with an introductory overview of the history, roles and responsibilities of NHRIs, rather than aiming to enhance specific skills or encouraging work in particular thematic areas. Furthermore, there was only one officer from each of the *aimags* and each officer operates relatively independently with limited or no contact with staff in other offices.

The participants found the training to be very relevant and useful in providing them with an understanding of NHRIs – several of them previously did not properly understand the difference between NHRIs, government departments and NGOs. They particularly appreciated having trainers with experience of working in NHRIs, and having the author of the manual, Chris Sidoti, leading the training. The APF has yet to receive the translated evaluation data at the time of this report, but based on notes taken from the debriefing session with the interpreter, the main suggestions for improvement were: ensuring all power-point presentations are translated into Mongolian (particularly for any text heavy presentations), for all trainers to speak slowly, and lengthening the workshop as several participants reported there was too much information to take in for one week.

5. The Rights of Women and Girls: Online 27th January – 1st March; Workshop, Nepal 13th – 17th April 2015

Average ratings by the 26 participants (14 female, 12 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
4.7/5	4.8/5	4.8/5

This sub-regional pilot blended-learning course was facilitated in light of the Amman Declaration and APF Regional Action Plan on the Human Rights of Women and Girls and was based on the APF manual of the same topic. Participants came from the South Asian sub-region members (Afghanistan, Bangladesh, India, Maldives, Nepal and Sri Lanka) with the aim of putting the APF manual into practice, providing skills and knowledge to support NHRIs in promoting and protecting the rights of women and girls and to create a platform for the exchange of experiences and best practice.

The course scored very highly across all sections, with the online course score of 4.8 being the highest of any APF course run during the 2014-15 program year. The positive reaction to the online course translated well into a productive workshop in Nepal where there were high levels of interaction, exchange of ideas and best practices and excellent interaction between trainer and participants. Indeed, it could be observed that the success of the workshop can be largely attributed to the lead trainer in addition to other factors such as a high calibre and diversity of participants, strong APF manual and good guest speakers. Lessons to be taken from this course included the need for more than one trainer for workshops over 3 days in length, the inclusion of more quizzes in the online course and consideration of a half-day trip to break up long workshops.

6. EU Regional Blended-Learning Course on Investigating and Documenting Torture: Online 16 March-10 April, Workshop in Manila, 20-24 April

Average ratings by the 23 participants (10 female, 13 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
4.6/5	4.6/5	4.7/5

Investigations is a core function of an NHRI and a 'high' ranked APF training need. NHRIs that have the knowledge and skills to undertake effective investigations are in a key position to investigate and document allegations of torture, as they are often the first and sometimes only direct point of contact for torture victims. This regional blended-learning course is the first known training course offered to APF members to focus specifically on the investigation and documentation of torture. 23 participants from 18 APF members from across the Asia-Pacific region participated in this training course.

The course was unique in having a team of 4 highly qualified expert trainers, namely a legal investigative expert from the APT, an Istanbul Protocol specialist from the International Rehabilitation Council for Torture Victims (IRCT), a consultant forensic doctor with more than 20 years of experience documenting torture for the International Committee of the Red Cross, and a consultant psychologist with experience of working with torture victims in the Philippines and the Maldives. The broad range of expertise of the trainers enable the APF to offer a very effective training course, covering legal and well as medical and psycho-social investigation and documentation of torture.

The course was evaluated very positively by the participants – the scores for the online (i.e. 4.6) and the workshop (4.7) – are the highest of any torture focused blended-learning offered by the APF and APT to date since the commencement of their partnership in 2006. Rather than the development of institutional action plans (as past experience raises questions on how effective these plans are within the context of regional or subregional trainings), a new approach was trialled at this workshop, namely individual action points focusing on smaller scale actions that each participant could undertake within their own spheres of influence to use, share and help institutionalise the knowledge and skills from the training.

All participants committed to providing internal training. Several committed to translating the Istanbul Protocol into local languages. There is anecdotal evidence to indicate that the course was highly effective in improving individual investigators practices, as several participants commented in the evaluations that the training made them realise errors in their past practices. The participants had very few suggestions for improving the course other than: making more use of videos at the workshop (rather than during the online course), and using more 'ice-breakers' / learning games at the workshop.

7. United Nations Declaration on the Rights of Indigenous Peoples: Online 23rd March – 25th April; Workshop, Bangladesh 4th – 8th May 2015

Average ratings by the 20 participants (7 female, 13 male)		
Relevance	Overall quality of online course	Overall quality of the workshop
4.4/5	4.1/5	4.2/5

Following the 2009 OHCHR meeting on the role of NHRIs in promoting UNDRIP, and in response to its recommendations, the APF developed a manual on the issue, which formed the basis for this pilot-blended learning course. Member institutions whose country contains indigenous peoples (according to the UNDRIP definition) were invited to participate with the core goals of building the capacity of NHRIs to promote and protect the rights of indigenous peoples and to facilitate increased focus by NHRIs in the region on the rights of indigenous peoples in their work. The lead trainer for the course (and author of the APF manual on the topic) was Mr Andy Gargett of the Australian Human Rights Commission and he was joined by Master Trainer Mr Desigin Thulkanam from the New Zealand Commission.

The heavy workload during the online course led to lower than average participation and retention rates and needs to be addressed for future UNDRIP courses. There were also significant issues with the workshop venue, which demonstrated the value of having a fit for purpose venue for all future courses. Nonetheless, the course can certainly be deemed a success with positive feedback received for both the online and workshop elements of the course. Of particular note were the contributions made by external speakers Devasish Roy (UN Permanent Forum on Indigenous Issues and Mika Kanervavouri (OHCHR). The workshop facilitated extensive information sharing and peer to peer networking that has since led to the creation of two online forums for future exchanges. The workshop also led to a widely accepted new understanding of Indigenous Rights which participants felt capable of integrating into the work of their institutions.

8. Human Rights and Business Regional Blended-Learning Course: Online 16 March-10 April, Workshop in Bangkok from 5-7 May 2015.

This blended-learning course was offered jointly by the Danish Institute for Human Rights (DIHR) and the APF, with the former taking primary responsibility for course content development and training. The course was offered to APF members because NHRIs in the Asia Pacific region have over a number of years identified business and human rights as a key strategic priority and a 'high' training need. The DIHR is widely considered to be an international leader in the area of business and human rights, and the most experienced NHRI with expertise on the subject. Both trainers were DIHR staff and female. The online course was run from 16 March-10 April from the DIHR's own online learning environment, while the workshop took place from 5-7 May in Bangkok. 20 participants (11 male and 9 female) from 18 APF member NHRIs from across the Asia-Pacific participated in the course. The evaluation data has been provided to the APF in a different format so no direct comparisons are possible with the scores of other

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APF courses, but from the high percentages and participants comments it would appear that both the online and workshop were appreciated by participants and very successful in providing participants with an understanding of the key concepts underpinning NHRIs work in the area of business and human rights. Several participants appreciated the flexibility of online learning, while others commented on the expertise of the trainers. Lessons learnt / areas for further improvement would include: reducing the speed of presentations, limiting use of technical language, and more group work to reinforce learning.

Appendix 3: Calendar of major activities for 2014-15

JULY 2014		
30 July-1 August 2014	United Nations Open Ended Working Group on Aging	New York, USA
SEPTEMBER 2014		
3-5 September 2014	19 th Annual Meeting of the Asia Pacific Forum	New Delhi, India
25-26 September 2014	Meeting of the Convention on the Rights of Persons with Disabilities Committee	Geneva, Switzerland
30 September-2 October 2014	APF-UNESCAP Regional Workshop on the Rights of Older Persons	Bangkok, Thailand
OCTOBER 2014		
16-17 October 2014	ICC Bureau Meeting	Johannesburg, South Africa
27-31 October 2014	ICC Sub-Committee on Accreditation	Geneva, Switzerland
NOVEMBER 2014		
3-4 November 2014	Preliminary visit for the Capacity Assessment of the Provedoria of Human Rights and Justice of Timor Leste	Dili, Timor Leste
10-13 November 2014	Initial meeting of the APF-APT Torture Prevention Ambassadors	Sydney, Australia
19-28 November 2014	RWI-APF Annual Regional Training	Bangkok, Thailand
24-28 November 2014	Police Detention Training	Jakarta, Indonesia

DECEMBER 2014		
1-2 December 2014	Regional High Level Dialogue on National Inquiries	Bangkok, Thailand
20 December 2014- 22 January 2015	Detention Centre Monitoring Training and general support to the Ombudsman of Samoa	Apia, Samoa
JANUARY 2015		
12-23 January 2015	APF-UNDP-OHCHR Provedor Timor Leste Capacity Assessment	Dili, Timor Leste
13-15 January 2015	Preliminary visit for the Capacity Assessment of the National Human Rights Commission of Oman	Muscat, Oman
27 January- 27 February 2015	Online component of the training program on the Human Rights of Women and Girls	Online
FEBRUARY 2015		
11-15 February 2015	Paris Principles compliance and accreditation advice for Jordan and Palestine	Amman, Jordan
16-20 February 2015	Human Rights Commission of Sri Lanka Capacity Assessment Follow Up	Colombo, Sri Lanka
24-25 February 2015	Regional Workshop on NHRIs and LGBTI Human Rights	Bangkok, Thailand
MARCH 2015		
9-13 March 2015	Foundation Training for the Human Rights Commission of Mongolia	Ulaanbaatar, Mongolia
9-13 March 2015	Annual Meeting of the ICC	Geneva, Switzerland
16-20 March 2015	ICC Sub-Committee on Accreditation	Geneva, Switzerland

16 March-10 April 2015	Online component of the training course on Business and Human Rights	Online
16 March-10 April 2015	Online component of the training course on Investigating and Documenting Torture	Online
22-27 March 2015	APF 20 preparatory visit	Ulaanbaatar, Mongolia
23 March-19 April 2015	Online component of the training course on the Human Rights of Indigenous Peoples	On-Line
APRIL 2015		
13-17 April 2015	Regional training workshop on the Human Rights of Women and Girls	Kathmandu, Nepal
20- 24 April 2015	Investigating and Documenting Torture Workshop	Manila, Philippines
27 April- 4 May 2015	Philippines Commission on Human Rights Capacity Assessment Follow Up	Manila, Philippines
MAY 2015		
4-8 May 2015	Regional training workshop on Business and Human Rights	Bangkok, Thailand
4-8 May 2015	Regional training workshop on the Human Rights Indigenous Peoples	Dhaka, Bangladesh
18-21 May 2015	Re-establishment of a Fiji Human Rights Commission workshop and bilateral discussions	Suva, Fiji
JUNE 2015		
3- 5 June 2015	European Union Development Days, NHRI Workshop	Brussels, Belgium
8- 9 June 2015	Conference of State Parties for the Convention on the Rights of Persons with Disabilities	New York, United States
11-13 June 2015	ICC-UNDP-OHCHR annual tripartite partnership meeting	New York, United States
22-23 June 2015	Myanmar Human Rights Commission Paris Principles accreditation advice	Yangon, Myanmar
24-26 June 2015	Conference with Trust Law Asia Pacific	Bangkok, Thailand



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

ANNEX 5 APF Audited Accounts

Forum Councillors Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions

Ulaanbaatar, Mongolia, 26 – 28 August 2015

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

(A Company Limited by Guarantee)

ABN: 98 099 972 997

**FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015**

FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

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ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

DIRECTORS' REPORT

The Directors present their report on the Asia Pacific Forum of National Human Rights Institutions (“the Company”) for the financial year ended 30 June 2015.

Directors

The names of the Directors in office at any time during or since the end of the financial year are:

Sima Samar	
Padma Priya Raman	
Amara Pongsapich	
Konakuppakattil Gopinathan Balakrishnan	(cessation: 20 June 2015)
Byun-Chul Hyun	
Randa Siniora-Attalah	
Jamsran Byambadorj	
Amal Abulatif Al-Mannai	(cessation: 21 July 2014)
Loretta Ann Pargas Rosales	
David Michael Rutherford	
Gillian Triggs	
Mohammed Adnan Al-Bahkeet	
Bed Prasad Bhattaria	(cessation: 4 November 2014)
Hafid Abbas	
Hasmy Agam	
Ali Saeed SB Alowair	(appointment: 21 July 2014)
Anup Raj Sharma	(appointment: 4 November 2014)
Silverio Pinto Baptista	(appointment: 23 January 2015)
Cyriac Joseph	(appointment: 20 June 2015)
Sebastio Dias Ximenes	(appointment: 11 August 2014) (cessation: 7 November 2014)
Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.	
Company Secretary	
The following person held the position of Company Secretary at the end of the financial year:	
Kieren John Fitzpatrick - Director, Secretariat of the Asia Pacific Forum of National Human Rights Institutions. Mr. Fitzpatrick is employed by the Company and was appointed as Company Secretary on incorporation.	

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

DIRECTORS' REPORT

Principal Activity

The principal activity of the Company during the financial year was to promote the establishment and strengthening of national human rights institutions in the Asia-Pacific region.

The Company's short-term objectives are to:

- Respond to the needs of its member institutions through the delivery of practical support projects;
- Enhance members' institutional capacity to promote and protect human rights within their respective countries and the Asia Pacific Region;
- Enhance members' communication, co-operation and engagement through regional, sub-regional workshops and meetings;
- Assist governments and civil society to establish and strengthen national institutions in compliance with minimum criteria contained in the Paris Principles;
- Promote sub-regional, regional and international cooperation on human rights issues;
- Engage with regional and international human rights mechanisms for advocacy, promotion and strengthening human rights; and
- Ensure the effective, efficient and strategic management of the Company.

The Company's long-term objectives are to:

- Protect and promote the human rights of the peoples of the Asia Pacific Region;
- Strengthen the capacity of the company to meet the needs of its growing membership;
- Enhance members' communication, co-operation and engagement through regional, sub-regional workshops and meetings;
- Promote compliance with the Paris Principles within member institutions and assist governments and civil society within the Asia Pacific Region in meeting the minimum criteria contained in the Paris Principles;
- To be representative of the region in the organization, participation and implementation of its activities; and
- Ensure the effective, efficient and strategic management of the Company.

To achieve these objectives, the Company has adopted the following strategies:

- Maintain close working relationship with all the Company's stakeholders;
- Achieve a level of funding that is sufficient to deliver the company's mission and vision;
- Establish and maintain a skilled workforce able to implement the objectives of the Company; and
- Seek a sustained partnership with the Office of the High Commissioner for Human Rights and the United Nations Development Programme.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

DIRECTORS' REPORT

Information on Current Directors

The information on Directors is as follows:

Sima Samar Experience	Chairperson, Afghanistan Independent Human Rights Commission
Padma Priya Raman Experience	Executive Director, Australian Human Rights Commission
Amara Pongsapich Experience	Chairperson, National Human Rights Commission of Thailand
Konakuppakattil Gopinathan Balakrishnan Experience	Chairperson, National Human Rights Commission of India
Bhung-Chul Hyun Experience	Chairperson, National Human Rights Commission of Korea
Randa Siniora-Attalah Experience	Secretary-General, Palestine Independent Commission for Human Rights
Jamsran Byambadorj Experience	Chairperson, National Human Rights Commission of Mongolia
Ali Saeed SB Alowair Experience	Chairperson, National Human Rights Committee of Qatar
Loretta Ann Pargas Rosales Experience	Chairperson, Philippines Commission on Human Rights
David Michael Rutherford Experience	Chief Commissioner, New Zealand Human Rights Commission
Gillian Triggs Experience	President, Australian Human Rights Commission
Mohammed Adnan Al-Bahkeet Experience	Chairperson, Jordan National Centre for Human Rights
Bed Prasad Bhattaria Experience	Secretary, National Human Rights Commission of Nepal
Hafid Abbas Experience	Commissioner, Indonesian National Commission on Human Rights
Hasmy Agam Experience	Chairperson, Human Rights Commission of Malaysia

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

DIRECTORS' REPORT

Anup Raj Sharma

Experience

Chairperson, National Human Rights Commission of Nepal

Silverio Pinto Baptista

Experience

Provedor, Timor Leste Office of the Provedor for Human Rights and Justice

Sebastio Dias Ximenes

Experience

Provedor, Timor Leste Office of the Provedor for Human Rights and Justice

Cyriac Joseph

Experience

Acting Chairperson, National Human Rights Commission of India

Amal Abulatif Al-Mannai

Experience

Commissioner, National Human Rights Committee of Qatar

Meetings of Directors

DIRECTORS (at AGM)	DIRECTORS' MEETINGS	
	Number eligible to attend	Number attended
Sima Samar	1	1
Padma Priya Raman	1	1
Amara Pongsapich	1	1
Konakuppakattil Gopinathan Balakrishnan	1	1
Byung-Chul Hyun	1	1
Randa Simiora-Attalah	1	1
Jamsran Byambadorj	1	1*
Ali Saeed SB Alowair	1	1
Loretta Ann Pargas Rosales	1	1
David Michael Rutherford	1	1
Gillian Triggs	1	1
Mohammed Adnan Al-Bahkeet	1	1*
Bed Prasad Bhattaria	1	1
Hafid Abbas	1	1
Hasmy Agam	1	1*
Sebastio Dias Ximenes	1	1

* denotes attendance by proxy

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

DIRECTORS' REPORT

The Company is limited by guarantee incorporated and domiciled in Australia. If the Company is wound up, the Constitution states that each member is required to contribute a maximum of \$100 each towards meeting any outstanding obligations of the Company. At 30 June 2015, the number of full members was 15 (2014: 15).

Auditor's Independence Declaration

The lead auditor's independence declaration for the year ended 30 June 2015 has been received and can be found on page 6.

Signed in accordance with a resolution of the Board of Directors:

.....
(Director)

Dated in Ulaanbaatar on ...27th.... of August 2015.

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ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

AUDITOR'S INDEPENDENCE DECLARATION

I declare that to the best of my knowledge and belief during the year ended 30 June 2015 that there have been no contraventions of:

- i. the auditor's independence requirements as set out in the *Australian Charities and Not-for-profits Commission Act 2012* in relation to the audit; and
- ii. any applicable code of professional conduct in relation to the audit.

Moore Stephens Sydney
Chartered Accountants

Chris Chandran
Partner

Dated in Sydney this 27th day of August 2015.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2015

	Notes	2015 \$	2014 \$
REVENUE	2	<u>2,517,440</u>	<u>2,431,035</u>
EXPENSES			
Administration expenses		87,307	140,710
Travel expenses		710,703	759,889
Employee benefit expenses		779,793	715,421
Consultancy fees		613,786	622,253
Project expenses		84,281	6,038
Occupancy expenses	3	87,739	84,365
Meeting expenses		89,809	65,761
Asia Pacific Forum web and bulletin		50,151	44,580
Depreciation	3	7,491	6,135
Other income from ordinary activities		<u>(15,667)</u>	<u>(30,857)</u>
TOTAL EXPENSES		<u>2,495,393</u>	<u>2,414,295</u>
SURPLUS FROM ORDINARY ACTIVITIES BEFORE INCOME TAX EXPENSE		22,047	16,740
Income tax expense	1(a)	<u>-</u>	<u>-</u>
SURPLUS FROM ORDINARY ACTIVITIES AFTER INCOME TAX EXPENSE		22,047	16,740
Other comprehensive income		<u>-</u>	<u>-</u>
TOTAL COMPREHENSIVE INCOME FOR THE YEAR		<u>22,047</u>	<u>16,740</u>

The accompanying notes form part of these financial statements.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2015

	Notes	2015 \$	2014 \$
CURRENT ASSETS			
Cash and cash equivalents	4	527,884	970,956
Financial assets	5	1,800,000	1,500,000
Receivables	6	21,055	35,534
Other assets		65,661	38,632
TOTAL CURRENT ASSETS		2,414,600	2,545,122
NON-CURRENT ASSETS			
Property and equipment	7	12,902	16,155
TOTAL NON-CURRENT ASSETS		12,902	16,155
TOTAL ASSETS		2,427,502	2,561,277
CURRENT LIABILITIES			
Payables	8	21,622	14,957
Provisions	9	63,098	68,255
Other liabilities	10	144,210	314,091
TOTAL CURRENT LIABILITIES		228,930	397,303
NON-CURRENT LIABILITIES			
Provisions	9	166,277	153,726
TOTAL NON-CURRENT LIABILITIES		166,277	153,726
TOTAL LIABILITIES		395,207	551,029
NET ASSETS		2,032,295	2,010,248
MEMBERS' FUNDS			
Accumulated surplus		2,032,295	2,010,248
TOTAL MEMBERS' FUNDS		2,032,295	2,010,248

The accompanying notes form part of these financial statements.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

STATEMENT OF CHANGES IN MEMBERS' FUNDS
FOR THE YEAR ENDED 30 JUNE 2015

	2015	2014
	\$	\$
MEMBERS' FUNDS AT THE BEGINNING OF THE YEAR	2,010,248	1,993,508
Comprehensive income		
Surplus from ordinary activities	22,047	16,740
Other comprehensive income	-	-
	<u>22,047</u>	<u>16,740</u>
MEMBERS' FUNDS AT THE END OF THE YEAR	<u>2,032,295</u>	<u>2,010,248</u>

The accompanying notes form part of these financial statements.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2015

	Note	2015 \$	2014 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Grants received		2,223,642	2,096,803
Donations received		105,793	98,906
Membership fees received		70,507	61,150
Other revenue received			68,643
Payments to suppliers and employees		(2,617,116)	(2,447,937)
Interest received		78,340	110,652
Net cash outflows from operating activities		<u>(138,834)</u>	<u>(11,783)</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Payment for property and equipment		(4,238)	(14,205)
Receipts from financial assets		<u>(300,000)</u>	800,000
Net cash outflows from investing activities		<u>(304,238)</u>	<u>785,795</u>
Net (decrease) / increase in cash held		(443,072)	774,012
Cash and cash equivalents at the beginning of financial year		<u>970,956</u>	<u>196,944</u>
Cash and cash equivalents at the end of financial year	4	<u><u>527,884</u></u>	<u><u>970,956</u></u>

The accompanying notes form part of these financial statements.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 2015**

NOTE 1: STATEMENT OF ACCOUNTING POLICIES

Basis of Preparation

These general purpose financial statements have been prepared in accordance with the Australian Accounting Standards - Reduced Disclosure Requirements and Interpretations issued by the Australian Accounting Standards Board, other Authoritative pronouncements of the AASB, the *Australian Charities and Not-for-profits Commission Act 2012*, the *Charitable Fundraising Act 1991* and associated regulation as appropriate for not-for-profit oriented entities.

The financial statements are for Asia Pacific Forum of National Human Rights Institutions ("the Company") as an individual entity. The Company is limited by guarantee, incorporated and domiciled in Australia.

The financial statements have been prepared on an accruals basis and under the historical cost convention.

The financial statements were authorised for issue by the Board of Directors on 27 August 2015.

Accounting Policies

The following is a summary of the material accounting policies adopted by the Company in the preparation of the financial statements. The accounting policies have been consistently applied, unless otherwise stated.

(a) Income Tax

As the Company is a charitable institution in terms of subsection 50-5 *Income Tax Act 1997*, as amended, it is exempt from paying income tax.

(b) Property and Equipment

Property and equipment is stated at historical cost, less accumulated depreciation and impairment. Historical cost includes expenditure that is directly attributable to the acquisition of the item.

Depreciation

Depreciation is calculated on straight line basis to write off the net cost of each item of property and equipment over their expected useful lives.

The depreciation rates used for each class of depreciable assets are:

Class of fixed asset	Depreciation rates	Depreciation basis
Office Equipment	10% - 20%	Straight Line
Computer Equipment	25% - 33%	Straight Line
Furniture, Fixtures and Fittings	6.67%	Straight Line

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 2015

1. STATEMENT OF ACCOUNTING POLICIES (Continued)

(b) Property and Equipment (continued)

The residual values, useful lives and depreciation methods are reviewed and adjusted if appropriate at each reporting date.

An item of property and equipment is derecognised upon disposal or when there is no future economic benefit to the Company.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains or losses are included in the profit or loss.

(c) Impairment of Assets

At each reporting date, the Company reviews the carrying values of its non-financial assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the profit or loss.

(d) Foreign Currency Transactions and Balances

Foreign currency transactions during the financial year are converted to Australian currency at the rates of exchange applicable at the dates of the transactions. Amounts receivable and payable in foreign currencies at financial position date are converted at the rates of exchange ruling at that date.

The gains and losses from conversion of short term assets and liabilities, whether realised or unrealised, are included in the profit or loss as they arise.

(e) Employee Entitlements

Wages and salaries and annual leave

Liabilities for wages and salaries, including non-monetary benefits, and annual leave expected to be settled within 12 months of the reporting date are recognised in current liabilities in respect of employees' service up to the reporting date and are measured at the amounts expected to be paid when the liabilities are settled.

Long service leave

The liability for long service leave is recognised in current and non-current liabilities, depending on the unconditional right to defer settlement of the liability for at least 12 months after the reporting date. The liability is measured as the present value of expected future payments to be made in respect of service provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 2015**

1. STATEMENT OF ACCOUNTING POLICIES (Continued)

(f) Cash and cash equivalents

For the purposes of the Statement of Cash Flows, cash and cash equivalents include cash on hand and a call deposits with banks or financial institutions.

(g) Revenue

Grant revenue is recognised in the profit or loss when it is controlled. When there are conditions attached to grant revenue relating to the use of those grants for specific purposes, it is recognised in the Statement of Financial Position as a liability until such conditions are met or services provided.

Donations are recognised as revenue when received unless they are designated for a specific purpose, when they are carried forward as deferred income on the Statement of Financial Position.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Revenue from the rendering of the service is recognised upon the delivery of the service to the customers.

Membership fees and other revenue are recognised when the right to receive the revenue has been established.

(h) Goods and Services Tax ("GST")

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense.

Receivables and payables in the Statement of Financial Position are shown inclusive of GST.

The net amount of GST recoverable from, or payable to the ATO is included as a current asset or liability in the Statement of Financial Position.

(i) Leases

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor are charged as expenses in the periods in which they are incurred.

(j) Operating Segment

The Company operates only in Australia and their principal activity is the support of the development of national rights institutions in the Asia-Pacific region.

(k) Payables

Payables represent the liability outstanding at reporting date for goods and services received by the Company during the reporting period. The balance is recognised as a current liability.

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 2015

1. STATEMENT OF ACCOUNTING POLICIES (Continued)

(l) Unexpended Grants and Monies in Advance

The Company receives grant monies, either from government or private funding, to fund projects either for contracted periods of time or for specific projects, irrespective of the period of time required to complete those projects. It is the policy of the Company to treat grant monies as unexpended grants in the Statement of Financial Position where the Company is contractually obliged to provide the services in a subsequent financial period.

(m) Critical accounting judgements, estimates and assumptions

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the reported amounts in the financial statements. Management continually evaluates its judgements and estimates in relation to assets, liabilities, contingent liabilities, revenue and expenses. Management bases its judgements, estimates and assumptions on historical experience and on other various factors, including expectations of future events, management believes to be reasonable under the circumstances. The resulting accounting judgements and estimates will seldom equal the related actual results. The judgements, estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities (refer to the respective notes) within the next financial year are discussed below :

Estimation of useful lives of assets

The Company determines the estimated useful lives and related depreciation and amortisation charges for its property, plant and equipment and finite life intangible assets. The useful lives could change significantly as a result of technical innovations or some other event. The depreciation and amortisation charge will increase where the useful lives are less than previously estimated lives, or technically obsolete or non-strategic assets that have been abandoned or sold will be written off or written down.

Impairment of non-financial assets

The Company assesses impairment of non-financial assets at each reporting date by evaluating conditions specific to the Company and to the particular asset that may lead to impairment. If an impairment trigger exists, the recoverable amount of the asset is determined. This involves fair value less costs to sell or value in-use calculations, which incorporate a number of key estimates and assumptions.

Long service leave provision

As discussed in note 1(e), the liability for long service leave is recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at the reporting date. In determining the present value of the liability, estimates of attrition rates and pay increases through promotion and inflation have been taken into account.

(n) Comparatives

Comparative figures have been adjusted to conform to changes in presentation for the current financial year where required by accounting standards or as a result of changes in accounting policy.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	2015	2014
	\$	\$
NOTE 2: REVENUE		
Operating activities		
- Grant revenue	2,270,464	2,078,625
- Donations	105,792	98,906
- Membership fees	66,800	74,483
- Bank interest	74,384	110,379
- Other revenue	-	68,643
	<u>2,517,440</u>	<u>2,431,035</u>

NOTE 3: SURPLUS FROM ORDINARY ACTIVITIES

Surplus from ordinary activities has been determined after:

Expenses:

Depreciation of non-current assets		
- Property and equipment	7,491	6,135
Lease of Secretariat offices	87,739	84,365
Provision for employee entitlements	7,394	461

NOTE 4: CASH AND CASH EQUIVALENTS

Cash at bank	527,684	970,756
Cash on hand	200	200
	<u>527,884</u>	<u>970,956</u>

Cash at bank is held at an average rate of 1.22% (2014: 1.81%).

NOTE 5: FINANCIAL ASSETS

Term deposits	1,800,000	1,500,000
	<u>1,800,000</u>	<u>1,500,000</u>

Term deposits are held at an average rate of 4.19% (2014: 4.35%), with an average maturity of six months (2014: twelve months).

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	2015	2014
	\$	\$
NOTE 6: RECEIVABLES		
Interest receivables	12,714	4,647
Other debtors	8,341	30,887
	21,055	35,534
 NOTE 7: PROPERTY AND EQUIPMENT		
Office equipment - at cost	26,558	26,558
Less accumulated depreciation	(24,738)	(24,034)
	1,820	2,524
 Computer equipment - at cost	 44,065	 39,827
Less accumulated depreciation	(34,618)	(28,541)
	9,447	11,286
 Furniture, fixtures and fittings - at cost	 3,530	 3,530
Less accumulated depreciation	(1,895)	(1,184)
	1,635	2,346
 Total property and equipment	 12,902	 16,156

(a) Movements in Carrying Amounts

Movement in the carrying amounts for each class of plant and equipment between the beginning and the end of the current financial period:

	Office equipment	Computer equipment	Furniture, fixtures & fittings	TOTAL
	\$	\$	\$	\$
Balance at the beginning of the year	2,524	11,286	2,346	16,156
Additions	-	4,237	-	4,237
Depreciation expense	(704)	(6,076)	(711)	(7,491)
Carrying amount at end of year	1,820	9,447	1,635	12,902

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	2015	2014
	\$	\$
NOTE 8: PAYABLES		
Sundry creditors	<u>21,622</u>	<u>14,957</u>
Sundry creditors are payable within 30 days.		
NOTE 9: PROVISIONS		
Short-term employee benefits	63,098	68,255
Long-term employee benefits	<u>166,277</u>	<u>153,726</u>
	<u>229,375</u>	<u>221,981</u>
Analysis of total provisions :		
Current	63,098	68,255
Non-current	<u>166,277</u>	<u>153,726</u>
	<u>229,375</u>	<u>221,981</u>
Number of employees at year end	<u>6</u>	<u>6</u>
NOTE 10: OTHER LIABILITIES		
Accrued expenses	25,247	132,387
Deferred income	<u>118,963</u>	<u>181,704</u>
	<u>144,210</u>	<u>314,091</u>
NOTE 11: CAPITAL AND LEASING COMMITMENT		
Operating lease commitments		
Non cancelable operating leases contracted for but not capitalised in the financial statements:		
Payable		
- not later than one year	91,249	87,739
- later than one year and not later than five years	<u>94,899</u>	<u>187,147</u>
	<u>186,148</u>	<u>274,886</u>

The operating lease is in the form of a Memorandum of Understanding with the Australian Human Rights Commission (AHRC) signed on 30 June 2014 which will expire on 30 June 2017. Refer to Note 12 for further information.

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

NOTE 12: RELATED PARTY TRANSACTIONS

(a) Directors

The names of each person holding the position of Director of the Company during the financial year were:

Sima Samar
 Padma Priya Raman
 Amara Pongsapich
 Konakuppakattil Gopinathan Balakrishnan (cessation: 20 June 2015)
 Byun-Chul Hyun
 Randa Siniora-Attalah
 Jamsran Byambadorj
 Amal Abulatif Al-Mannai (cessation: 21 July 2014)
 Loretta Ann Pargas Rosales
 David Michael Rutherford
 Gillian Triggs
 Mohammed Adnan Al-Bahkeet
 Bed Prasad Bhattaria (cessation: 04 November 2014)
 Hafid Abbas
 Hasmy Agam
 Ali Saeed SB Alowair (appointment: 21 July 2014)
 Anup Raj Sharma (appointment: 4 November 2014)
 Silverio Pinto Baptista (appointment: 23 January 2015)
 Cyriac Joseph (appointment: 20 June 2015)
 Sebastio Dias Ximenes (appointment: 11 August 2014; cessation: 7 November 2014)

The Directors of the Company did not receive any remuneration, superannuation or retirement payments from the Company. No Directors have entered into material contract with the Company since the beginning of the financial period and there were no material contracts involving Directors' interests at year end.

	2015	2014
	\$	\$
(b) Director-related entities		
Occupancy Fees paid to the Australian Human Rights Commission. Ms Gillian Triggs, a Director of the Company, is the President of the Australian Human Rights Commission. Furthermore, Ms Padma Raman is a Director of the Company who is also the Executive Director of AHRC.	87,739	84,365
Amounts paid to AHRC for the Company's share of the accommodation costs that have been paid by AHRC and AHRC on-charges the costs that are to be paid by the Company.	16,642	15,874
	104,381	100,239

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	2015	2014
	\$	\$
NOTE 12: RELATED PARTY TRANSACTIONS (Continued)		
(c) Transactions with related parties		
(i) There are related party transactions in relation to membership fees paid by the Directors which are on normal commercial terms and conditions no more favourable than those available to other members unless otherwise stated.		
(ii) Funding received from related members :		
National Human Rights Institution of the Republic of Korea	99,553	93,509
National Human Rights Institution of India	184,148	117,577
National Human Rights Committee Qatar	55,204	-
National Human Rights Commission of Thailand	6,240	5,397
	<u>345,145</u>	<u>216,483</u>
(iii) Payments to related members :		
Afghanistan Independent Human Rights Commission	35,813	1,392
Human Rights Commission of Malaysia	2,045	35,189
Human Rights Commission of Sri Lanka	1,197	2,964
Human Rights Commission of The Maldives	10,428	2,899
Jordan National Centre for Human Rights	1,171	12,204
National Human Rights Commission of Bangladesh	1,516	5,910
National Human Rights Commission of India	6,652	13,444
National Human Rights Commission of Indonesia	1,805	12,349
National Human Rights Commission of Myanmar	980	2,960
National Human Rights Commission of Mongolia	30,604	6,535
National Human Rights Commission of Nepal	2,217	6,469
National Human Rights Commission of Thailand	811	2,989
National Human Rights Institution of the Republic of Korea	12,360	4,338
National Human Rights Institution of Qatar	2,669	47,734
New Zealand National Human Rights Commission	10,267	11,985
Philippines Commission on Human Rights	14,106	3,103
The Palestinian Independent Commission for Human Rights	15,199	10,320
Timor Leste Office of the Provedor for Human Rights & Justice	12,297	4,479
National Human Rights Commission Oman	-	2,842
Ombudsman of Samoa	3,156	-
National Centre for Human Rights of Kazakhstan	110	-
	<u>165,403</u>	<u>190,105</u>

The above payments pertain to travel related expenses for members attendance to training workshops and meetings and consultancy charges for contributions for APF manuals.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN: 98 099 972 997

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	2015	2014
	\$	\$
NOTE 12: RELATED PARTY TRANSACTIONS (Continued)		
(d) Key management personnel compensation		
Key management personnel of the Company include the Director and Deputy Director, being Kieren John Fitzpatrick and Phillippa Erica Dargan.		
Salaries and wages	<u>348,025</u>	<u>370,082</u>

NOTE 13: ECONOMIC DEPENDENCE

A significant portion of the revenue is dependent on the funding from a small number of donors, being the Australian Government, Swedish Government and European Union.

NOTE 14: INFORMATION AND DECLARATIONS TO BE FURNISHED UNDER THE CHARITABLE FUNDRAISING ACT 1991

The Company is authorised to fundraise under the Charitable Fundraising Act 1991. No fundraising appeals were conducted during the year and as such the Company did not utilise this authority in order to meet its charitable fundraising purposes.

NOTE 15: CAPITAL MANAGEMENT

Management controls the capital of the Company to ensure that adequate cash flows are generated to fund its mentoring programs and that returns from investments are maximised. The Board of Directors ensures that the overall risk management strategy is in line with this objective.

Management operates under policies approved by the Board of Directors. Risk management policies are approved and reviewed by the Board on a regular basis. These include credit risk policies and future cash flow requirements.

The Company's capital consists of financial liabilities, supported by financial assets.

Management effectively manages the Company's capital by assessing the entity's financial risks and responding to changes in these risks and in the market. These responses may include the consideration of debt levels.

There have been no changes to the strategy adopted by management to control the capital of the entity since prior year. The strategy of the entity is to ensure that sufficient cash is on hand to meet trade and sundry payables, as well as ensuring the delivery of its training programs.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015**

NOTE 16: CONTINGENT LIABILITIES

The Company is not aware of any contingent liability as at end of the financial year.

NOTE 17: MEMBERS' GUARANTEE

The Company is limited by guarantee. If the Company is wound up, the Constitution states that each member is required to contribute a maximum of \$100 each towards meeting any outstanding obligations of the Company. At 30 June 2015, the number of full members was 15 (2014: 15).

NOTE 18: EVENTS AFTER REPORTING DATE

The Directors are not aware of any other item, transaction or event of a material and unusual nature not otherwise dealt within the report or financial statements that has significantly affected, or may affect the operations of the Company with results of those operations or that state of the Company in subsequent years.

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS
ABN 98 099 972 997

RESPONSIBLE ENTITIES' DECLARATION

The responsible entities declare that in the responsible entities' opinion:

1. There are reasonable grounds to believe that Asia Pacific Forum of National Human Rights Institutions ("The Company") will be able to pay its debts as and when they become due and payable; and
2. The financial statements and notes satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*.

Signed in accordance with subsection 60.15(2) of Australian Charities and Not-for-profit Commission Regulation 2013.

.....
(Director)

Dated in Ulaanbaatar on...27th... of August 2015.

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INDEPENDENT AUDITOR'S REPORT

TO THE MEMBERS OF ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS

Report on the Financial Report

We have audited the accompanying financial report of Asia Pacific Forum of National Human Rights Institutions ("the Company"), which comprises the statement of financial position as at 30 June 2015, and the statement of profit or loss and other comprehensive income, statement of changes in members' funds and statement of cash flows for the year ended on that date, a summary of significant accounting policies, other explanatory notes and the directors' declaration.

Directors' Responsibility for the Financial Statements

The responsible entities of the Company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Reduced Disclosure Requirements (including the Australian Accounting Interpretations) and the financial reporting requirements of the *Australian Charities and Not-for-profits Commission Act 2012* and for such internal control as the directors determine are necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Company's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of the *Australian Charities and Not-for-profits Commission Act 2012*.

Auditor's Opinion

In our opinion the financial statements of Asia Pacific Forum of National Human Rights Institutions is in accordance with the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- a) giving a true and fair view of the Company's financial position as at 30 June 2015 and of its performance for the year ended on that date; and
- b) complying with Australian Accounting Standards – Reduced Disclosure Requirements (including Australian Accounting Interpretations) and the financial reporting requirements of the *Australian Charities and Not-for-profits Regulation 2013*.

Moore Stephens Sydney
Chartered Accountants

Chris Chandran
Partner

Dated in Sydney this 27th day of August 2015.



MOORE STEPHENS

Report to the Board of Directors
Asia Pacific Forum of National Human Rights Institutions
30 June 2015

3 August 2015

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Serious about Success

MOORE STEPHENS

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3 August 2015

The Board of Directors
Asia Pacific Forum of National Human Rights Institutions
Level 3, 175 Pitt Street
SYDNEY NSW 2000

Attention: Mr Kieren Fitzpatrick

Dear Board Members,

We have substantially completed the audit of Asia Pacific Forum of National Human Rights Institutions ("the Company") for the year ended 30 June 2015. We attach a report setting out the scope, results and a brief summary of matters noted in connection with our audit.

It should be appreciated that our procedures are designed primarily to enable us to form an opinion on the financial statements and therefore may not bring to light all weaknesses in the systems and procedures that may exist. We aim however to use knowledge gained during our audit to make comments and suggestions for management in considering the financial statements.

We have prepared this report solely for your use. As you are aware, this report is part of a continuing communication between the Company and us and therefore is not intended to include every matter that has come to our attention. For this reason we believe it would be inappropriate for this report to be made available to third parties without our express permission and if this was to occur we would not accept any responsibility for any reliance they may place on it.

We would like to take this opportunity to express our appreciation to Mr Kwame Owusu-Akyeampong and all the staff during the course of our audit.

We look forward to the opportunity to discuss this report and any other issues that you may wish to raise.

Yours faithfully

Moore Stephens Sydney



Chris Chandran
Partner

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*Other than for the acts or omissions of financial services licensees.

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For further detail please contact:

Chris Chandran
Engagement Partner
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Raiza Argel
Auditor-in-charge
raigel@moorestephens.com.au



1 Audit Scope and Results

Our audit has been conducted in accordance with Australian Auditing Standards to determine whether the annual financial statements give a true and fair view of the financial position of the Company as at 30 June 2015 and of its performance for the year then ended in accordance with the Australian Accounting Standards – Reduced Disclosure Requirements.

We confirmed:	Our procedures included:
An unqualified audit opinion will be issued once the outstanding matters in Section 2 are obtained.	Reviewing and discussing with management the presentation requirements of the financial statements.
No limitation on scope encountered.	Audit of transactions, account balances and disclosures in line with Moore Stephens Australia ("MSA") audit methodology.
Aspects of the audit completed were in line with planned approach.	Obtaining audit evidence from third parties where relevant.
No amendments to the audit strategy were required.	Addressing regulatory and compliance requirements, where applicable.
Required reconciliations were performed, prepared and supported at year end.	Addressing all identified risks.
Significant transactions and account balances relating to the audit were verified.	Ongoing discussions with management as relevant.
Books and records were maintained with no issues noted.	Reporting results to the Board and Management.
Recommendations and other matters arising from the audit are detailed in this report.	
Adjustments required have been discussed with no material exceptions noted.	

2 Outstanding Matters and Opinion

List of Outstanding Items

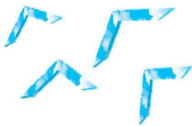
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|---|
| a. Review of any developments (subsequent events) to the date of signing of the financial statements; |
| b. Receipt of the signed Management Representation Letter; |
| c. Formal adoption of the financial statements by the Board of Directors; |
| d. Receipt of signed Directors' Declaration and Directors' Report; and |
| e. Final review of updated financial statements. |

At this time, we do not anticipate any issues with clearing these items prior to signing our audit opinion.

In forming our audit opinion we considered the results of all audit evidence obtained from the substantive testing of the reported assets, liabilities, income and expenditure of the Company.

3 Independence and the Company's Responsibilities

<p><i>Management Representation</i></p>	<ul style="list-style-type: none"> ▶ We have assessed our independence at planning, fieldwork and completion stages and to the best of our knowledge and belief we are of the opinion that Moore Stephens Sydney is not in contravention of the auditor independence requirements of Division 3 of Part 2M.4 of the <i>Corporations Act 2001</i>. ▶ We have further considered APES110 Code of Ethics for Professional Accountants and based upon the safeguards Moore Stephens Sydney has in place we are satisfied that the provision of services by Moore Stephens Sydney and associated firms has not compromised our independence as external auditor of the entities. Please refer to Appendix A for further discussion on our policies and procedures regarding maintenance of auditor independence. ▶ We have not carried out any engagements for the entities that in our opinion would impair our firm's professional independence as auditor.
<p><i>Management Representation</i></p>	<ul style="list-style-type: none"> ▶ Responsibility for the financial statements, including adequate disclosure, is that of those charged with governance. This includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial statements that is free from material misstatement, whether due to fraud or error, selecting and applying appropriate accounting, policies, and making accounting estimates that are reasonable in the circumstances. ▶ We also require that where any document containing the financial statements indicates that this has been reviewed; our report will also be included in the document.
<p><i>Management Representation</i></p>	<ul style="list-style-type: none"> ▶ As part of our audit, written representations from the management concerning assertions made in connection with the audit was requested.



4 Addressing Specific Fraud Risk

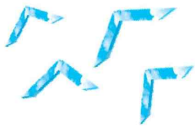
The Australian Auditing Standard relating to fraud ASA 240 'The auditor's responsibility to consider Fraud in an audit of a Financial Report' requires the auditor to perform specific fraud procedures during the audit.

The primary responsibility for the prevention, deterrence and detection of fraud remains with the directors and management of the Company. As auditors, we obtain reasonable assurance that the financial statements, taken as a whole, are free from material misstatements due to fraud or error. Below are the procedures that we performed as part of our audit and our perspective on the fraud risk of the entities.

<p>➤ Made enquiries of those charged with governance, senior management and key staff involved in financial reporting to specifically discuss the risk of fraud;</p>
<p>➤ Evaluated the risk of fraud (including fraudulent financial reporting, misappropriation of assets and other areas susceptible to fraud);</p>
<p>➤ Evaluated the impact of systems controls in relation to fraud;</p>
<p>➤ Maintained a mindset of professional skepticism - maintaining an attitude that a material misstatement due to fraud could exist notwithstanding our previous experience with the Company about the honesty and integrity of the management;</p>
<p>➤ An increased focus on fraud risk relating to intentional misstatement through revenue recognition and management override of controls;</p>
<p>➤ Reviewed accounting estimates, current and/or retrospective, for biases;</p>
<p>➤ Evaluated business rationale for significant unusual transactions;</p>
<p>➤ Performed preliminary analytical audit procedures to highlight potentially fraudulent activities or bypassing of controls;</p>
<p>➤ Expanded management representations; and</p>
<p>➤ Review of journal entries near year end.</p>

5 Uncorrected Misstatements

We noted no uncorrected misstatements during our audit.



6 Audit Matters of Governance Interest

We summarise matters that arose with regard to the Company's accounting systems and internal controls, and its financial records generally, nothing that these matters are being reported by way of information and exception only.

The matters set out in this report in respect thereto are intended to improve and further enhance the effectiveness of the accounting systems and controls in place and the on-going management and governance of the Company.

Matters Identified	MSS Comments	Management Responses
<p>PRIOR YEAR MATTER</p> <p>Consultancy Fee with no Agreements: Whilst, we acknowledge that quotations are obtained to ensure the Company is getting competitive rates from certain consultants, our audit revealed that there are several consultancy fees being paid that have no agreements in place.</p>	<p>We recommend that agreements be signed if the Company is using preferred suppliers or consultants in a recurring basis. Agreements should include a clear description of responsibilities of both parties including pricing to ensure expectations and deliverables are met by the consultants.</p>	<p>We have agreements in place for most of the preferred consultants engaged. We have reviewed work with other consultants and where necessary will enter into agreements.</p> <p>FY 2015 Audit Comment</p> <p>We note based on the sampling performed for Consultancy fees that agreements are in place for the preferred consultants engaged.</p>
<p>CURRENT YEAR MATTERS</p> <p>Agreement with Stage and Screen Based on the work done on Expenses testing, our audit revealed that there is no agreement in place with Stage and Screen. The Company</p>	<p>We understand that the Company held a tender process 3 years ago to determine that Stage and Screen's rates are reasonable compared to other suppliers but there is no agreement in place to ensure that expected deliverables are met.</p> <p>We recommend that agreements be signed if the Company is using preferred suppliers on a recurring basis.</p>	<p>Note: Discussed with management that they will issue a response in a separate letter.</p>

Matters Identified	MSS Comments	Management Responses
<p>engages this supplier to arrange its domestic and international airfare bookings which comprise a substantial amount of Travel expenses incurred during the year. Total amount paid is approximately \$323,000.</p>	<p>Agreements should include a clear description of responsibilities of both parties including pricing to ensure expectations and deliverables are met.</p>	
<p>Investment in ME bank On 30 June 2015, APF has invested cash of \$1,800,000 in ME bank which based on Standard & Pooors has a credit rating of BBB+ and a Moody's rating of A3. APF's Financial Management Guidelines requires it to invest in financial institutions with a minimum credit rating of AA.</p>	<p>We recommend that Management perform an independent check of the rating of any financial institution using a credit rating agency, such as Standard & Pooors or Moody's as part of its due diligence process. Should the Company choose to invest in institutions outside the noted credit rating, it is recommended that the Director's approval is sought.</p>	<p>Note: Discussed with management that they will issue a response in a separate letter.</p>



Appendix A – Moore Stephens Sydney Independence

The continued provision of our audit services to the Company is subject to the firm's strict policies and procedures in respect to maintaining our independence. This is achieved through the application of our Quality Assurance Manual and Independence Policy, and our IQA Monitor proprietary software system to ensure our firm's compliance with the requirements of APES 320 *Quality Control for Firms*, the *Corporations Act 2001* and APES 110 *Code of Ethics for Professional Accountants ("the Code")*. The Moore Stephens Australia Quality Assurance Manual and Independence Policy, including all policies and procedures contained therein, is adopted by all member firms of the Moore Stephens Australia network, thus ensuring that we are compliant with the 'network firm' requirements of the Code.

As auditor, direct and material indirect investment in the Company or its controlled entities and material associates is prohibited to us. This prohibition extends to:

- All partners of any firm within the Moore Stephens Australia network, and any superannuation fund, companies or funds controlled by them and all other staff of the firm engaged;
- The spouse/de facto and dependents of these partners and professional staff;
- Certain other relatives of partners and professional staff who directly provide any professional services to the Company and its controlled entities; and
- The firm and all other firms within the Moore Stephens Australia network including their superannuation funds.

The following safeguards are enforced by our Quality Assurance Manual and Independence Policies to ensure our objectivity is maintained and we are free from conflicts of interest when discharging our professional responsibilities:

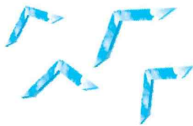
- Partners or staff do not act in a managerial or decision-making capacity, and are not involved in processing or originating transactions for our assurance clients;
- Where non-assurance services are provided to our assurance clients, we are satisfied that the non-assurance services will not have a material impact on our planned assurance procedures and we will not express assurance on these non-assurance procedures; and
- Partners and staff involved in the provision of non-assurance services to our assurance clients do not participate in the client's approval or authorisation processes.

MOORE STEPHENS

Below policies and procedures are undertaken to ensure compliance with the requirements of our Quality Assurance Manual and Independence Policy:

- Six monthly declarations are signed by all partners and staff confirming they hold no prohibited financial or employment relationships with assurance clients of any firm within the Moore Stephens Australia network;
- Independence declarations are signed by all engagement team members confirming their independence;
- Conflict checks are undertaken for all new engagements, be they new or current clients, to identify any potential conflicts of interest;
- Where non-assurance services are to be provided to an assurance client and where the risk of it impacting independence is anything other than clearly insignificant, approval by the firm's Quality Assurance Partner is obtained prior to the commencement of the engagement, to ensure compliance with the requirements of the Quality Assurance Manual and Independence Policy;
- All new partners and professional staff undertake mandatory ethics and independence training when joining the firm and on an annual basis;
- Monitoring processes are applied to ensure compliance with the requirements of the Quality Assurance Manual.

In accordance with the requirements of Section 307C of the *Corporations Act 2001*, we will provide a declaration of our audit independence.



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Moore Stephens is a network of independent firms which are independent members of Moore Stephens International Limited – members in principal cities throughout the world.



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

6 August 2015

Moore Stephens Sydney
Chartered Accountants
P O Box 473
SYDNEY NSW 2001

Attn: Mr Chris Chandran
Partner

Dear Mr Chandran,

Management Responses to Matters raised in the draft board report

Agreement with Stage and Screen

As noted, the APF put out to tender its' travel services three years ago. Stage and Screen were the successful tenderers. Their services and charges have not changed since this time.

The deliverables expected of Stage and Screen were contained in the tender document and the company addressed these deliverables in their successful tender submission.

Investment in ME bank

As noted the APF placed a six month term deposit with ME bank at the end of June 2015 when the previous term deposit at Sgt George Bank matured.

ME bank was one of the banks mentioned in a pre-audit meeting between the auditors and the APF Finance Manager as possible options to get better rates for a term deposit. The auditors also suggested the Bank of Queensland (BoQ) as another option. The APF then sought the respective term deposit rates from the three banks for assessment.

The rates obtained from the three were as follows:

ME bank	3.5%
BoQ	2.90%
St George	2.65%

Based on the above the APF selected ME bank given its significantly better interest rates.

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Asia Pacific Forum
of National Human Rights Institutions

Our auditors were subsequently informed and bank confirmation letters were drafted by the auditors to be sent to ME bank. At no stage did our auditors raise any concerns about the credit rating of ME bank. Further it should be noted that the auditor's additional suggestion of the Bank of Queensland also has a Moody's rating of A3.

In future APF Management will restrict the investment of funds to financial institutions with at least an AA rating.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kieren Fitzpatrick', with a long horizontal flourish extending to the right.

Mr Kieren Fitzpatrick

Director



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

ANNEX 6
APF Annual Operations Plan
2015 - 2016

Forum Councillors
Annual General Meeting

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions

Ulaanbaatar, Mongolia, 26 – 28 August 2015

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
BUILDING STRONGER NHRIS	Capacity Assessments	<ul style="list-style-type: none"> The APF will facilitate a follow-up to an earlier capacity assessment of at least one participating APF member institution. 	<ul style="list-style-type: none"> An APF-NHRI team will facilitate a follow-up mission to the NHRI. A report of the Capacity assessment follow-up for the participating APF member institution. Development of additional and updated strategies to address capacity needs. 	<ul style="list-style-type: none"> NHRI has a greater understanding of its capacity strengths and needs. NHRI has a strengthened capacity to effectively perform its institutional mandate.
	High Level Dialogues	<ul style="list-style-type: none"> The APF will facilitate a high level dialogue with at least one participating APF member institution. 	<ul style="list-style-type: none"> High Level Dialogue implemented. The participating NHRI will be able to discuss issues of concern. 	<ul style="list-style-type: none"> NHRI has a greater understanding of its role and functions.
	Training	<ul style="list-style-type: none"> The APF will provide professional blended 	<ul style="list-style-type: none"> Training implemented. 	<ul style="list-style-type: none"> Increased skills for the Commissioners

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		learning on the following issues: <ul style="list-style-type: none"> • National Inquires • Torture Prevention Ambassadors • Migrants in Detention • Training of NHRl Trainers • Investigating Torture • Human Rights Education • International Human Rights System • Rights of Indigenous Peoples • Human Rights and Business • NHRIs and Economic, Social and Cultural Rights • Media Training 	<ul style="list-style-type: none"> ▪ New training programs developed. 	and staff of participating NHRIs.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		<ul style="list-style-type: none"> • NHRIs and Women's Rights. ▪ Existing training will be supplemented by the development of new training programs and/or materials on: <ul style="list-style-type: none"> • SOGI • Disability. 		
COLLABORATING AND SHARING KNOWLEDGE	Communication	<ul style="list-style-type: none"> ▪ The APF will facilitate the NHRI communications network. ▪ The APF will launch a new upgraded website. ▪ The APF will disseminate information through a wide range of mechanisms on the role and functions of NHRIs and the activities of the 	<ul style="list-style-type: none"> ▪ Communications network implemented ▪ New website launched. ▪ E-Bulletin disseminated widely ▪ New information placed on website ▪ Email broadcasts sent 	<ul style="list-style-type: none"> ▪ A greater understanding and awareness amongst members and key stakeholders of the role of NHRIs and the APF.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		<p>APF. In particular the APF will provide information to our member institutions, governments, UN agencies, NGOs and the general community through:</p> <ul style="list-style-type: none"> • Publishing at least 10 copies of the APF e-Bulletin each year; • Posting new information on the APF website on at least a monthly basis; • Sending email broadcasts to member institutions on APF, ICC and UN related activities. 		
Senior Executive Officers Network		<ul style="list-style-type: none"> • The APF will service the meetings of the SEO network and implement 	<ul style="list-style-type: none"> • Coordinating and convening an annual SEO Roundtable. 	<ul style="list-style-type: none"> • Improving knowledge, capacity and/or awareness of

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		<p>Forum Councillor approved SEO activities.</p>	<ul style="list-style-type: none"> ▪ Supporting additional SEO activities as required. 	<p>the various roles and functions undertaken by SEOs in the Asia Pacific region.</p> <ul style="list-style-type: none"> ▪ Greater cooperation between SEOs. ▪ Agreed SEO activities to assist APF implement its strategic plan.
	<p>Regional Thematic Workshops</p>	<ul style="list-style-type: none"> ▪ The APF will be responsible, in cooperation with either a host institution or partner organisation, for all aspects of the management of the following regional thematic workshops: <ul style="list-style-type: none"> • Increasing restrictive space with UNDP; • Rights of Older Persons with the 	<ul style="list-style-type: none"> ▪ Regional Workshops implemented. ▪ Plans of Action Adopted. 	<ul style="list-style-type: none"> ▪ A greater understanding and awareness amongst members and key stakeholders of issues of regional concern.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		Korean Commission; • Death Penalty.		
	APF Annual Meeting and Biennial Conference	<ul style="list-style-type: none"> ▪ The APF will be responsible, in cooperation with the host institution, for all aspects of the management of the annual general meeting. ▪ APF20 Annual General Meeting in 2015. 	<ul style="list-style-type: none"> ▪ APF member approval of key planning and management documents (e.g. audit, annual strategic plans) ▪ APF member approval of policy papers. 	<ul style="list-style-type: none"> ▪ Greater cooperation between NHRIs. ▪ Effective international, regional and national cooperation and coordination ▪ APF representative of its members and responsive to their needs ▪ APF organisation and activities effectively managed
PROVIDING ADVICE AND EXPERTISE	Advice on the nature and status of NHRIs to	<ul style="list-style-type: none"> ▪ Provision of advice and technical assistance toward the 	<ul style="list-style-type: none"> ▪ The provision of APF advice and technical assistance to the listed 	<ul style="list-style-type: none"> ▪ NHRIs established in compliance with the Paris Principles.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
	<p>members, governments & other stakeholders involved in the establishment and strengthening of NHRIs.</p>	<p>establishment of NHRIs in full compliance with the Paris Principles.</p> <ul style="list-style-type: none"> ▪ Provision of advice and technical assistance to existing NHRIs to improve compliance with the Paris Principles. ▪ Provision of advice, on request, to member institutions in ICC Re-accreditation reviews. ▪ Provision of advice, on request, to new institutions seeking ICC accreditation and APF membership. 	<p>stakeholders seeks to ensure that the NHRIs are established or strengthened so as to be in full compliance with the Paris Principles.</p>	<ul style="list-style-type: none"> ▪ Existing NHRIs improved compliance with the Paris Principles.
	<p>Support the APF NHRI representative on the ICC Sub-Committee on Accreditation</p>	<ul style="list-style-type: none"> ▪ Provision of advice to the APF NHRI representative on the ICC Sub-Committee on Accreditation. ▪ Provision of advice on the development of General Observations. 	<ul style="list-style-type: none"> ▪ The provision of legal and policy advice on accreditation practice and procedure. ▪ The provision of legal and policy advice on the content and drafting of General Observations. 	<ul style="list-style-type: none"> ▪ ICC accreditation processes are objective, transparent, rigorous and fair. ▪ ICC General Observations accurately reflect

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		<ul style="list-style-type: none"> ▪ Provision of advice on ICC accreditation procedures. 		and promote greater compliance with the Paris Principles.
	Support the participation of APF members in the ICC Accreditation process.	<ul style="list-style-type: none"> ▪ APF members seeking ICC accreditation need to participate in the accreditation process. 	<ul style="list-style-type: none"> ▪ Provision of advice to the APF members on the accreditation procedures and documentation. ▪ Provision of advice on the interpretation of General Observations. 	<ul style="list-style-type: none"> ▪ APF members are more aware of, and better prepared to participate in, the ICC Accreditation process. ▪ Member NHRIs are correctly assessed as to their compliance with the Paris Principles.
	Participate in the continuing development of General Observations	<ul style="list-style-type: none"> ▪ ICC Sub-Committee Working Group will develop draft General Observations for the approval of the ICC. 	<ul style="list-style-type: none"> ▪ Provisions of technical legal and policy advice on existing standards and best practice regarding NHRIs. 	<ul style="list-style-type: none"> ▪ General Observations accurately reflect, clarify and promote greater compliance with, the Paris Principles.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
				<ul style="list-style-type: none"> ▪ General Observations provide greater guidance and clarification to NHRIs and to States on the conditions required for a well-functioning NHRI. ▪ General Observations are distinguished from best practice and procedural issues.
CONTRIBUTING AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVEL	The APF will facilitate NHRI regional advocacy in the UN Human Rights Council and its mechanisms	<ul style="list-style-type: none"> ▪ Participate in the UN Human Rights Council & its mechanisms. 	<ul style="list-style-type: none"> ▪ Participation in relevant mechanisms and meetings. 	<ul style="list-style-type: none"> ▪ NHRI input assists in the development of more effective international mechanisms.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
	<p>The APF will advocate for NHRI participation rights in the UN General Assembly and its mechanisms</p>	<ul style="list-style-type: none"> Advocacy for NHRI participation rights in the UN General Assembly & its mechanisms and, in particular, the Open Ended Working Group on Ageing, the Conference of State Parties on Disability and the Commission on the Status of Women. 	<ul style="list-style-type: none"> Advocacy for NHRI participation rights in relevant mechanisms and meetings. 	<ul style="list-style-type: none"> NHRI input assists in the development of more effective international mechanisms.
	<p>The APF will seek to facilitate NHRI cooperation with the ASEAN Inter-governmental Human Rights Commission (AICHR), the League of Arab States (LAS), the Pacific Islands Forum (PIF) and the South Asian</p>	<ul style="list-style-type: none"> Seek engagement and participation of NHRIs in AICHR, LAS, PIF, SAARC and their subsidiary commissions and committees. 	<ul style="list-style-type: none"> Advocacy for NHRI cooperation and participation with AICHR, LAS, PIF, SAARC and their subsidiary commissions and committees. 	<ul style="list-style-type: none"> NHRI input assists in the development of more effective regional mechanisms.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
	Association for Regional Cooperation (SAARC).			
	International Coordinating Committee of National Institutions (ICC)	<ul style="list-style-type: none"> ▪ Participate in the annual and Bureau meetings of the ICC. ▪ Participate in the ICC International Conference. 	<ul style="list-style-type: none"> ▪ Participation in the ICC. ▪ Preparation of reports and papers on behalf of members. 	<ul style="list-style-type: none"> ▪ APF input assists the ICC to shape effective policy and strategic positions. ▪ APF input facilitates recognition of regional issues and concerns.
	Assisting NHRIs Under Threat	<ul style="list-style-type: none"> ▪ On request, provide assistance to NHRIs under threat. 	<ul style="list-style-type: none"> ▪ APF advocacy on behalf of NHRI. 	<ul style="list-style-type: none"> ▪ APF advocacy facilitates recognition of the role of the NHRI.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
<p>PROMOTING GENDER EQUALITY</p>	<p>The APF will promote gender equality</p>	<ul style="list-style-type: none"> ▪ The APF will provide professional blended learning on women and girls rights. ▪ The APF will implement the recommendations on its gender mainstreaming report. 	<ul style="list-style-type: none"> ▪ Training implemented. ▪ Gender mainstreamed through APF activities and processes. 	<ul style="list-style-type: none"> ▪ APF training assists NHRIs with their own gender advocacy and mainstreaming. ▪ Gender is mainstreamed through APF activities.
<p>STRATEGIC MANAGEMENT</p>	<p>The APF secretariat will be responsible for the overall strategic management of the organisation and its operations.</p>	<ul style="list-style-type: none"> ▪ Servicing the APF Chairperson, meetings of the full Forum Council and any sub-committees established by the Council. ▪ Identifying international issues and pursuing activities that support the APF's mission and vision for the region. ▪ Identifying and pursuing opportunities to increase regional participation and representation across the breadth of its 	<ul style="list-style-type: none"> ▪ Provision of secretariat assistance and support. 	<ul style="list-style-type: none"> ▪ Ensuring the effective operation of the APF as a membership organisation. ▪ Ensuring APF relevance and strategic engagement. ▪ Ensuring that gender perspectives and attention to the goal of gender equality are central to the planning, implementation and

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		<p>activities including the involvement, wherever possible, of non-member institutions, governments and civil society.</p> <ul style="list-style-type: none"> ▪ Completing all monitoring, evaluation and reporting requirements. ▪ Identifying and implementing risk management strategies for all project activities and the overall operation of the APF. ▪ Implementing a long-term fund development strategy. ▪ The effective, efficient and equitable management of APF financial and human resources. ▪ Strengthening the APF's governance and organisational structure through the development 		<p>monitoring of APF activities.</p> <ul style="list-style-type: none"> ▪ Enabling the APF to effectively manage its activities and improve services. ▪ Achieving financial growth and stability. ▪ Ensuring the effective and efficient operation of the APF.

APF STRATEGIC PLAN	ACTIVITY	DETAILS	EXPECTED OUTPUTS	EXPECTED OUTCOMES
		of board and operational policies. <ul style="list-style-type: none"> ▪ Managing all day to day secretariat operations. ▪ Working in cooperation with external actors, including academics, to review the effectiveness of the APF. 		

Implementation Schedule

Most of the activities carried out by the APF are on-going or occur at times which are mutually convenient to the parties involved. The following implementation schedule sets out these activities which are grouped consistently with the APF Strategic Plan.

APF Strategic Objectives	APF Operations	July to Sept Qtr 2015	Oct to Dec Qtr 2015	Jan to Mar Qtr 2016	Apr to Jun Qtr 2016	TOTALS
Building stronger NHRIs	Capacity Assessments					1
	High Level Dialogue					1
	Training					4
Collaborating and sharing knowledge	Communication					4
	SEO Network					1
	Regional Thematic Workshops					3
	Annual Meeting and Biennial Conference					1
Providing advice and expertise	Advice to Members					4
	Establishment of new NHRIs					4
	ICC Sub-Committee & GO process					4
Contributing at the national, regional and international level	Human Rights Council and mechanisms (Geneva)					4
	Advocacy for NHRI participation in the General Assembly					4
	AICHR, LAS, PIF, SAARC					4
	ICC					2
Promoting gender equality	Training on Women's and Girls Rights					1
	Gender Mainstreaming					4
Strengthening organisational leadership and governance	Effective Management of APF including gender mainstreaming					4

Forecast Income and Expenditure

The following table sets out the forecast income and expenditure of all APF operations for the 2015 to 2016 period. The table presents information on donor sources and provides a breakdown on each contribution as an overall percentage of the APF's forecasted income. Similarly, the table provides a breakdown of the expenditure related to each of the six functions as a percentage of overall expenditure.

ASIA PACIFIC FORUM OF NHRI DRAFT INCOME AND EXPENDITURE BUDGET REPORT 1 JULY 2015 TO 30 JUNE 2016		
	TOTAL BUDGET	
INCOME	\$	%
Donations:		
Thailand Government	6,240	
NHRC Korea	99,553	4%
Grants:		
Australian Government	700,000	29%
European Commission	252,372	11%
NHRC India	194,805	8%
Malaysia Government	64,935	3%
Qatar Government	64,935	3%
Swedish Government	881,508	37%
Other Income:		
Membership fees	72,078	3%
Interest	66,000	3%
Total Income	2,402,426	
EXPENDITURE		
Building stronger national human rights institutions	1,126,552	47%
Collaborating and sharing knowledge	436,293	18%
Providing advice and expertise	111,886	5%
Contributing at the national, regional and international level	105,487	4%
Strengthening organisational leadership and governance	217,031	9%
Promoting gender equality	158,896	7%
APF Secretariat	244,808	10%
Total Expenditure	2,400,953	
NET SURPLUS / (DEFICIT)	1,474	

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● APF 거버넌스 개혁안



APF Governance Reform Discussion Paper

APF 20

The 20th Annual Meeting of the Asia
Pacific Forum of National Human Rights
Institutions

Ulaanbaatar, Mongolia, 26 – 28 August
2015

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APF Governance Reform

1. Executive Summary

- 1.1 With membership of the APF growing and this set to continue over the life of the next (2015-2020) Strategic Plan it has become clear that a comprehensive review of the APF governance is required.
- 1.2 The Forum Council Working Group (FCWG) – comprised of the APF member institutions from Palestine, India, Korea, Philippines and Australia – was authorised by the Forum Council to consider and report on proposals for a revised APF governance structure.
- 1.3 The FCWG met twice in person and considered a range of issues. This discussion paper represents the views of the FCWG. It is presented to the full Forum Council at APF 20 to initiate a broader discussion of possible governance reform options.
- 1.4 The key questions for discussion are ‘what would a revised governance model look like’, ‘how can it promote member participation and a sense of collegiality’ and ‘how to create an efficient and accountable governance model that has clarity and purpose’.
- 1.5 The discussion paper proposes the establishment of a General Assembly, consisting of all APF members, responsible for all major decision making within the APF. The proposal is to support the General Assembly with the creation of an APF Board, responsible for overseeing the implementation of General Assembly decisions and making recommendations to it.
- 1.6 The discussion paper examines each area in detail and provides a proposal on which the Forum Council can provide its comments to assist in the deliberation of governance reform.

2. Rationale

- 2.1 With the continued growth in its membership and the resulting expansion of its geographic reach, the APF is at an important juncture in its governance structure. In the current context of strategic planning for 2015-2020, Forum Councillors agreed that it was timely to consider a review of the APF governance model to ensure that the organisation’s operational effectiveness, future sustainability, credibility and member ownership is strengthened and in the best possible position for continued future success.

- 2.2 There are currently 22 member institutions of the APF. Fifteen (15) are 'Full' 'A' accredited members¹. Seven (7) are 'Associate' 'B' members and are either accredited by, or waiting to be accredited by, the ICC². It is anticipated that within the next Strategic Plan cycle (2015-2020) the number of APF member institutions will increase.
- 2.3 The APF governance model has not been reviewed since its incorporation in 2002. With its growing membership and increased maturity as an organisation, a review of its governance is timely. It takes advantage of the current strategic planning processes and recognises that the APF operates in a dynamic economic, political and social environment. Currently all 'A' members are entitled to appoint a Forum Councillor to govern the APF and, as membership continues to grow, this will have increased efficiency and cost implications.
- 2.4 In 2014, the Forum Councillors established an advisory committee of 5 Forum Councillors called the Forum Council Working Group on Strategic Planning for 2015-2020³. The role of the FCWG was to:
- (i) consider the findings of an APF 'Self-Review' and a 'Situational Analysis' conducted in 2014; and
 - (ii) provide recommendations to Forum Councillors on a new 2015-2020 strategic plan for the APF.
- 2.5 The FCWG's June 2014 report was considered by the Forum Council at the 19th Annual Meeting of the APF (APF 19) held in New Delhi, India in September 2014. The report included a specific recommendation to strengthen *"the APF's governance and organisational structure through the development of board and operational policies"*.
- 2.6 Following consideration of the FCWG's report, Forum Councillors agreed to extend the mandate of the FCWG and request it to consider and report on *"Proposals for a revised APF governance structure"*.⁴
- 2.7 This discussion paper has been prepared by the FCWG to facilitate the Forum Council's consideration of this issue. The paper outlines key issues for consideration and provides suggestions for each area with the intention that these can be used by the Forum Council to discuss and address governance reforms.

¹ The 15 'A' (A-status) members are the NHRIs of Afghanistan, Australia, India, Indonesia, Jordan, Korea, Malaysia, Mongolia, Nepal, New Zealand, Palestine, Philippines, Qatar, Thailand and Timor-Leste.

² The 7 'B' members (B-status or waiting accreditation by the ICC) include the NHRIs of Bangladesh, Kazakhstan, Maldives, Myanmar, Oman, Samoa and Sri Lanka. Those NHRIs not yet accredited by the ICC are Myanmar and Samoa.

³ FCWG committee members include the NHRIs of Australia, India, Korea, Palestine and the Philippines.

⁴ <http://www.asiapacificforum.net/about/annual-meetings/19th-india-2014>

3. Overview

3.1 Narrative

3.1.1 The current governance model is built around the 'Forum Council' - the APF decision making body consisting of representatives from each 'Full' Member Institution, totalling 15.⁵ With both the number of 'Full' and 'Associate' members set to rise over the term of the next Strategic Plan it was thought that it was advisable that the governance structure be revised:

- (i) To ensure an efficient and accountable governance for the APF;
- (ii) To enhance the collegiality and ownership of the APF by its members; and
- (iii) To enhance the purpose and clarity of roles and powers within the APF governance model.

3.1.3 The key questions that are discussed in this paper include:

- (i) What form should the decision-making body take?
- (ii) How to create an efficient governance model whilst maintaining member ownership and collegiality?
- (iii) What terminology should be used to create clarity of roles and purpose within the APF membership?

3.1.4 This discussion paper seeks to address these questions by proposing the creation of a General Assembly⁶ with an APF Board.

3.1.5 The General Assembly would consist of all APF members and, in essence, have the same decision making powers as the current Forum Council. Full members will have voting and participatory rights, while Associate members will have participatory rights only.

3.1.6 An APF Board, consisting of a Chair, Deputy-Chair and 3 other members, will oversee the implementation of General Assembly decisions, make recommendations on issues, and put reports before the General Assembly.

3.1.7 To provide clarity of terminology and international consistency it is suggested that 'Full' members are redefined as 'A' members, and 'Associate' members as 'B' members, and for the rest of this discussion paper they will be referred to as such. The powers of each category of member would remain essentially the same as the current situation with one amendment being that 'B' members would have the opportunity to nominate a non-voting representative to the General Assembly, ensuring a more formalised and inclusive participation of 'B' members in the

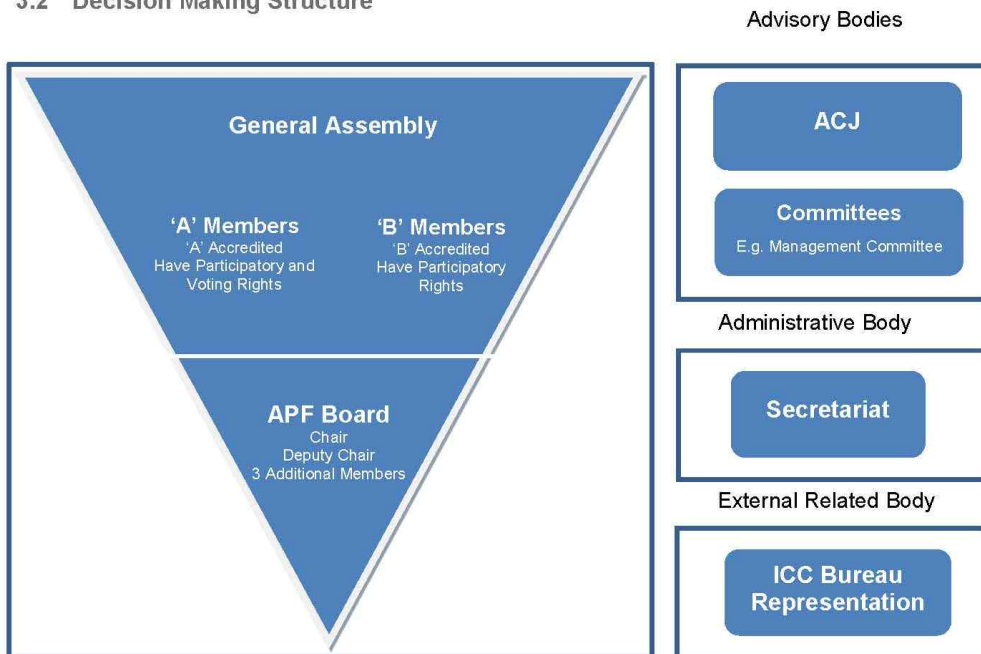
⁵ For a list of Full and Associate Members visit <http://asiapacificforum.net/members/full-members>

⁶ A full glossary of current and proposed terms is found in Appendix A

discussions of the APF. 'B' members will also be able to host APF conferences as APF leadership positions will be delinked from the previous practice that ensured that the host of an APF Conference becomes the APF Chairperson.

3.1.8 The diagram below illustrates this proposed governance model and then outlines the respective powers and responsibilities of the General Assembly and the APF Board. The discussion paper then proceeds to examine the governance issue in more detail, highlighting issues that require Forum Council consideration.

3.2 Decision Making Structure



3.3 Powers and Responsibilities

General Assembly	APF Board
All members consider and 'A' members adopt Strategic Plans.	Consideration of Strategic Plan and recommendations to General Assembly.
All members consider and 'A' members adopt Auditors Report.	Consideration of Auditors Report and recommendations to General Assembly.
All members consider and 'A' members adopt annual Directors Report.	Consideration of annual Directors report and recommendations to General Assembly.

All members consider and 'A' members adopt Constitutional Amendments and changes to Rules of Procedures.	Consideration of proposed Constitutional Changes and changes to Rules of Procedures and recommendations to General Assembly.
'A' members nominate and elect Board	Board serves under the supervision of the General Assembly.
'A' members decide on APF membership applications.	Consideration of applications for APF membership and recommendations to General Assembly.
	Consideration of 6 monthly Directors Report.
	Decide on ACJ referrals (Final decision or refer to General Assembly).
	Adopt annual Operational Plan and notify General Assembly.

3.4 Summary of Proposals

Governance	Voting	Term of Office	Meetings	ICC Bureau
<p>Redefine 'Full' and 'Associate' members as 'A' and 'B' members.</p> <p>Establish a 'General Assembly', consisting of representatives from all 'A' and 'B' members.</p> <p>Rules of procedure:</p> <ul style="list-style-type: none"> - 'A' members have voting and participatory rights in the General Assembly. - 'B' members have participatory rights in the General Assembly <p>Establish an elected 5-Member Board consisting of:</p> <ul style="list-style-type: none"> - A Chairperson - A Deputy Chairperson - 3 other members <p>Rules of procedure:</p> <ul style="list-style-type: none"> - All board members must be A-accredited. 	<p>General Assembly elects the APF Board.</p> <p>Consecutive elections to be held for:</p> <ul style="list-style-type: none"> - Chair; - Deputy-Chair; - 3 other members <p>Rules of Procedure:</p> <ul style="list-style-type: none"> - 'A' members may make one nominee per election (unless that member has already obtained a Board position) - One vote per election per 'A' member - Maximum of 2 Board members from any one sub-region - Upon vacation of Office by the Chair, the Deputy-Chair assumes the position - Upon vacation of Office by the Deputy-Chair or the other 3 Board members, an election is held to fill the position - Secret ballot elections to be held at General Assembly or in Geneva to allow for representations from nominees 	<p>Board members terms set at 2 years, renewable once upon re-election</p> <p>Rules of Procedure:</p> <ul style="list-style-type: none"> - Board members should have 2 years left on their term at national level to be nominated and elected 	<p>Hold a minimum of two APF Board meetings per annum</p> <p>One Board meeting to coincide with the ICC meeting in Geneva</p> <p>One Board meeting to immediately precede the meeting of the General Assembly on or around the 3rd quarter of the year</p>	<p>Chair of the APF Board also chairs the Asia Pacific ICC Bureau Group</p> <p>Remaining 3 positions are elected from within APF 'A' membership</p>

4. Governance

4.1 Proposal

- (i) **Redefine 'Full' and 'Associate' members as 'A' and 'B' members.**
- (ii) **Establish a 'General Assembly', consisting of all 'A' and 'B' members.**
 - 'A' members have voting and participatory rights;
 - 'B' members have participatory rights.
- (iii) **Establish a new APF Board consisting of:**
 - **A Chairperson**
 - **A Deputy-Chairperson**
 - **3 other members.**

4.2 Commentary

4.2.1 Current Structure

The 'Forum Council is currently the APF decision making body and comprises representatives from all 'A' member institutions.

The APF currently uses the terms 'Full' and 'Associate' for its members.

4.2.2 Considerations

The growth in membership of the APF and subsequent impact on the efficiency of the organisation with its current governance model needs to be addressed.

How best can a sense of ownership and collegiality be fostered among members through the governance model?

Proposed changes to the governance model must ensure purpose and clarity in roles and responsibilities.

Where desirable, alignment of membership terminology should be consistent with international practice.

The Paris Principles have relevance to the governance of the APF and should be taken into account.

4.2.3 Main Features

Establish a General Assembly consisting of all members, supported by a streamlined Board of 5 persons (the 'APF' Board), to strike a balance between the need for organisational efficiency and membership ownership.

Redefine 'Full' and 'Associate' members as 'A' and 'B' members respectively to bring the terminology in line with the ICC and other regional networks.

Establishing a General Assembly consisting of all members creates an enhanced sense of ownership and collegiality. However 'A' members are those that comply with the Paris Principles and are therefore vested with voting rights. 'B' members do not fully comply with the Paris Principles and therefore do not have voting rights but do have participatory rights in the General Assembly.

Creating an APF Board with responsibility to oversee implementation of General Assembly decisions will improve governance by facilitating more timely and effective decision making. Ownership and diversity is maintained through the clear distribution and delineation of powers between the General Assembly and the Board and by the proposed rule requiring no more than 2 Board members from any sub-region.

The reforms described above would require changes being made to the APF Constitution, which would have to be approved by the Forum Council.

4.3 Rules of Procedure and Powers

4.3.1 General Assembly

Rules of Procedure:

- All member institutions to nominate one representative to the General Assembly.
- 'A' members have voting and participatory rights within the General Assembly.
- 'B' members have participatory rights within the General Assembly.

Powers:

- Consider (all members) and adopt ('A' members) Strategic Plan.
- Consider (all members) and adopt ('A' members) Auditors Report.
- Consider (all members) and adopt ('A' members) proposed changes to the Constitution and Rules of Procedures.
- Consider (all members) and adopt ('A' members) annual Directors Report.
- 'A' members elect the Board.
- 'A' members decide on APF membership applications.
- May move a no-confidence motion in relation to the Board.

4.3.2 APF Board

Rules of Procedure:

- The General Assembly ('A' members) elects the APF Board through three consecutive secret ballots, starting with for the position of Chair (one vote, one value). All 'A' members can make one nomination. See 5.2 below for a more detailed discussion on the voting process.
- Nominee Board members must be individuals from an 'A' member and must be a serving commissioner or senior executive officer with at least 2 years remaining in their domestic tenure.
- No more than 2 individuals from any one sub-region⁷ can be elected to the Board.
- Nominees must meet established criteria.
- Board members will reflect the diversity of the APF membership and will act in its best interests.
- 3 Board members (inclusive of the Chair, or in their absence, the Deputy-Chair) constitutes a quorum at meetings.
- Rules of procedures will be developed and approved.

Powers:

- Consider proposed Constitutional changes and make recommendations for approval to the General Assembly.
- Consider the 5 Year Strategic Plan and make recommendations for approval to the General Assembly.
- Consider the Auditors Report and make recommendations for approval to the General Assembly.
- Consider the Annual Director's report and make recommendations for approval to the General Assembly.
- Consider applications for APF membership and make recommendations for approval to the General Assembly.
- Consideration of 6 monthly Directors Report.

⁷ There are 6 sub-regions within the APF Membership: **Central Asia** (National Centre for Human Rights of Kazakhstan); **North Asia** (National Human Rights Commission of Mongolia, National Human Rights Commission of Korea); **the Pacific** (Australian Human Rights Commission, New Zealand Human Rights Commission, Samoa Office of the Ombudsman); **South Asia** (Afghanistan Independent Human Rights Commission, National Human Rights Commission of India, National Human Rights Commission of Nepal, National Human Rights Commission of Bangladesh, Human Rights Commission of the Maldives, Human Rights Commission of Sri Lanka); **South-East Asia** (Indonesian National Commission on Human Rights, Human Rights Commission of Malaysia, Philippines Commission on Human Rights, National Human Rights Commission of Thailand, Timor-Leste Office of the Provedor for Human Rights and Justice, Myanmar National Human Rights Commission); **West Asia** (Jordan National Centre for Human Rights, Palestinian Independent Commission for Human Rights, National Human Rights Committee of Qatar, National Human Rights Commission of Oman).

- Consult with the General Assembly on ACJ references and decide upon the references.
- Adopt annual Operational Plan and notify General Assembly.
- Consider quick responses to assist NHRIs in times of crisis or concern and develop a protocol for such responses; and
- Supervise the APF secretariat in implementing the Strategic Plan.

5. Voting Process: Board Members

5.1 Proposal

At a meeting of the General Assembly consecutive elections via a secret ballot to be held for:

- (i) The Chair***
- (ii) Deputy-Chair***
- (iii) 3 Board members.***

Criteria to be established for nominees to the Board

5.2 Commentary

5.2.1 Current Structure

There is currently no stand-alone election process for the Chair of the Forum Council.

There are currently no criteria on what position a person must hold to be nominated as a Forum Councillor.

Leadership positions are linked to an 'A' member hosting a biennial conference.

The APF Chair and Deputy-Chairs are therefore currently selected based on nominations to host the APF biennial conference.

5.2.2 Considerations

How to establish an effective APF Board with the relevant skills, knowledge and experience to enhance operational effectiveness.

The need for a stand-alone election process to ensure a lean, strong, diverse leadership must be addressed.

Ensuring regional diversity and gender equality must be taken into account.

Rules of procedure for vacation of Office need to be established.

Delinking leadership positions from hosting the APF biennial conference should be considered.

5.2.3 Main Features

Create an open and transparent election process for all Board positions. The recommended election system seeks to ensure that nominations and voting is conducted on a criteria based system that is in the best interests of the APF rather than that of a country or sub-region. Sub-regionalisation of voting could have a negative impact in terms of ownership and unity for the APF and is therefore best avoided.

Establish criteria for leadership and representative positions to enhance effective leadership and decision making.

Establish Rules of Procedure that stipulate the Deputy Chair is to assume the position of Chair upon vacation of Office. In the event of any other Board members vacating Office a re-election will be held among 'A' members of the General Assembly.

Discontinue the current practice of leadership positions attained on the basis of hosting the APF conference.

5.3 Rules of Procedure

- One nomination per election per 'A' member (unless that member has already obtained a Board position in either the Chair or Deputy-Chair election).
- One vote per election per 'A' member.
- Maximum of 2 Board members from any one sub-region. The Chair and Deputy Chair should not be from the same sub-region.
- Upon vacation of Office by the Chair, the Deputy-Chair assumes the position.
- Upon vacation of Office by the Deputy-Chair or any of the other 3 Board members an election for 'A' members is held to fill the position and that the vacating officer(s) cannot delegate their position to another official from within their institution(s).
- Elections to be at a meeting of the General Assembly to allow for representations from nominees. A secret ballot will follow.
- Postal/email votes can be made in advance.
- An 'A' member who does not have a nominee for each election will act as scrutineer.

6. Term of Office

6.1 Proposal

Board members terms are set at 2 years, renewable once only upon re-election.

6.2 Commentary

6.2.1 Current Structure

The term of the Chair of the Forum Council is usually 2 years.

In the current rotation system a member would serve in all 3 positions – Chair, 1st Deputy-Chair and 2nd Deputy Chair, meaning that a NHRI would have representation at this level for 6 years.

Currently no criteria exists on the required amount of time left on a nominee's term at national level.

6.2.3 Considerations

To take into account how to enhance ownership of the APF through regular rotation of Board positions.

A balance must be sought between regular rotations and creating a structure where effective Board members can be popularly elected to remain in their position for longer than one term.

The length of term for the Board member must be practical and take into consideration the length of term at national level. For example, if the APF Board term was 3-5 years would this unduly limit the number of potential nominees due to a lack of candidates who have that amount of time left on their term at national level?

6.3.3 Main Features

Maintain a 2 year term for all Board members to allow for a balance between stability and working within national terms. The stability levels are further enhanced by allowing for one renewal of office. The 2 year period is also beneficial in that it allows for relatively regular opportunities for elections and will help to ensure wider member participation.

Nominated Board members must have two years left to minimise the risk that they have to vacate their position during their tenure.

6.3 Rules of Procedure

- Board members must have 2 years left on their term at national level to be nominated and elected

7. Meetings

7.1 Proposal

Hold a minimum of two APF Board meetings per annum

7.2 Commentary

7.2.1 Current Structure

Forum Councillors currently meet twice a year – once at an annual APF meeting and the second time in Geneva in the margins of the ICC annual meeting in March.

A biennial conference is held where the host NHRI is confirmed as the new Chair.

7.2.2 Considerations

The appropriate number of Board meetings must be considered and a balance achieved between cost and efficiency.

The legal requirement for at least one meeting per annum must be adhered to.

The matter of who the APF funds to attend scheduled meetings must be addressed.

7.2.3 Main Features

Two APF Board meetings per annum: The first to immediately precede the ICC meeting in Geneva and the second to immediately precede the meeting of the General Assembly in or around the 3rd quarter of the year. The recommendation seeks to achieve the required level of Board meetings whilst reducing costs by coinciding one meeting with the ICC meeting in March.

The APF will fund member participation at the meeting of the General Assembly in or around the 3rd quarter to ensure yearly member engagement and participation.

The position of Chair is no longer linked to the hosting of the Biennial Conference and is instead decided through a nomination and election process within the General Assembly.

The Biennial Conference is redefined as the 'APF Conference' to allow for greater flexibility in terms of regularity.

7.3 Rules of Procedure

- One APF Board meeting to immediately precede the ICC meeting in Geneva where additional costs of the Board (extended accommodation, per diems) will be borne by the APF.
- One APF Board meeting to immediately precede the meeting of the General Assembly in or around the 3rd quarter (July to September) where 'A' and 'B' member participation in the General Assembly is funded by the APF (although the

funding is not a Constitutional issue for consideration within this discussion paper).

- Board to be provided with the annual, financial, directors' and auditors report within a specified amount of time before the General Assembly and to meet one day before the meeting to consider and provide recommendations before presenting it to the General Assembly for adoption.
- Chair no longer automatically hosts biennial conference. This is instead decided by a call for nominations under an order of business at APF meetings. Conference hosting will be open to all 'A' and 'B' institutions.

8. ICC Bureau Representation

8.1 Proposal

The Chairperson of the APF Board is automatically the 'regional chair' of the APF group in the ICC.

Remaining 3 positions are elected from within the APF 'A' membership.

8.2 Commentary

8.2.1 Current Structure

Four 'A' member NHRI representatives comprise the APF representation on the ICC Bureau.

The Chair and Deputy Chair of the current Forum Council automatically hold two of these positions within the ICC Bureau representative group.

The remaining two positions are elected from within the 'A' members of the APF.

8.2.2 Considerations

ICC Bureau representation provides an important opportunity for 'A' accredited members to engage in an international leadership role. The selection process should recognise this and ensure that the opportunity is widely available and regularly rotated throughout the membership where appropriate.

8.2.3 Main Features

Increase the number of elected representatives to the ICC Bureau from 2 to 3 in order to enhance member engagement, widen Member opportunities and off-set the reduced size of the governing Board.

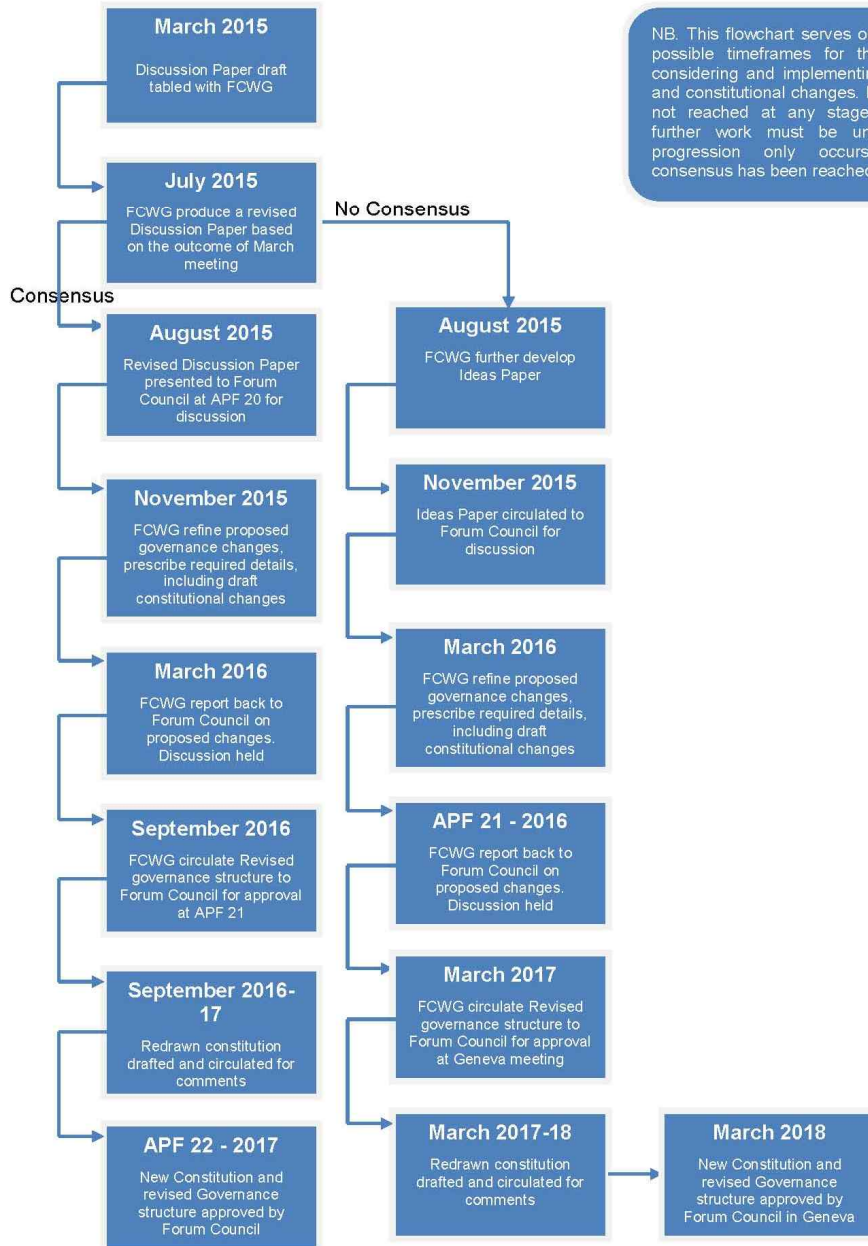
The Chair of the APF Board to remain automatically selected as a representative on the ICC Bureau for continuity and strong leadership purposes. Given that under the new proposed governance model there is no rotation of APF Board positions (as is the

existing model) there is no need for the Deputy Chair to automatically be a selected representative on the ICC Bureau. Currently this policy helps to ensure stability and continuity but under the proposed model this would no longer be the case.

9. Recommendation

That the Forum Council authorise the Forum Council Working Group to continue its work on reforming the governance of the APF and report back to the Forum Council at APF 21 in 2016.

10. Timeframe



NB. This flowchart serves only to highlight possible timeframes for the process of considering and implementing governance and constitutional changes. If consensus is not reached at any stage shown, then further work must be undertaken and progression only occurs when the consensus has been reached.

11. Appendix A: Glossary of Terms

1. Current Terminology

Term	Definition
Forum Council	Current decision-making body of the APF consisting of all Full member NHRIs from the Asia Pacific region.
Forum Councillors	Nominated representatives of Full member institutions who are vested with the power to vote on issues before the Forum Council, including the adoption of the Strategic Plan, Directors Report and Auditors Report
Chair	Chairperson of the Asia Pacific Forum of National Human Rights Institutions (accompanied by two Deputy-Chairs)
Full Member	APF member institution with 'A' accredited status
Associate Member	APF member institution with 'B' or no ICC accredited status
Observer	Representatives of other NHRIs, bodies or individuals who attend APF meetings
Annual General Meeting	Meeting of the Forum Council to consider and decide on a range of business issues including the adoption of the Strategic Plan, Directors Report and Auditors Report
Biennial Conference	The APF Conference held every two years in open plenary session bringing together APF members and other national human rights institutions, United Nations agencies, governments, non-government organisations and other stakeholders in a cooperative setting to discuss and share expertise on human rights issues in the region.
Forum Council Working Group	Committee of 5 Forum Councillors established to consider the creation of the APF Strategic Plan 2015-20 and other strategic issues
Management Committee	An advisory committee established with a mandate relating to APF management
APF secretariat	Permanent administrative office of the APF that manages the day to day operations of the organisation. It delivers services, advice and support to the APF membership, the Forum Council and its advisory bodies.
ICC Representation Bureau	Asia Pacific representation on the ICC comprising of 4 Full members elected by the Forum Council and includes , APF Chair and Deputy Chair

2. Proposed Terminology

Term	Definition
General Assembly	<p>The General Assembly consists of all 'A' and 'B' members. Each member nominates one representative Chair, Commissioner or SEO as part of the General Assembly.</p> <p>Responsible for considering (all members) and adopting ('A' members) Constitutional changes, the Strategic Plan, Directors Report and Auditors Report.</p>
'A' Member	APF member institution with 'A' accredited status. Has voting and participatory rights within the General Assembly
'B' Member	APF member institution with 'B'. Has participatory rights within the General Assembly
Observer	Representatives of other bodies or individuals who wish to attend APF meetings
APF Board	<p>5-member board consisting of an elected Chairperson, Deputy Chairperson and 3 other Members.</p> <p>Responsible for monitoring implementation of General Assembly recommendations and consideration of Strategic Plan, Directors Report and Auditors Report and making recommendations to the General Assembly.</p>
Board Meeting	<p>Meeting of the Chairperson, Deputy Chairperson and 3 Board Members and serviced by the secretariat.</p> <p>Occurs twice annually – once in Geneva (usually March) and once at the General Assembly in or around the 3rd quarter of the year to execute the duties of the APF Board</p>
APF Conference	The APF Conference may be held every two years in open plenary session and brings together APF members and other national human rights institutions, United Nations agencies, governments, non-government organisations and other stakeholders in a cooperative setting to discuss and share expertise on human rights issues in the region.
APF secretariat	Permanent administrative office of the APF
ICC Representation Bureau	Asia Pacific representation on the ICC comprising of 4 'A' Members, including the Chair of the 5-Member Board and 3 members elected from the General Assembly

● 법률가자문위원회(ACJ) 개혁안



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

Reform of the
Advisory Council of Jurists
Discussion Paper

APF 20

The 20th Annual Meeting of the Asia Pacific
Forum of National Human Rights Institutions
Ulaanbaatar, Mongolia, 26 – 28 August 2015

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1. Introduction

In 2014, the APF convened a Forum Council Working Group (FCWG) on strategic planning. The role of the FCWG was to:

- (i) consider the findings of an APF 'Self-Review' and a 'Situational Analysis' conducted in 2014; and
- (ii) provide recommendations on a new 2015-2020 strategic plan for the APF.

The FCWG's report was considered by the Forum Council at the 19th Annual Meeting of the APF in New Delhi, India in 2014, and included a specific recommendation "*that the Forum Council consider alternate governance options for the ACJ and present these to the Forum Council for discussion and decision*".

Forum Councillors agreed to extend the mandate of the FCWG and requested it to consider and report on "*proposals for a revised ACJ structure, composition and reference process*".

The FCWG – comprised of the APF members from Palestine, India, Korea, Philippines and Australia – met twice to consider a range of governance options for the ACJ. This discussion paper represents the views of the FCWG. This paper has been prepared to facilitate the Forum Council's consideration of this issue at APF 20.

2. Background

The Advisory Council of Jurists (ACJ) is a body of eminent jurists that advises the APF on the interpretation and application of international human rights law.

The initial establishment of the ACJ reflected the APF's desire for independent, authoritative legal advice on international human rights issues and the development of regional jurisprudence relating to the interpretation and application of international human rights standards.

Since its establishment in 1998, the ACJ has considered a wide range of human rights issues including the death penalty (1999), trafficking (2001), terrorism and the rule of law (2002), prohibitions on torture (2005), the right to education (2005), the environment and human rights (2006), corporate accountability (2008) and sexual orientation and gender identity (2010).

In more recent years references have expanded in scope to include not only legal and policy advice, but also broad recommendations for NHRI action in relation to advocacy, education, monitoring, complaint handling and law reform. As a result, the composition of the ACJ has been supplemented by 'issue specific' experts as and when required.

The ACJ's last report was completed in 2011.

3. Concerns and recommendations

In the APF's 2014 Self Review¹, members were asked to assess the ACJ program and its recent references. The report indicated that while members felt the administration of the program had been efficient and effective, there were broader concerns about the ongoing sustainability and impact of the ACJ program.

Considering these issues, as well as comments from past annual reports and reviews, concerns about *sustainability* relate to:

- the lack of Forum Councillor involvement in, or absence of an objective process for, the selection of members of a Forum Council advisory body;
- the need to ensure ACJ members have expertise relevant to each reference;
- the effect of the increasing size of the APF, and consequently the ACJ, and the implications for operational efficiency; and
- the increasing cost to administer the ACJ.

Concerns about *impact* relate to a variety of issues including;

- the perceived relevance of recent references topics;
- the scope of reports and recommendations; and
- the ability of members to consider and implement an annual or biennial reference in addition to their existing strategic priorities and program of activities.

The following sections discuss these concerns and provide the recommendations of the FCWG for the consideration by the Forum Council.

3.1 Sustainability

3.1.1 Selection of ACJ Members

The ACJ is an important advisory body to the Forum Council. However, the Forum Council, as a collegiate body, does not have any role in the selection of its members. Each full member can directly nominate a jurist to the ACJ. The APF Statute does not establish a selection criteria or a transparent process.

While APF members are expected to nominate jurists with human rights expertise, the diversity of issues coming before the ACJ means that a jurist may not have the expertise required to undertake each and every reference. In addition, past experience has shown that some jurists have had limited international or domestic human rights expertise.

¹ Available at: <http://www.asiapacificforum.net/about/annual-meetings/19th-india-2014/downloads/forum-council-meeting/apf-18-meeting-papers>

3.1.2 Size

ACJ Members provide their services 'pro bono' and their availability is limited, both for face-to-face meetings, and for research, editorial and related work. As a consequence, the ACJ meets for a relatively short period of time, normally within the margins of the APF's annual meetings. It is imperative therefore that the size, structure and composition of the ACJ facilitates the efficient consideration of references.

Under the existing terms of reference, each full member may nominate a jurist to the ACJ. There are currently 15 full members and within the next five years it is expected this will increase.

The current size of the ACJ already impacts adversely on the operational efficiency and cost of the program. A projected increase in ACJ membership will exacerbate this problem further, making it more difficult and costly to coordinate meetings and for ACJ members to efficiently and effectively deliberate on and finalise references.

3.2 Impact

Concerns about impact relate to a variety of factors.

With the exception of the most recent reference, it had become the practice that the NHRI hosting the APF's annual meeting would propose a reference topic. Proposals were generally adopted with limited discussion or debate. As a result, some recent references have been criticised for not addressing issues of importance to the majority of members, or related to the APF's strategic priorities.

Concern has been expressed about whether references should be more clearly defined, this in turn leading to more focussed reports and a manageable number of achievable recommendations.

An additional issue is whether member institutions have the capacity to consider and implement an annual or biennial ACJ reference and its associated recommendations.

In general, member institutions have developed national 3 to 5 year strategic plans that determine the priority human rights issues that they will pursue and how their human and financial resources will be allocated. Unless the ACJ references and reports target issues relevant to either individual APF members' strategic plans, or the collective APF strategic plan, members and the secretariat will have limited capacity to consider reports and implement recommendations.

3.3 Proposals

The APF Statute does not make reference to the ACJ so no statutory changes are required.

The recommendations that follow relate to changes that would be made to the ACJ's terms of reference, and to the practice and procedures of the APF secretariat in supporting the reference process.

3.3.1. Purpose and Mandate of the ACJ

In recognition that the ACJ provides detailed advice on both the interpretation of existing human rights laws and standards, and also recommendations to promote and protect rights by member NHRIs, there is a need to clarify the purpose and mandate of the ACJ.

It is proposed that:

the ACJ's mandate refer to the provision of legal and policy advice on issues of direct relevance to the APFs strategic priorities.

3.3.2. Selection of References

In order to address concerns about relevance and impact, the process and factors relevant to the selection of reference topics need to be clarified.

It is proposed that:

- (i) references should seek advice on specific legal or policy issues arising from the thematic human rights topics included in the APFs current strategic plan. This will ensure that all future references relate to an issue already determined by the APFs membership to be of broad regional significance;*
- (ii) each reference proposal must:*
 - specify a small number of clearly defined legal or policy issues requiring interpretation;*
 - provide a clear linkage to the APF's strategic plan;*
 - propose criteria for the nomination/selection of experts;*
 - clarify the expected role of, and resources required from, the secretariat.*

3.3.3. Selection of Jurists/Experts

With increasing specialisation in the field of human rights, the composition of the ACJ would benefit from a standard objective selection process to identify appropriately qualified jurists/experts. Such a process should facilitate the ability to obtain issue-specific expertise for each reference as and when required.

It is proposed that:

- (i) The size of the ACJ be reduced to a minimum of 3 and a maximum of 5 members;*
- (ii) Jurists / experts are nominated and selected for each reference;*
- (iii) Selection criteria and a duty statement are prepared for each reference;*
- (iv) The secretariat will call for nominations for jurists / experts. Nominations must include clear information setting out the nominees' relevant qualifications and experience. Given the emphasis is on ensuring relevant expertise, NHRIs may nominate a national from another state;*
- (v) The following are relevant considerations in determining the overall composition of the ACJ:*

- *the members have knowledge and experience of the issues to be considered in the reference;*
 - *the members have expertise and experience across diverse legal and political systems;*
 - *the members have knowledge of the role and functions of NHRIs;*
 - *membership promotes diversity, including on the basis of gender.*
- (vi) *Issue-specific experts (including officers from NHRIs) may be invited to participate as technical advisors in the work of the ACJ.*

4. Indicative Timeframe

The proposed timeline for finalising the ACJ review

July 2015	Secretariat produces a discussion paper based on the outcomes of the March 2015 meeting of the FCWG.
August 2015	Discussion paper presented to Forum Council at APF 20 for discussion and approval.
November 2015	Secretariat to prepare changes to the ACJ Rules of Procedure to implement changes to the ACJ structure, composition and reference process.
March 2016	FCWG to consider proposed changes to the Rules of Procedure.
September 2016	Proposed Rules of Procedure and other relevant issues provided to the Forum Council for approval at APF 21.

Note: This is an indicative timeframe for the process of considering and implementing changes to the ACJ. If consensus is not reached at any stage, further work will be undertaken and progression will only take place when consensus has been reached.

5. Recommendation

That the Forum Council authorise the Forum Council Working Group to continue its work on the reform of the Advisory Council of Jurists and report back to the Forum Council at APF 21 in 2016.

03



APF 포럼이사-NGO 대화 자료

- 미첼 포스트 유엔 인권옹호가 특별 보고관의 발표 자료

● 미첼 포스트 유엔 인권옹호가 특별 보고관의 발표 자료

Twentieth Annual Meeting and Biennial Conference
Asia Pacific Forum of National Human Rights Institutions

26 August 2015
14:00 -16:00
Ulaanbaatar, Mongolia

“APF-NGO Dialogue : The Role of NHRIs in Protecting HRDs”

UN Special Rapporteur on the situation of human rights defenders
=====

Dear colleagues and friends from National Institutions, dear colleagues and friends from civil society organizations,

It is a great pleasure for me to be here. I would like to thank you for inviting me to speak at your APF meeting, I feel honoured and privileged to speak at this occasion and to identify with you how your National Institutions could better protect human rights defenders at risk.

One year ago, the Human Rights Council appointed me on a mandate to seek, receive, examine and respond to information on the situation and the rights of defenders. As you know, defenders play a key role in safeguarding democracy and ensuring that it remains open, pluralistic and participatory and in line with the principles of the rule of law and good governance.

Dear colleagues,

Today is a dangerous time to be a human rights defender. If you are a rights activist, you are likely to be threatened, intimidated or investigated, harassed or criminalized. You are the subject of smear campaigns and your public freedoms, including the right to express yourself and assemble freely, are frequently denied. And if that does not prevent you from the brave undertaking of promoting human rights, then you can always be arrested and detained, disappeared or assassinated. Such violations have varied over time and across regions, but are aimed to discredit, silence and eliminate defenders.

I will briefly speak today within the time allocated to me on how, based on my recent consultations with human rights defenders in the regions, on

your National Institutions could contribute to better protect Human Rights Defenders. And to introduce the discussion, I would like to highlight six elements that are critical to protect human rights defenders.

My first point is to recall that the primary duty and responsibility to promote and protect human rights and fundamental freedoms lies with the State. And this is for me one of the duties that NHRIs could keep in mind to recall the government of their country that states have the obligation to undertake the required steps to create all conditions necessary to ensure that everyone under their jurisdiction can enjoy all those rights and freedoms in practice including the right to promote and defend human rights. States must protect Human Rights Defenders from any violence, threats, or any other arbitrary action as a consequence of the legitimate exercise of their work.

The second element is the existence of laws and provisions at all levels, which protect, support and empower defenders, and are in compliance with international human rights law and standards.

In countries where human rights are specifically recognized and protected in domestic law, those rights are more likely to be respected and realized in practice. Beyond their normative value, I believe that human rights laws can have an important educational role in that such laws signal the values for which a particular society stands. The adoption of laws that explicitly guarantee the rights contained in the Declaration on Human Rights Defenders is crucial in that it could contribute to give these rights legitimacy.

Indeed, there are a number of countries represented in this room that have passed legislation that guarantees the rights of human rights defenders and whistleblowers. I am thinking particularly of the question of access to information held by public authorities. I'm also thinking of legislations that protect those who disclose public interest information that is relevant for the promotion and protection of human rights and those who report on corruption by public officials. And I would like to encourage you in your country to look at the possibility to lobby for the development of similar national legislations that could contribute to better protect defenders at risk.

However, legislation is used also in a number of countries to restrain the activities of human rights defenders and criminalize them. I'm thinking of

legislation on anti-terrorism and public security; anti-homosexuality laws; laws on public morals. There are also legislations that restrict the types of activities that associations can engage in, such as political rights advocacy. In some countries, there is a disturbing trend towards the criminalization of activities carried out by groups that are not officially registered. Furthermore, there are laws that restrict funding from abroad, which have been introduced in a number of States. This leads to associations risking treason charges, having to declare themselves “foreign agents” or having to seek prior approval to fundraise. Here again there is room for NHRIs to look at those negative legislations.

The third element is the urgent need to fight against impunity and to guarantee access to justice for violations against defenders.

In many cases, complaints by defenders about violations of their rights are not investigated or are dismissed without justification. A State’s lack of investigation into violations is immediately seen as condoning attacks against defenders and could nurture an environment where further attacks are perceived as tolerated. Ending impunity is an essential condition for ensuring the protection and safety of defenders.

NHRIs should thus ensure prompt and independent investigation of all violations against defenders, and the prosecution of perpetrators regardless of their status.

The fourth element is, of course, the need to establish and strengthen strong, independent and effective Nis.

And at each and every occasion, I recall that, as part of the institutional architecture of the State, national human rights institutions play a key role in ensuring a safe and conducive environment for defenders. NHRIs that comply with the Paris Principles are in a unique position to guide and advise Governments on their human rights obligations, and ensure that international principles and standards are adequately incorporated into domestic law and mainstreamed into public policies including that of human rights defenders. Evidence shows that when the mandate of national institutions includes competence to investigate complaints and provide effective protection, they can play a leading role in cases where States’ judicial systems are unable or unwilling to adjudicate on alleged violations against defenders. And my predecessor, Margaret Sekkagya, has strongly recommended that national institutions have a designated focal

point for human rights defenders with responsibility to monitor their situation, including risks to their security, and legal and other impediments to a safe and conducive environment for defenders.

The fifth element is a set of effective protection policies and mechanisms, including public support for the work of defenders. And indeed in some of the countries represented today, such provisions already exist.

My predecessor has developed guidelines that I believe are essential for the development of protection programs and that NHRIs could incorporate into their action plans. Firstly, human rights defenders should be consulted throughout the setting up or review of protection programs and the structure of such programs should be defined by law. Protection programs should include an early warning system in order to anticipate and trigger the launch of protective measures. It should also assess the safety of the defenders' family members. Security and law enforcement officials involved in protection programs should receive specific training on human rights and gender issues. The physical protection of defenders should not be out sourced to third parties unless these have received specific training. Furthermore, adequate financial resources should be allocated to protection programs.

The sixth element is the need to address specific challenges of groups at risk

It is important to address the special needs of human rights defenders who face extraordinary risks due to the work that they do and the contexts in which they operate. In this connection, you will see in my next report that I intend to focus on the situation of selected groups of human rights defenders who are at particular risk of violations, including judges and lawyers; journalists and media workers; trade unionists; youth and student defenders, those working on sexual orientation and gender identity; defenders working on environment and land issues and whistleblowers.

We don't have time to go into each of the groups, but I want to draw your attention on a category of defenders that I met during all my consultations in the regions. I mean defenders working on land and environmental issues in connection with extractive industries and construction and development projects. Violations in this regard generally

occur in the context of land disputes, where the perpetrators are both State and non-State actors. In this regard, the Guiding Principles on Business and Human Rights, based on the due diligence framework, are an essential reference and tool for States and other stakeholders involved in the context of business operations and the respect for basic rights and freedoms.

I am also extremely concerned with the increasing number of acts of intimidation and reprisals against human rights defenders in connection with their engagement with the United Nations and its human rights mechanisms or with regional human rights organizations. These reprisals take the form of smear campaigns, travel bans, harassment, intimidation, threats, physical attacks and killings. We urgently need to put an end to acts of reprisals against human rights defenders. And you could be of great help in that endeavour.

Last but not least, I would like to encourage you to pay a special attention for risks and challenges faced by women defenders and those working on women's rights and gender issues.

Integrating a gender perspective and paying particular attention to the specificities of the environment in which women human rights defenders operate is important. During my consultations in the regions, I had separate discussions with women human rights defenders that confirmed that there are specific risks and challenges faced by women human rights defenders and those working on women's rights and gender issues and there are repercussions that such work may have on partners, spouses, and family members of defenders.

Women defenders are subject to arrests, ill-treatment, torture, criminalization, unwarranted judicial proceedings, stigmatization, attacks, threats (including death threats), sexual violence and killings. Furthermore, in many cases, the family members of women defenders are also targeted. In comparison to male defenders, women defenders are more at risk of suffering certain forms of violence, as well as prejudice, exclusion and repudiation.

In many countries, there are no specific mechanisms in place to protect women defenders and those working on women's rights and gender issues. Women defenders need specific and enhanced protection and targeted and deliberate efforts to make the environment, in which they operate a

safer, more enabling and supporting one.

Dear Colleagues,

We need closer collaboration between NIs and human rights defenders to strengthen both sides in their efforts to promote human rights. Both NIs and defenders should actively search for opportunities to align themselves more closely, facilitating human rights work by NIs and defenders and lending more protection to defenders as they carry out their activities. This can foster solidarity amongst those engaged in the struggle for human rights by amplifying the voice of national human rights communities.

Defenders can play a valuable role in sharing information from the ground with NIs. NIs should therefore consider prioritizing human rights defenders on their agenda and complaints submitted by them. NIs should therefore have a designated focal point for human rights defenders with responsibility to monitor their situation.

In a similar vein, it is crucial that NIs foster closer ties with civil society. In order for NIs to operate effectively, civil society should create strong working relationships with them whilst maintaining an understanding of the absolute necessity of the independence of NIs.

We should publicise the work of NIs and the challenges they face in order to create an understanding among the public of the role of such Institutions, and to gain the trust of the public. Through this, NIs will themselves become better protected from attack, whether it is from Governments or non-State actors. They will also become better equipped to protect human rights defenders through public statements of support when they suffer violations.

Beyond what NIs or human rights defenders can do, Governments must publicly acknowledge and support NIs where they exist, and manifest this support by ensuring that NIs can operate in strict alignment with the Paris Principles, in particular those of independence and pluralism. In States where no NI exists, it is imperative that they are formed in accordance with the standard of mandate required under the Paris Principles.

NIs have a responsibility to protect human rights defenders. The Paris Principles were designed to allow NIs to successfully engage with that

responsibility. However, the challenges NIs face in carrying out their duty in this regard are growing. These challenges largely stem from the avoidance of key components of the Paris Principles by governments, either in the forming of NIs, or in the engagement of governments with them once they have been formed. NIs must work in close solidarity with human rights defenders to overcome these challenges and continue to fight for universal human rights. This convergence is currently ongoing and has been for many years, despite the obstacles faced. We must put our heads together to figure out best ways to overcome those challenges and to ensure that NIs and defenders come out stronger, better protected and more united.

To conclude, dear colleagues and friends, let me thank you again for the invitation and the unique opportunity to share with you some thoughts on how your institutions, our institutions, can take a more active role in protecting human rights defenders.

I am a firm believer in continuous cooperation and constructive dialogue with governments and other national stakeholders. I have looked carefully into the list of the countries that are represented today and I have noted a number of countries that are on my list of requested missions and I would like to encourage you, as NIs, to support the request for invitation that I have sent to your governments in the past weeks or months.

I thank you for listening to me.

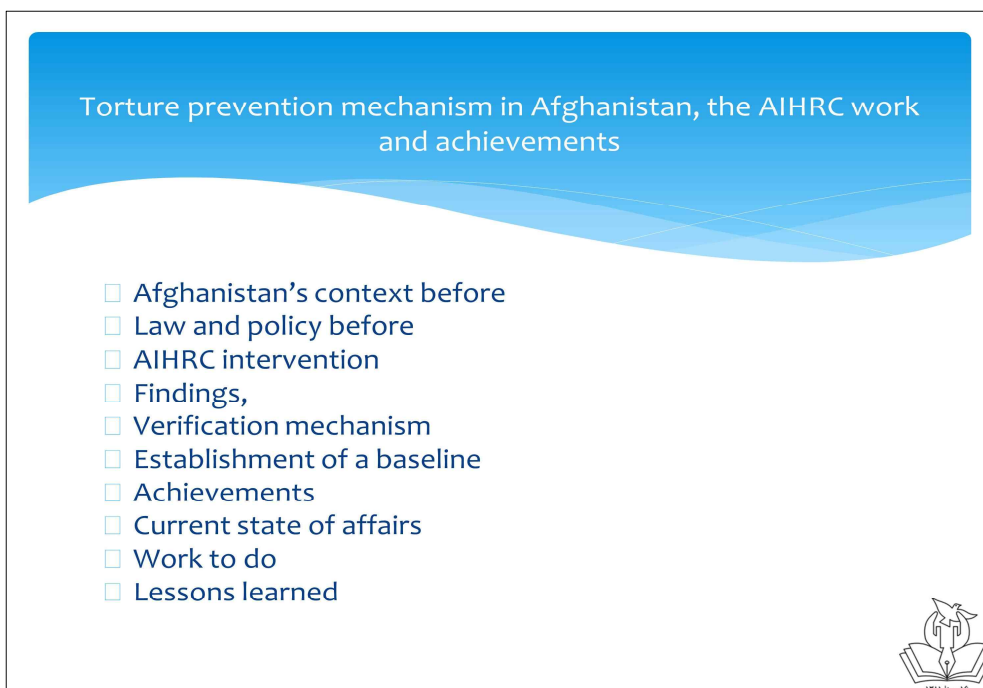
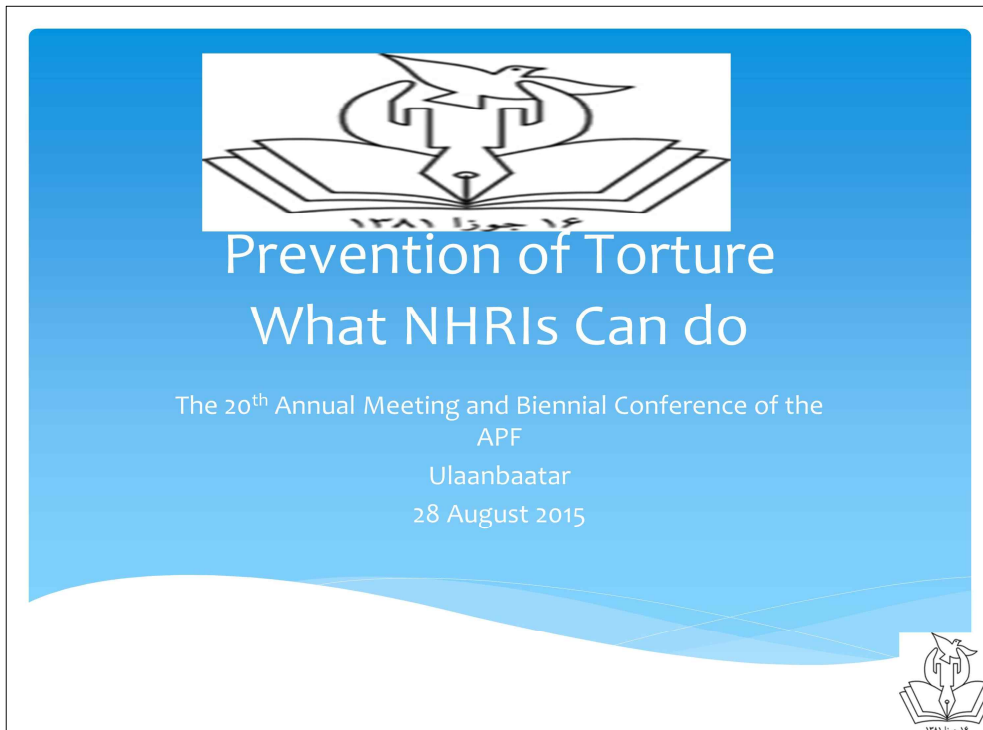
04



제3차 APF 격년 컨퍼런스 발표자료

- <세션 1> 시마 사마르(아프가니스탄 독립 인권위원회 위원장)
- <세션 1> 샤지라 자와위(고문방지협회(APT) 아태지역 프로그램 담당자)
- <세션 1> 세반 도라이사미(SUARAM(말레이시아 인권단체) 사무국장)
- <세션 2> 재클린 밀러(뉴질랜드 인권 위원회 평등 고용 기회 위원)
- <세션 3> 시리 시리아스 요셉(인도 국가인권위원회 위원장 대행)
- <세션 3> 누르 코리스(인도네시아 국가인권 위원회 위원장)
- <세션 3> 풍키 인다르티(Imparsial(인도네시아 인권단체) 사무총장)
- <세션 4> 김영혜 고문방지대사(한국 국가인권위원회 상임위원)
- <세션 4> 아가 예르딘 고문방지대사(몽골 국가인권위원회 위원)
- <세션 4> 시도니오 소아레스 고문방지대사(동티모르 인권 및 정의 위원회)

● <세션 1> 시마 사마르(아프가니스탄 독립 인권위원회 위원장)



Afghanistan's Context

- A very fragile state
- No functioning government institutions
- Absence of rule of law and justice
- The prevalence culture of impunity
- Systemic practice of torture
- Torture as a tool and as an effective instrument suspects confession
- No awareness raising program
- No mechanism to prevent torture



Law and Policies before the AIHRC Intervention

- Afghanistan signed and became party to the UN convention on prevention of torture in 1987 with some reservation on article 20 and paragraph 1 of article 30.
- No major domestic legislation on torture
- Provision of constitution and penal code very general not very specific and adequate
- No policy to prevent torture



The AIHRC intervention

- Monitoring mechanism
- Reporting mechanism
- Centrally maintained data
- Complain handling and case man procedure
- Research and reports
- Public statement and media conferences
- Strong advocacy for law and policy changes
- Education, training to police and NDS



The AIHRC verification

A strong verification mechanism,
Intensive interviews, review of cases, documents
Investigation of all allegations thoroughly
Corroboration of testimonies and allegations
Verification of documents



The AIHRC findings

- Torture was practiced systematically
- Torture was accepted as a tool and instrument to get confession
- No legal provision sufficient to deter perpetrator of tortures
- No government policy to prevent torture
- Cases of torture in all provinces
- No legal and court mechanism to prosecute perpetrators



- No education for police on torture prevention
- No accountability mechanism, rather culture of reward and authority

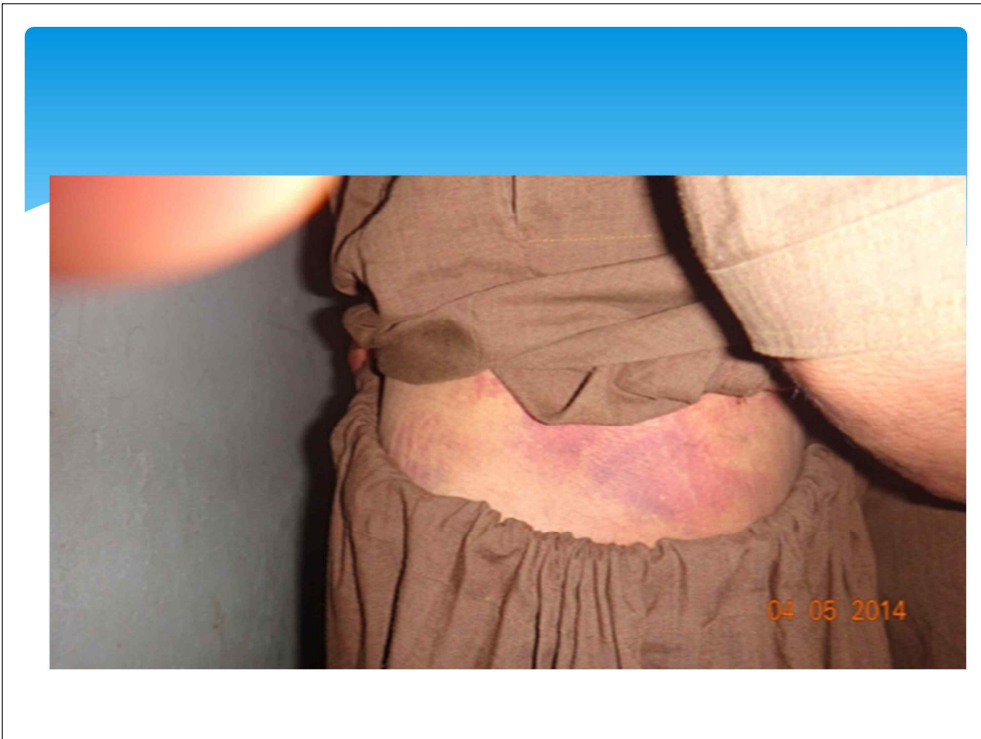


The AIHRC baseline

- ❑ Conducted a survey, produced a report in 2005
- ❑ Created a baseline
- ❑ Reported regularly

The AIHRC Acheivements

- ❑ Attention to UNCAT, robust law changes
- ❑ The government has prepared the first report to treaty body, UNCAT, yet to be submitted
- ❑ The government drafted a law on prevention of torture and a stronger provision on the new Afghan Criminal procedural code
- ❑ The government prepared a national action plan on prevention of torture, yet to be implemented
- ❑ Courts have become more sensitive to cases of torture
- ❑ Two officers have been prosecuted and tried in court
- ❑ Several officers were investigated, demoted or under investigation
- ❑ Torture victims are protected, provided with relieve





The current state of affairs

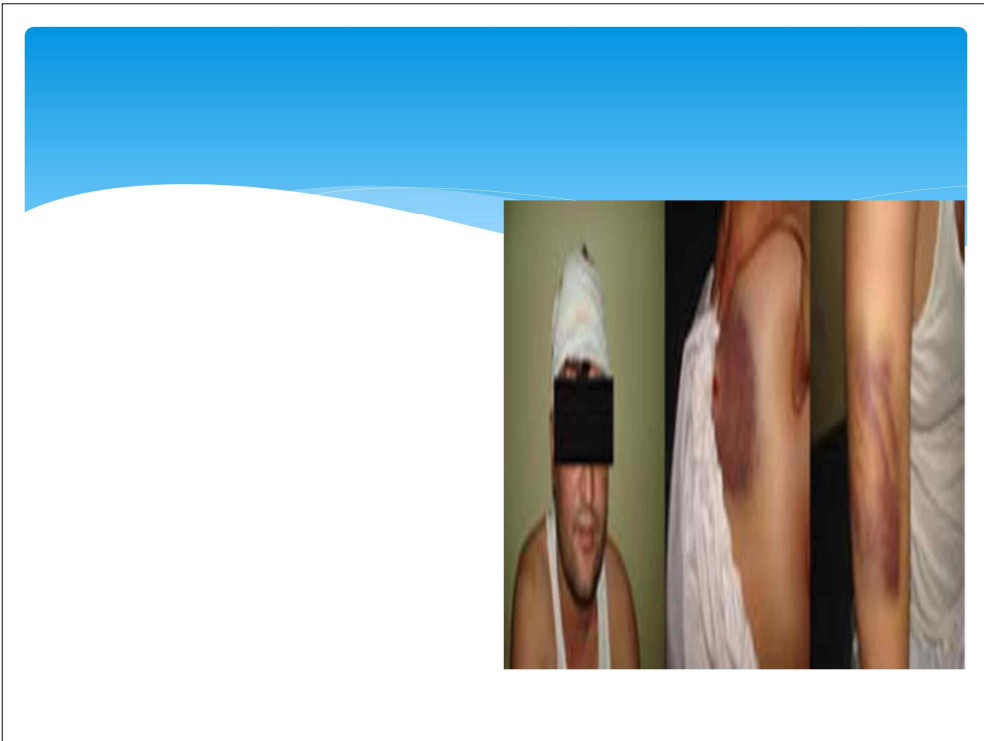
- Torture cases have decreased substantially
- More access to detention centers, improvement in the NDS centers
- No systematic torture taking place
- Law has been drafted and accountability mechanism is in place
- Sensitivity toward torture has increased
- More cooperation from the government
- More high ranking officials under investigation(Najibullah Case)
- Regular monitoring of NDS and Police custodies

Work To do

- The AIHRC has urged the GoIRA
- To sign the optional protocol
- To bring more transparency and more access to detention centers
- Facilitate Education to its personal
- Adopt the law on prevention of torture
- Implement the action plan on prevention of torture
- Implement and comply with the UNCAT including signing the optional protocols

Lessons Learned

- NHRIs could play as a national mechanism on prevention of torture
- Robust monitoring of police custody and national security directorate is essential
- Education and training is very important
- Sensitivity of judges, politician, media and CSOs is very important
- Reporting and press conference could put pressure on the government
- Verification of cases of torture
- Assistance to the victims



- <세션 1> 샤지라 자와위(고문방지협회(APT) 아태지역 프로그램 담당자)

“House of Prevention” - An overview of the preventive approach

SHAZEERA AHMAD ZAWAWI
Asia Pacific Programme



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WHAT IS TORTURE PREVENTION?

Torture prevention is a global strategy that intends *to reduce risks and create an environment* where torture and ill-treatment are less likely to occur.



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RISKS OF TORTURE

Situations of imbalance power

Prevalent at certain period of detention

Potential victims

Persons deprived of liberty



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ROOT CAUSES

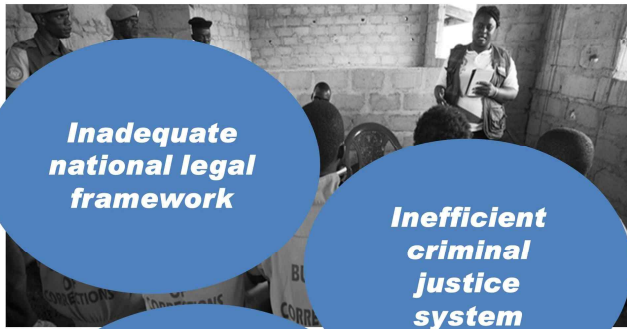
Unstable political environment

Inadequate national legal framework

Inefficient criminal justice system

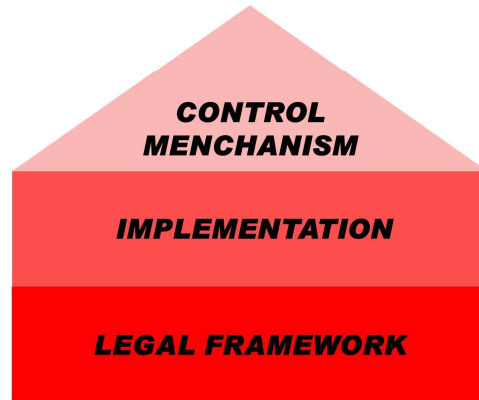
Malfunctioning institutional environment

Social perception and cultural factor



HOUSE OF PREVENTION

The three-stages approach : "House of prevention"



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TORTURE PREVENTION & NHRIS

LEGAL FRAMEWORK



- **Encourage States to ratify UNCAT & OPCAT**
- **Advocate legal reforms to make torture a crime**
- **Litigate to demand for compliance with the absolute prohibition of torture**
- **Advocate for the introduction of exclusionary rule**



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TORTURE PREVENTION & NHRIS

IMPLEMENTATION



- **Training of law enforcement officials**
- **Collect statistical data on allegations, investigations and prosecutions**
- **Promote remedy and redress for victims**
- **Protect victims against reprisal actions.**



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TORTURE PREVENTION & NHRIS

CONTROL MECHANISM

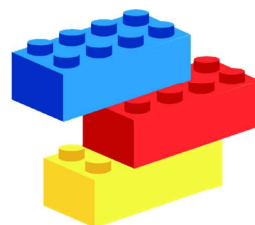


- **Follow up on recommendations for ratification of UNCAT and OPCAT**
- **Act as source of information to special procedures**
- **Monitoring places of detention- linked to NHRI & NPM mandate**
- **National and public inquiry**
- **Partnership with civil society**



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Supporting capacity building and motivation for torture prevention in Asia Pacific



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APF-APT COOPERATION

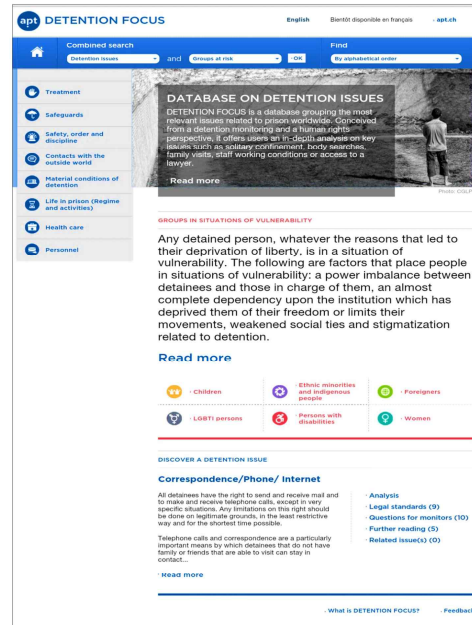
- **West Asian blended learning course on torture prevention.**
- **Five blended learning courses on key thematic issues in torture prevention: Migrants in Detention (2 courses) and Police Detention (1 course) delivered sub-regionally; and Investigating Allegations of Torture (2 courses) delivered regionally.**
- **Torture Prevention Ambassadors**



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TOOLS/ RESOURCES

- **Promoting international standards and guidelines related to detention places.**
- **Mainstreaming gender and other vulnerable groups.**
- **Resource for everyone**



OTHER POTENTIALS

- **Regional NHRIs cooperation e.g. SEANF**
- **Working with regional mechanisms e.g. ASEAN.**
- **Working with other regional NHRI networks e.g. NANHRI.**



Torture prevention is not about asking what happened and how it happened, but asking why it happens and how we can stop it happening."

***Victor Rodriguez,
UN Subcommittee on
Prevention of Torture***



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of torture

THANK YOU!

Get to know us more at <http://www.apr.ch/>

***Let us help you with any questions on
detention at [http://www.apr.ch/detention-
focus/](http://www.apr.ch/detention-focus/)***



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- <세션 1> 세반 도라이사미(SUARAM(말레이시아 인권단체) 사무국장)

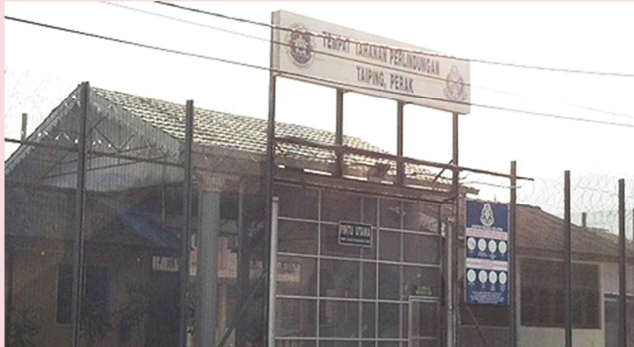
Role of NHRI in Preventing Torture and other forms of ill-treatments

STOP TORTURE

**Sevan Doraisamy
Executive Director
SUARAM Malaysia**



ISA: Home of Torture Fine ART of physical and mental torture



**Internal
Security
Act (ISA)**



Laws and Amendments that preserves torture

Legislative Amendments:

1. SOSMA 2012
(Security Offences)
2. POCA or PCA
(Prevention of Crime Act) 2013
3. POTA 2015
(Prevention of Terrorism Act) 2015
4. DDA Act – 2015



Death in Police Custody & Police Abuse of Power

Table 2.1: Statistics of deaths in police custody from 2011 until 2014 according to ethnicity

Year	Malay	Chinese	Indian	Others	Foreigners	Total
2011	11	3	1	-	2	17
2012	4	4	6	2	3	19
2013	1	3	5	-	4	13
2014	3	3	8	-	-	14
Total	19	13	20	2	9	63

Table 2.2: Statistics of deaths in police custody from 2011 until 2014 according to cause of death

Year	Medical	Suicide	Accident	Blunt force (Assault)	Unknown	Total
2011	3	2	1	-	11	17
2012	3	1	1	-	15	19
2013	9	1	-	1	2	13
2014	10	1	-	1	2	14
Total	25	5	2	2	30	63

The Sedition Act 1948

2014 witnessed the biggest crackdown against citizens since Operasi Lalang was orchestrated by then Prime Minister Mahathir and his government in 1987. Instead of using the infamous Internal Security Act, however, Prime Minister Najib Razak and the present regime have been dusting down and using the Sedition Act 1948. 44 individuals, including politicians, elected representatives, lawyers, academic, cartoonist, journalist, religious leaders, social activists and students have been investigated, charged and/or convicted under this legislation.¹ It is proving a major threat to basic freedoms, including freedom of expression, in Malaysia.

	2010	2011	2012	2013	2014
Investigated	3	2	6	10	29
Charged	2	1	1	7	12
Convicted	-	-	-	1	3
TOTAL	5	3	7	18	44

How are “national security” and “public order” defined in laws that directly affect the work of human rights defenders and democracy activists (e.g. in laws relating to public assemblies and access to funding)?

Mohamad Sabu PAS deputy president Sept 21, 2015 - criminal defamation (Bukit Kepong)	Nizar Jamaluddin ADUN Changkat Jerling Aug 27 - criminal defamation (of PM Najib Razak)
P Uthayakumar Hindraf leader June 5, 2013 - jailed for sedition (letter to UK PM on ethnic cleansing)	Khalid Samad Shah Alam MP Aug 26 - sedition (strip MIA of executive powers)
Lalit Karpal Singh former Bukit Gelugor MP Feb 21, 2014 - convicted of sedition (Perak sultan)	RBN Rayer ADUN Seri Delima Aug 27 - sedition (Umno 'otakuk') Sept 1 - untauk society
Tian Chua Batu MP March 14 - sedition (call to rise up against racism, graft) Aug 12 - leading provocation of police officer	Rafizi Ramli Pandan MP Aug 28 - results with the intent to provoke breach of peace
Teresa Kok Seputeh MP May 6 - sedition (Video OneMalaysia)	Azmi Sharom Academician Sept 2 - sedition (Perak constitutional crisis)
Abdullah Zaik Isma President June 19 - sedition (Labeling Chinese Malaysians 'Intruders')	David Orok Sabah STAR politician Sept 3 - sedition (insulting Islam and Prophet Muhammad on Facebook)
N Surendran Padang Serai MP Aug 19 - sedition (Sabomy II decision) Aug 28 - sedition (Sabomy II 'political conspiracy')	

Ahan Zamhari / Malaysia Insider

Sedition Act Arrest: 2015



February, 2015

- 5 - **Lawyer** - Eric Paulsen 11 - **Cartoonist** - Zunar
- 19 - **Politician** - S. Arutchelvan 20 - **Activist** - Lawrence Jeyaraj
- 21 - **Activist** - Adam Adli, **politician** - Fariz Musa
- 22 - **Politician** - Nik Nazmi

March, 2015

- 7 - **Activist** - Saifullah Zulkifli 8 - **Politician** - Nik Nazmi
- 10 - **Politician** - Rafizi Ramli, **activist** - Fariz Musa
- 11 - **Politician** - Fakhru Razi Mokhtar
- 14 - **Politician** - Teo Kok Seong, **activist** - Adam Adli, Mandeep Singh
- 16 - **Politician** - Nurul Izzah 17 - **Activist** - S Jayathas
- 20 - **Politician** - Tian Chua, **activist** - Bawani KS, Fahmi Zainol
- 22 - **Lawyer** - Eric Paulsen
- 23 - **Politician** - Tony Pua, **lawyer** - Michelle Yesudas, **3 BFM workers, 83 activists and politicians**
- 24 - **29 protesters and few politicians**
- 26 - **Lecturer** - Dr Khoo Ying Hooi
- 27 - **Protesters** - Adun Teja Chang Lih Kang, Adun Simpang Pulai Tan Kar Hing, **activist** - Chee Chu Sang, Michael Tamil AL, Gan Zhi Mou dan Yong Ming Chong, Hishamuddin Rais, **politician** - Rafizi Ramli, Mat Sabu
- 28 - **Politician** - Tian Chua, Fariz Musa
- 29 - **Politician** - Khalid Samad, **2 students**
- 30 - **3 TMI editors** - Lionel Morais, Amin Shah Iskandar and Zulkifli Sulong

INFOGRAPHIC BY: KAMARULARIF HUSAIN / THE MALAYSIAN INSIDER

<http://says.com/my/news/sedition-act-2015-who-have-been-arrested-investigated-and-charged-so-far>

The role of National Human Rights Institution (NHRI) or Commission in preventing torture and other forms of ill treatment.

The main role of NHRI is **promoting ratification** and implementation of international law in Malaysia.

Raising **public awareness, public education** which can build **greater knowledge and understanding**.

Recommendations

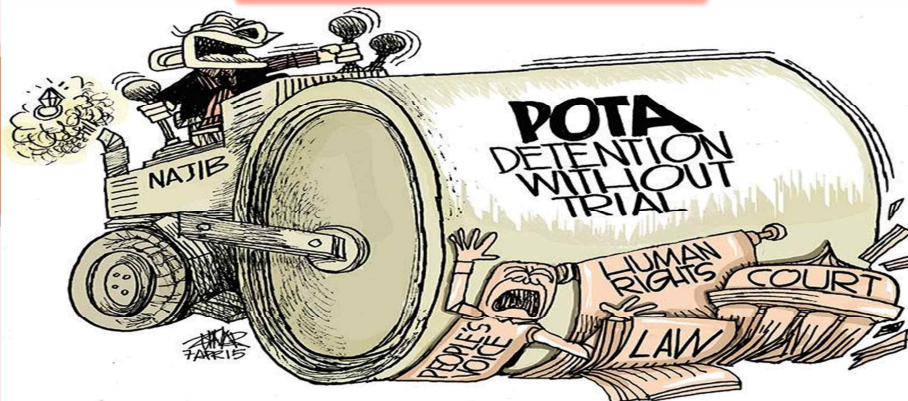
- The NHRIs should have **guidelines** to be followed by the States in event of torture. The example can be drawn from the Indian NHRC which has **guidelines on custodial deaths** etc. calling for videography of postmortem and submitting it to NHRC within 48 hours.
- The NHRIs should **communicate through website and reports about actions taken on torture cases**. Most of the times despite having good practices and guidelines, civil society is unaware about action taken or not taken by the commission. It has escalated in the absence of annual reports for almost half a decade for many NHRIs.

- The NHRIs should initiate a **UN CAT campaigns**. There have been many campaigns by the civil society. NHRC more often has **been seen distanced away** from campaigns and calls to end torture. NHRIs should recognise torture and initiate campaigns and **public education** on issue of torture. **SUHAKAM's UN CAT**.
- With regard to torture and HRDs, HRDs face torture not from the **point of arrest** or abduction but also by **threats and intimations**. NHRIs need to strengthen the HRD efforts and **establish structures which HRDs** can approach in distress and risk. The status of **focal points on HRDs in each NHRI** should be that of a commissioner so that the focal point have powers to **immediately intervene**.

- It has been increasingly seen the use of violence on peaceful assemblies in the recent years. **NHRIs need to intervene immediately** to ensure the right to peaceful assembly and associations. NHRIs need to be present, probably **through observers**, during peaceful assemblies, to ensure that no violence by the State forces is initiated. Hotline, Observers, Negotiator, Visit Police Stations.
- In many countries in Asia, CSOs are threatened and harassed by the State often leading to **canceling of their registration** and freedom to associate and operate. **NHRIs need to intervene** through cases, statements, studying of such related laws etc. to ensure right to freedom of association continues in democratic spaces.

- NHRIs should ask the respective governments to ratify **UN CAT**. Many countries in Asia still haven't ratified CAT. For those who have, NHRIs should ask the respective governments to ratify **OP CAT**.
- Advising on the content of draft of anti-torture laws and Legislative review/legal reforms to **criminalize act of torture**
- Continue to visit prison (**surprise visits**)
- Finally, with regard to torture and killings by military/army, many of the NHRIs have claimed that its out of their jurisdiction. However what can not be denied is gross violation of human rights by the armed forces. NHRIs should atleast **intervene in the proceedings through independent investigations** and submitting the same to the court of law.

**WANTED
UN CAT!**



THANK YOU

**Sevan Doraisamy
Executive Director, SUARAM**

suara
rakyat
malaysia
SUARAM
working for human rights

● <세션 2> 재클린 밀러(뉴질랜드 인권 위원회 평등 고용 기회 위원) 발표 자료

Monitoring places of detention in New Zealand



Dr Jackie Blue
Equal Employment Opportunities Commissioner

Overview



- The New Zealand context
- OPCAT in New Zealand
- Observations about the New Zealand framework

New Zealand context



Human Rights
Commission
Te Kāhui Tika Tangata



- Population 4.5m
- Legislation and policy generally reflects human rights standards; issues in practice
- Range of complaints and monitoring mechanisms

New Zealand Human Rights Commission



Human Rights
Commission
Te Kāhui Tika Tangata

- Independent Crown entity
- New Zealand's NHRI ('A' Status Accreditation)

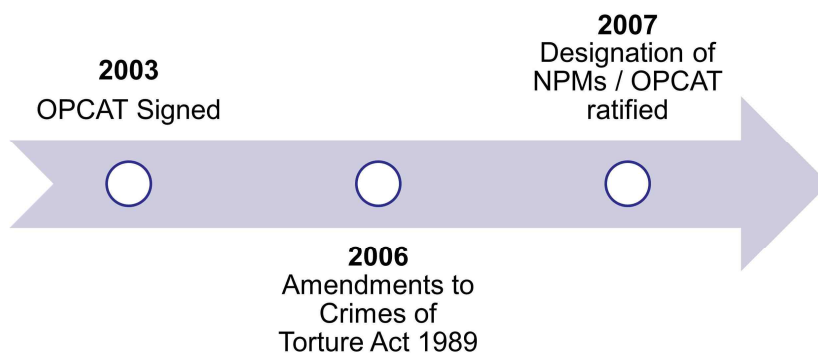


Major functions



- Advocate and promote respect for human rights
- Encourage harmonious relations between individuals and among the diverse groups in New Zealand
- Advise and monitor equal employment opportunities
- Provide an enquiries and complaints service

Towards preventive monitoring in New Zealand



Designation of NPMs



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- Use & build on existing mechanisms – expertise, relationships, profile
- Avoid duplication
- Recognise different circumstances & requirements of various detention contexts

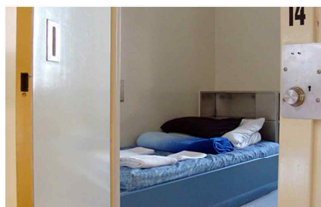
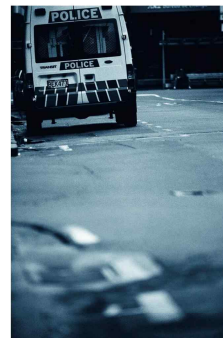


- Coordination – maintain cohesion & consistency

Places of detention



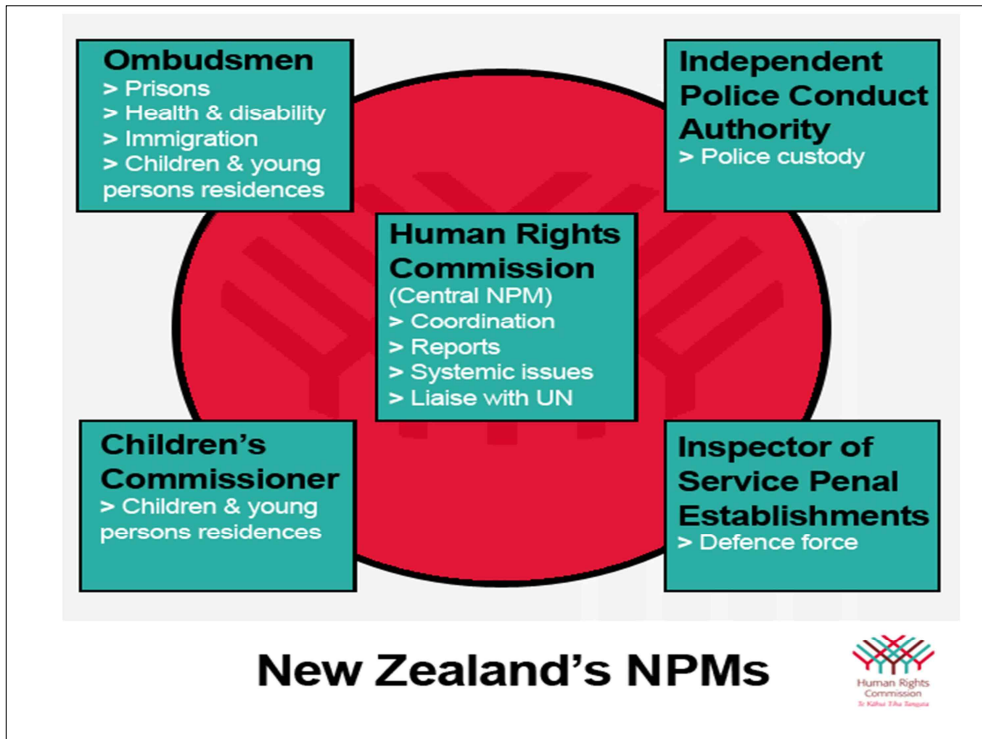
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A cell at Rimutaka Prison.



The perimeter fence at Auckland Prison.



CNPM



- The Human Rights Commission is designated as the Central National Preventive Mechanism (CNPM).
- The functions of the CNPM are to coordinate the activities of the NPMS and to maintain effective liaison with the Subcommittee on the Prevention of Torture.

NPM Activities



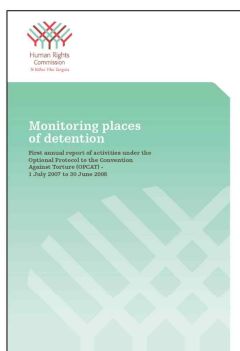
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- Each NPM carries out their monitoring activities very differently – even though their statutory functions are the same.
- Resources range from teams of dedicated investigators to one person who spends several hours per month undertaking monitoring activities.

Recent NPM/CNPM activities



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Values and Impacts



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- Improved awareness & understanding of human rights & OPCAT
- Strengthened mechanisms
- Building relationships
- Value recognised
- Practical improvements
 - Individual situations
 - Improvements within institution
 - Nationwide initiatives

Challenges for NPMs/CNPM



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- Difficulty identifying issues of significant mutual benefit for all NPMs due to the different detention contexts
- Lack of clarity around the scope of the OPCAT mandate (gaps: aged care residences and overlap: youth justice residences)
- Overlap between NPM agency core business and OPCAT activities

Challenges cont...



- Resource and funding constraints – CNPM and NPMs
- Timely access to specialist expertise for on site visits
- Complexity of the multi NPM mechanism makes it hard to explain to the general public
- Getting input from individuals who are / have been detained can be difficult

Multi NPM Observations



- Lots of scope for learning from the experiences of the other NPMs
- Important to recognise and accept NPM differences
- Identify the areas where the CNPM can really “add value”
- Get the core activities right – do not get too ambitious and choose key priorities carefully
- Relationships between NPM chairs/ leaders are crucial

More Information



- NZ Human Rights Commission Website: www.hrc.co.nz
- OPCAT: <http://www.hrc.co.nz/your-rights/human-rights/our-work/opcat/>



● <세션 3> 시리 시리아스 요셉(인도 국가인권위원회 위원장 대행)

Biennial Conference of Asia Pacific Forum of National Human
Rights Institutions (APF) at Ulaanbaatar, Mongolia
26-28 August, 2015

**THE ROLE OF NHRIs IN PREVENTING TORTURE AND OTHER
FORMS OF ILL-TREATMENT : ENGAGING LAW ENFORCEMENT
AND SECURITY FORCES**

(Presentation by Justice Cyriac Joseph, Acting Chairperson, NHRC, India)

Introduction

Torture of a fellow human being by another human being is essentially an instrument to impose the will of 'the strong' over 'the weak'. Custodial violence against the defenceless persons is considered as one of the worst crimes in a civilised society. This is also because custodial violence reflects betrayal of trust of the citizens by those who are required to maintain the Rule of Law. The Rule of Law is served effectively by protection, promotion and enforcement of human rights.

There is near unanimity among nations for prohibition and prevention of torture and other cruel, inhuman or degrading treatment or punishment. It is because torture is not only illegal, inhuman, cruel, unethical and uncivilised but also immoral. Torture is immoral as it is against the concept and spirit of Common Brotherhood of human beings. Torture is against the Rule of Law. Torture violates human rights. Torture is not the right response or answer to a crime or an alleged crime. Torture can only create new criminals and beget more crimes and thus be counter-productive. Torture cannot be justified in the name of effective or successful investigation. Not only the object, but also the means should be correct. By taking the illegal and immoral route of

torture, even if the law enforcing official reaches the goal of cracking a crime, he does not achieve the object of justice and peace in the society. To crack one crime, another crime cannot be committed. Only human rights friendly law enforcement can ensure justice and peace in the society. Intellectually nations of the world have agreed in principle. But much remains to be done for a change of heart and a change of attitude when it comes to practice by law-enforcing officials and Security Forces.

The World Perspective

Article 55 of the United Nations Charter signed on 26th June, 1945 stipulated that the United Nations shall promote “universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.”

Article 3 of the Universal Declaration of Human Rights adopted by the U.N. General Assembly on 10th December, 1948 declared that “everyone has the right to life, liberty and security of person.” Article 5 commanded that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Article 11 declared that “everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.”

In Article 7 of the International Covenant on Civil and Political Rights which was adopted by the U.N. General Assembly on 16th December, 1966 and came into force on 23rd March, 1976, the State Parties to the Covenant agreed as follows:-

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected, without his free consent, to medical or scientific experimentation.”

The Code of Conduct for Law Enforcement Officials adopted by the U.N. General Assembly through its Resolution 34/169 of 17th December, 1979 provided as follows:-

Article 2

“In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.”

Article 3

“Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Article 5

“No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.”

Desiring to make more effective the struggle against torture and other cruel, inhuman or degrading treatment or punishment throughout the world, the States Parties to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the U.N. General Assembly on 10th December, 1984 and came into force on 26th June, 1987, agreed as follows:-

Article 1

“ For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

Article 2

“1. Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

3. An order from a superior officer or a public authority may not be invoked as a justification of torture.”

Article 4

“1. Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit

evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.”

Thus, both prohibition and prevention of torture are obligations of the States.

The Indian Perspective

Being a signatory to the U.N. Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, India is bound and committed to share the above World View on Torture. India’s commitment to the struggle against Torture is manifested through its legislative and administrative actions.

The Preamble to the Constitution of India unequivocally declares India’s commitment “to secure to all its citizens: JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all Fraternity, assuring the DIGNITY of the individual. The Fundamental Rights guaranteed by the Constitution include equality before law and equal protection of the laws (Article 14) and also protection of life and personal liberty (Article 21). Article 21 of the Constitution states that no person shall be deprived of his life or personal liberty except according to procedure established by law. In **Francis Coralie Mullin vs. Administrator, Union Territory of Delhi and Others** [(1981) 1 SCC 608], the Supreme Court of India held that the right to life under Article 21 includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of

life such as adequate nutrition, clothing and shelter and facilities for reading, writing and expressing oneself in diverse forms, freely moving about and mixing and commingling with fellow human beings. Every act which offends against or impairs human dignity would constitute deprivation of the right to live and it would have to be in accordance with reasonable, fair and just procedure established by law which stands the test of other Fundamental Rights. Any form of torture or cruel, inhuman or degrading treatment would be offensive to human dignity and constitute an inroad into the right to live and it would be prohibited by Article 21 unless it is in accordance with procedure prescribed by law. But no law which authorises and no procedure which leads to such torture or cruel, inhuman or degrading treatment can ever stand the test of reasonableness and non-arbitrariness. It was also held by the Supreme Court that there is implicit in Article 21 the right to protection against torture or cruel, inhuman or degrading treatment which is enunciated in Article 5 of the Universal Declaration of Human Rights and guaranteed by Article 7 of the International Covenant on Civil and Political rights. Article 22 provides that no person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and to be defended by a legal practitioner of his choice. Every person who is arrested and detained in custody shall be produced before the nearest magistrate within the period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate. Under Article 32 of the Constitution, the right to move the Supreme Court by appropriate proceedings for the enforcement of the Fundamental Rights is also guaranteed. Article 51 of the Constitution provides that the State shall

endeavour to foster respect for international law and treaty obligations. Article 253 of the Constitution confers power on the Parliament to make any law for the whole or any part of the territory of India for implementing any treaty, agreement or convention with any other country or countries or any decision made at any international conference, association or other body.

Under Section 166 of the Indian Penal Code, if a public servant knowingly disobeys any direction of the law as to the way in which he is to conduct himself as such public servant, intending to cause, or knowing it to be likely that he will, by such disobedience, cause injury to any person, he shall be punished with imprisonment. Under Section 166A of the Indian Penal Code, whoever, being a public servant knowingly disobeys any direction of the law which prohibits him from requiring the attendance at any place of any person for the purpose of investigation into an offence or any other matter; or knowingly disobeys to the prejudice of any person any other direction of the law regulating the manner in which he shall conduct such investigation, shall be punished with imprisonment. Section 220 of the Indian Penal Code provides that whoever, being in any office which gives him legal authority to commit persons for trial or to confinement, or to keep persons in confinement, corruptly or maliciously commits any person for trial or to confinement, or keeps any person in confinement, in the exercise of that authority knowing that in so doing he is acting contrary to law, shall be punished with imprisonment. Under Sections 330 and 331 of the Indian Penal Code, voluntarily causing hurt to extort any confession or any information which may lead to the detection of an offence or misconduct or to compel restoration of property is an offence punishable with imprisonment. Under Section 348 of the Indian Penal

Code, wrongful confinement to extort confession or compel restoration of property is an offence punishable with imprisonment.

It is true that under Section 197 of the Code of Criminal Procedure, 1973 when a public servant is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty, no court shall take cognizance of such offence except with the previous sanction of the Government. Though this provision may appear to be a dilution of the earlier mentioned provisions in the Indian Penal Code, the Supreme Court of India in **General Officer Commanding vs. CBI** [(2012) 6 SCC 228] has held that the protection available to a public servant under Section 197 of the Code of Criminal Procedure is to protect responsible public servants against the institution of possible vexatious criminal proceedings for offences alleged to have been committed by them while they are acting or purporting to act as public servants. In **Rakesh Kumar Mishra vs. State of Bihar** [(2006) 1 SCC 557], the Supreme Court of India has clarified that the protection under Section 197 of the Code of Criminal Procedure is available to a public servant only when the alleged act done by him is reasonably connected with the discharge of his official duty and is not merely a cloak for doing an objectionable act. In **Ramesh Lal Jain vs. Nagendar Singh Rana** [(2006) 1 SCC 294], the Supreme Court of India had held that sanction under Section 197 is required only when the offence complained of against the public servant is attributable to the discharge of his public duty or has a direct nexus therewith and that sanction is not necessary when the offence complained of has nothing to do with discharge of his duty.

The provisions of Sections 24, 25 and 26 of the Indian Evidence Act, 1872 discourage and disapprove any attempt to extract confession by torture. According to Section 24 of the Indian Evidence Act, a confession made by an accused person is irrelevant in a criminal proceeding, if the making of the confession appears to the court to have been caused by any inducement, threat or promise, having reference to the charge against the accused person, proceeding from a person in authority and sufficient, in the opinion of the court, to give the accused person grounds, which would appear to him reasonable for supposing that by making it he would gain any advantage or avoid any evil of a temporal nature in reference to the proceeding against him. According to Section 25, no confession made to a police officer shall be proved against a person accused of any offence. According to Section 26, no confession made by any person whilst he is in the custody of a police officer, unless it is made in the immediate presence of a Magistrate, shall be proved as against such person.

The Police Act, 1861 was enacted for the regulation of police. Section 29 of the said Act provides that every police officer who shall offer any unwarrantable personal violence to any person in his custody shall be liable, on conviction before a magistrate, to a penalty not exceeding three months' pay or to imprisonment with or without hard labour, for a period not exceeding three months or to both.

In the year 2005, Government of India, appointed a Drafting Committee under the chairmanship of Dr. Soli Sorabjee to prepare a Model Police Act. The Committee submitted the Model Police Act, 2006 on 30th October, 2006. Section 200 of the Model Police Act reads thus:-

“Whoever, being a police officer:

- (1) without lawful authority or reasonable cause enters or searches, or causes to be entered or searched, any building, vessel, tent or place; or
- (2) unlawfully and without reasonable cause seizes the property of any person; or
- (3) unlawfully and without reasonable cause detains, searches, or arrests a person; or
- (4) unlawfully and without reasonable cause delays the forwarding of any person arrested to a Magistrate or to any other authority to whom he is legally bound to forward such person; or
- (5) subjects any person in her/his custody or with whom he may come into contact in the course of duty, to torture or to any kind of inhuman or unlawful personal violence or gross misbehaviour; or
- (6) holds out any threat or promise not warranted by law; shall, on conviction, be punished with imprisonment for a term which may extend to one year and shall be liable to fine.”

Since Law and Order is a State subject, it is left to the States to enact their own Police Act on the basis of the Model Police Act, 2006

The Ministry of Home Affairs, Govt. of India had on 4th July, 1985 issued the following guidelines for the Code of Conduct for the Police in India :-

1. The police must bear faithful allegiance to the Constitution of India and respect and uphold the rights of the citizens as guaranteed by it.
2. The police should not question the propriety or necessity of any law duly enacted. They should enforce the law firmly and impartially, without fear or favor, malice or vindictiveness.
3. The police should recognize and respect the limitations of their powers and functions. They should not usurp or even seem to usurp the functions of the judiciary and sit in judgment on cases to avenge individuals and punish the guilty.
4. In securing the observance of law or in maintaining order, the police should as far as practicable, use the methods of persuasion, advice and warning. When the application of force becomes inevitable, only the irreducible minimum of force required in the circumstances should be used.
5. The prime duty of the police is to prevent crime and disorder and the police must recognize that the test of their efficiency is the absence of both and not the visible evidence of police action in dealing with them.
6. The police must recognize that they are members of the public, with the only difference that in the interest of the society and on its behalf they are employed to give full time attention to duties, which are normally incumbent on every citizen to perform.
7. The police should realize that the efficient performance of their duties would be dependent on the extent of ready cooperation that they receive

from the public. This, in turn, will depend on their ability to secure public approval of their conduct and actions and to earn and retain public respect and confidence.

8. The police should always keep the welfare of the people in mind and be sympathetic and considerate towards them. They should always be ready to offer individual service and friendship and render necessary assistance to all without regard to their wealth and / or social standing.

9. The police should always place duty before self, should maintain calm in the face of danger, scorn or ridicule and should be ready to sacrifice their lives in protecting those of others.

10. The police should always be courteous and well mannered; they should be dependable and impartial; they should possess dignity and courage; and should cultivate character and the trust of the people.

11. Integrity of the highest order is the fundamental basis of the prestige of the police. Recognizing this, the police must keep their private lives scrupulously clean, develop self-restraint and be truthful and honest in thought and deed, in both personal and official life, so that the public may regard them as exemplary citizens.

12. The police should recognize that their full utility to the State is best ensured only by maintaining a high standard of discipline, faithful performance of duties in accordance with law and implicit obedience to the lawful directions of commanding ranks and absolute loyalty to the force and by keeping themselves in the state of constant training and preparedness.

13. As members of a secular, democratic state, the police should strive continually to rise above personal prejudices and promote harmony and the spirit of common brotherhood amongst all the people of India, transcending religious, linguistic or sectional diversities and to renounce practices derogatory to the dignity of women and disadvantaged sections of society.

Though India is a signatory to the U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, India has not yet ratified the Convention due to reservations about some of the provisions of the Convention. However, through the legislative and administrative actions taken by the Government of India, India has been in the forefront in the struggle against torture. It is to be mentioned that, with a view to provide for more effective implementation of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, a Bill was introduced in the Parliament of India as The Prevention of Torture Bill, 2010 (Bill No. 58 of 2010) providing for punishment for torture inflicted by public servants or any person inflicting torture with the consent or acquiescence of any public servant and for matters connected therewith or incidental thereto. Though the Bill was passed by the House of the People (Lok Sabha), the Council of States (Rajya Sabha) referred it to a Select Committee. Though the Select Committee submitted a report on 6th December, 2010, the Bill subsequently lapsed due to the dissolution of the Lok Sabha.

Role of NHRC India

NHRC India is a statutory and autonomous body constituted under the Protection of Human Rights Act, 1993 for better protection of human rights and for matters connected therewith or incidental thereto. The importance assigned to the institution is clear from the composition of the Chairperson and the Members of the NHRC and the manner in which they are selected and appointed. The Chairperson and the Members are to be appointed by the President of India on the recommendations of a committee consisting of (a) the Prime Minister (b) Speaker of the House of the People (c) Minister in-charge of the Ministry of Home Affairs in the Govt. of India (d) Leader of the Opposition in the House of the People (e) Leader of the Opposition in the Council of States (f) Deputy Chairman of the Council of States. The Commission shall consist of:

- (a) a Chairperson who has been a Chief Justice of the Supreme Court
- (b) one Member who is or has been a Judge of the Supreme Court
- (c) one Member who is or has been the Chief Justice of a High Court
- (d) two Members to be appointed among persons having knowledge of, or practical experience in, matters relating to human rights.

Section 12 of the Protection of the Human Rights Act, 1993 mentions the functions of the National Human Rights Commission. They include among other things:-

Inquiry, suo moto or on a petition presented to it by a victim or any person on his behalf or on a direction or order of any court, into complaint of: (i) violation of human rights or abetment thereof; or (ii) negligence in the prevention of such violation, by a public servant; and

Visiting any jail or other institutions under the control of the State Government where persons are detained or lodged for purpose of treatment, reformation, or protection, for the study of living conditions of the inmates thereof and make recommendations thereon to the Government.

Section 13 provides that while inquiring into the complaints, the Commission shall have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 including the power of summoning and enforcing the attendance of witnesses and examining them on oath discovery and protection of any document and requisitioning any public record or copy thereof from any court or office.

The NHRC India has its own Investigation Division headed by an Officer of the rank of Director General of Police. Under Section 14 of the Protection of Human Rights Act, 1993, for the purpose of conducting any investigation, the Commission may utilise the services of any officer or investigation agency of the Central Government or any State Government with the concurrence of the Government concerned. Under Section 17, the Commission, while inquiring into the complaints of violations of human rights, may call for information or report from the Central Government or any State Government or any other authority or organisation subordinate thereto. Under Section 18, where the inquiry discloses the commission of violation of human rights or negligence in the prevention of violation of human rights or abatement thereof by a public servant, the Commission can recommend to the concerned Government or authority:

- (i) to make payment of compensation or damages to the complainant or to the victim or the members of his family and;
- (ii) to initiate proceedings for prosecution or such other suitable action against the concerned person or persons.

The Commission is also competent to recommend to the concerned Government or authority at any stage of the inquiry for grant of such immediate interim relief to the victim or the members of his family. Section 19 envisages a special procedure for dealing with complaints of violation of human rights by members of Armed Forces. According to the said procedure, the Commission may, either on its own motion or on receipt of a petition, seek report from the Central Government and after the receipt of the report, the Commission may, either not proceed with the complaint or, as the case may be, make its recommendations to that Government. In other words, the Commission and its officers are not allowed to carry out any investigation by themselves.

NHRC India believes that creating awareness among and giving proper training to the law enforcing officials and the Security Forces is equally important as taking stern action against those persons inflicting or abetting torture and other cruel, inhuman or degrading treatment or punishment. Hence, in addition to conducting awareness and sensitisation programmes for the law enforcing officials and Security Forces, the Commission has been encouraging and funding the law enforcing agencies and the Security Forces as well as independent training institutes to conduct training programmes for members of Security Forces and law enforcing agencies. During the period from 2011-12 to 2014-15, a total number of 97 such training programmes were conducted / sponsored by the Commission. Out of them, 76

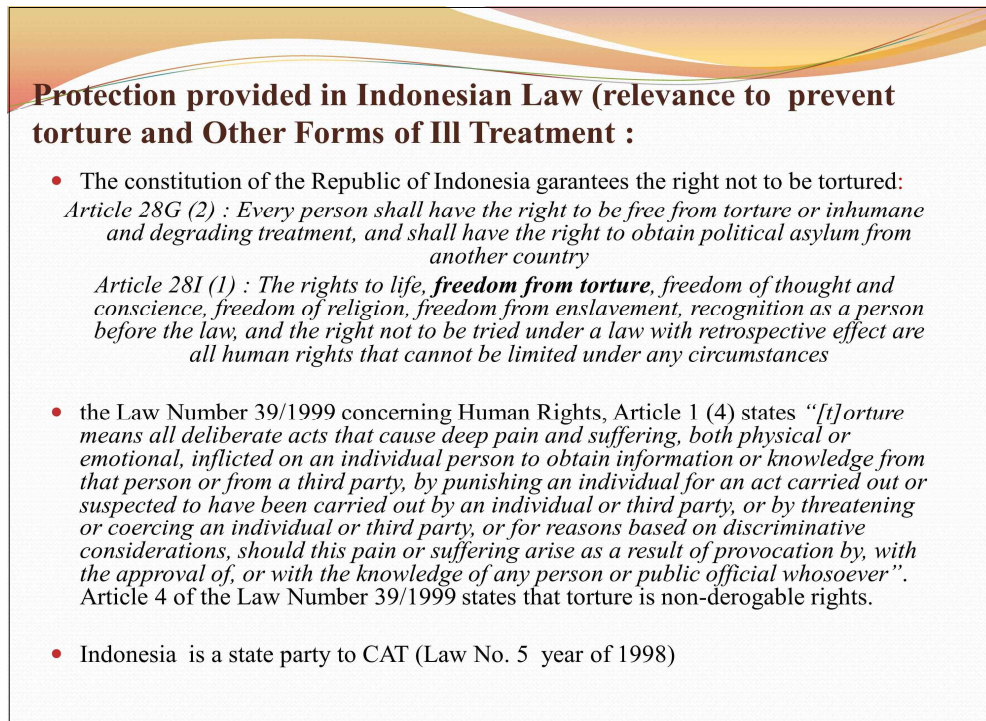
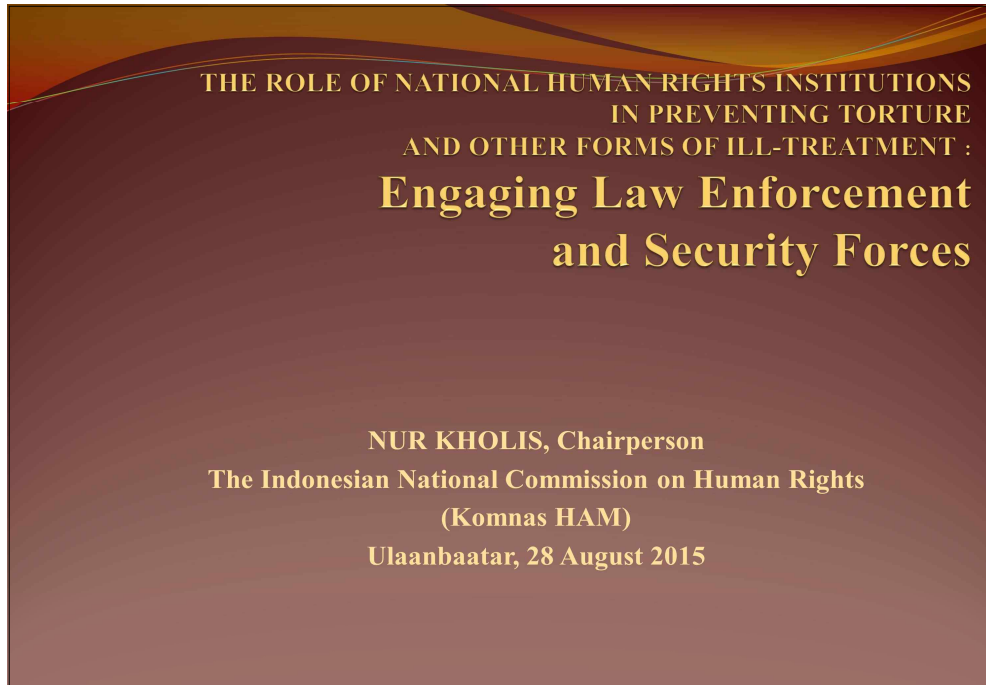
training programmes were for the police and 21 were for the para-military forces.

The visits including surprise visits conducted by the Members of the Commission, its officers and Special Rapporteurs at police stations and jails were part of the endeavour of the Commission to prevent torture and other forms of ill-treatment. The recommendations made on the basis of such visits had positive effect in the prevention of custodial torture.

The Commission has appointed a senior officer of the Law Division as the Focal Point for Human Rights Defenders who can be approached by the activists round the clock through a dedicated mobile number, in the event of potential or extended threats to their personal life or liberty at the hands of law enforcement and Security Forces or others. In such cases, immediate action is taken by the Commission on priority basis.

The Commission has also constituted a Core Group of NGOs which cooperate with and assist the Commission in its endeavour to prevent violation of Human Rights including custodial torture.

● <세션 3> 누르 코리스(인도네시아 국가인권 위원회 위원장) 발표 자료



Komnas HAM's Powers and function, relevance to prevent torture and other forms of ill treatment

Komnas HAM has statutory functions which are:

- Dissemination of national and international human rights concepts,
- Conducting research on various United Nations human rights instruments with a view to recommending their ratification thereof or accession thereto,
- Monitoring and conducting inquiry on the implementation of human rights and submitting views, advices and recommendations to the authorities concerned for the implementation of human rights
- Conducting regional and international cooperation for the promotion and protection of human rights

Challenges (mandate and function of Komnas HAM)

- Komnas HAM has not yet been able to « *to monitor systematically the rules about interrogation, instruction, method, habits and also rules to arrest someone or the treatment for those who got arrested, detained or imprisoned in each jurisdiction area in order to avoid torture cases, as suggested by Article 11 of CAT. WHY:*
 - a. Problem of Access
 - b. Unable to conduct unannounced visit
- In dealing with individual complaint, including complaint on torture, and other forms of ill treatment Komnas HAM is only mandated to make a recommendation to institution concerned (such as the police) without any legal power to force the institution concerned to implement the recommendation

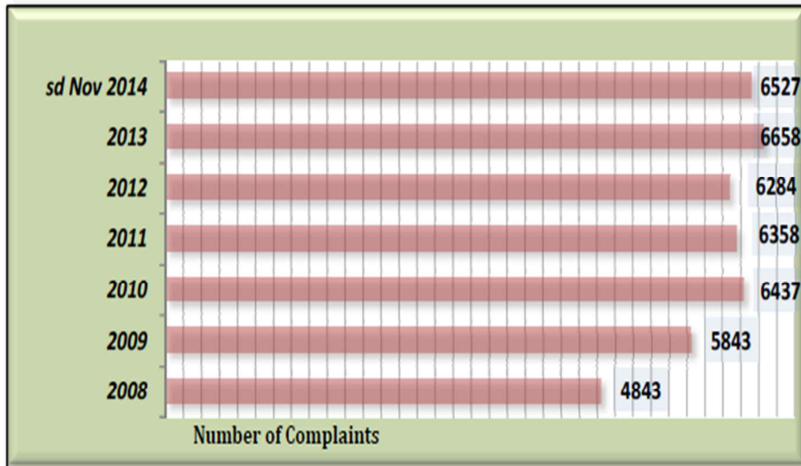
Challenges (on power and function)

- The act of torture that (conforms to CAT) is not yet included in Indonesian Penal Code: Torture is NOT YET a CRIME
- The Law 26/2000 on Human Rights Court contains a provision on torture (Article 9 of the Law Number 26/2000) that conforms to CAT → Torture is a part of ‘crimes against humanity’, which should be perpetrated systematically or widespread as part of attack directed against any civilian.
- The Law 26/2000 states that Komnas HAM is the only institution to conduct the inquiry on the alleged cases of crimes against humanity
- The acts of torture were systematically and/or widespread committed in most of the cases inquired by Komnas HAM; BUT most of the cases not yet followed up by the Attorney general

Importance to engage law enforcement and security forces: WHY? → Police is on the TOP

- As happened in the last three years, the Indonesian National Police is always on the top reported to Komnas HAM for, among others : a). the arbitrary arrest and detention; b). case of shooting and violence committed by police and c), torture
- Although number of complaint regarding torture is quite small does not reflect the situation (Torture as a *Silent Crime*)

Number of Complaints (2008-2014)

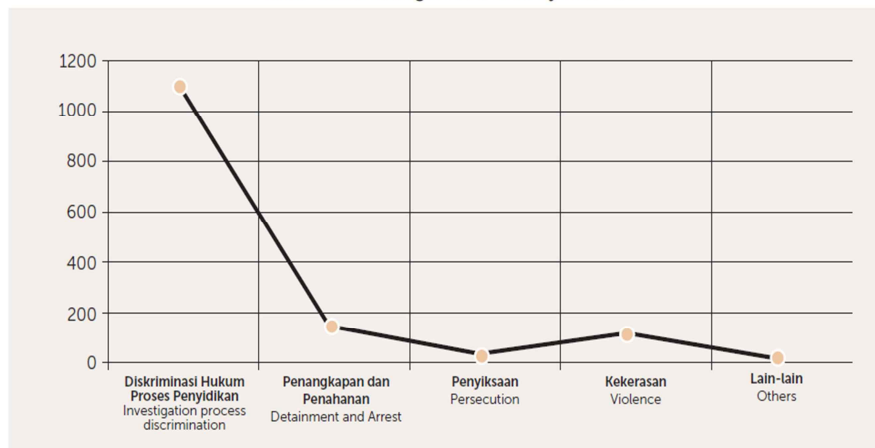


TOP TEN Institutions/Entities complained to Komnas HAM (2012-2014)

No	Institutions/Entities	Year		
		2012	2013	2014
1.	Police	1.938	1.845	2.483
2.	Corporations	1.126	958	1.127
3.	Local Government	569	542	771
4.	Court	542	484	641
5.	Central Government (ministries)	483	488	499
6.	State Owned Company (BUMN/BUMD)	306	372	463
7.	State Institutions (other than ministries)	-	-	282
8.	Military	204	270	215
9.	Attorney	186	195	195
10.	Institutions of Education	118	78	134

Forms of Human Rights Violations by the Police (2012)

Bentuk Pelanggaran HAM oleh Kepolisian
Forms of Human Rights Violations by the Police



Sumber : Sub Bagian Penerimaan dan Pemilahan Pengaduan Berdasarkan data pengaduan tahun 2012
Source: Complaint Receipt and Sorting Sub Department Based on the complaint data in 2012

Importance to engage law enforcement and security forces: WHY? → UN Special Rapporteur Report

Report of UN Special Rapporteur, Manfred Nowak:

“torture is routine practice in Jakarta and other metropolitan areas of Java, including Yogyakarta.... The types of abuse reported to the Special Rapporteur and corroborated by forensic medical analysis include beatings with fists, rattan or wooden sticks, chains, cables, iron bars and hammers, kicking with heavy boots, electrocution and shots into the legs. Some detainees alleged that heavy implements (chairs, desks, and car jacks) had been placed on their legs for a prolonged period of time. The injuries sustained in a vast number of cases remain without any treatment, putting the health of the detainee further at risk.

Importance to engage law enforcement and security forces: WHY?

1. Detention in Indonesia consists of :
 - Official detention
 - Unofficial detention (a place that has been functioned as a detention place).
2. Huge numbers of detention centers in Indonesia : Mostly under the control of police → ± 3.944 units detention place in police office in the district and the regions. (221 *correctional centers*, 198 *detention centers*)
3. torture, and forms of ill treatment in specific issues:
 - Combating Terrorism (mostly involving police)
 - In conflict area: Papua (involving police and the military)

What have been done: the POLICE and RELATED INSTITUTIONS

Forms of co-operation:

- Komnas HAM has signed a Memorandum of Understanding with National Police to cooperate in handling human rights cases in Indonesia and in the area of training
- Komnas HAM conducts meetings and dialogue:
 - a. The Chief of National Police/the Chief of Police Region: Policies, police internal regulations, and Cases
 - b. The Chief of Police District/Chief of Police Sub District): Mostly cases
 - c. The Head of Police Education Centers (lembaga pendidikan polisi/Lemdikpol): Policies in the areas of Training, Curriculum, method of training, etc
- Komnas HAM contribute in building curriculum and regularly involves to teach in the Indonesian National Police Academy, and the Police School
- Komnas HAM regularly involves to in the education/training in specific areas: such as training conducted by The Mobile Brigade Police force of Indonesia.

POLICE/Pilot Project: Set up Human Rights Based Policing

What	Where	When
<ul style="list-style-type: none"> • Pilot Project Program • Human Rights Based Policing 	<ul style="list-style-type: none"> • the police district (police resort-Polres) North Jakarta (Jakarta Utara) 	<ul style="list-style-type: none"> • Planned to be launched in September 2015

Programme

Strengthening the Capacity of the Personnel and setting Up the System of Monitoring

- Human Rights Training for police personnel
- Develop and publishing human rights pocket book
- Strengthening unit of women, children and vulnerable groups
- Setting up a system to monitor performance

Developing a Solid Cooperation with the Society

- Police personnel as the friends of the community (responsive)
- Develop a “safe house”
- Regular communication and dialogue with the community (relevant to the needs of the community)

What have been done:

Security Forces

Forms of co-operation:

- Komnas HAM has signed MoU with the Indonesian Army in the area of training. Komnas HAM then involves in the training of the army. NOTE: a thorough evaluation to measure the positive impact not yet conducted.
- Komnas HAM is in the process of developing a Memorandum of Understanding with the whole Indonesian Armed Forces (*Tentara Nasional Indonesia/TNI*)
- Komnas HAM conducts meetings and dialogue (BUT not regularly/not often) to discuss cases, policies, and/or internal regulations, training/education
- Komnas HAM involves in the training of all Indonesia Armed Forces (including Indonesian navy and Indonesian Air Force), BUT not yet contributes much in building curriculum and methods of training

THANK YOU

● <세션 3> 풍키 인다르티(Imparsial(인도네시아 인권단체) 사무총장)

Engaging Law Enforcement and Security Forces

Delivered by Poengky Indarti
Executive Director of Imparsial-Indonesia

Enforced disappearance case



Kepada Sang Calon Presiden Prabowo. : Kembalikan Teman Kami. (TragediMawar08)

Torture case in Central Highland - Papua



Our hope, people's hope

- **Stop impunity!**
- **Bring the perpetrator(s) to justice!**
- **NHRI and Civil Society can work together to support law enforcement and human rights protection;**

Recommendation

- **Revision of the laws to stop impunity;**
- **Strengthening power of NHRI, e.g. by granting subpoena power to NHRI;**
- **Continuing law reform and security sector reform towards a successful law enforcement and professional security forces;**
- **Oversight: internal, external.**

- **Terima kasih banyak**
- **Thank you very much**

- <세션 4> 김영혜 고문방지대사(한국 국가인권위원회 상임위원)

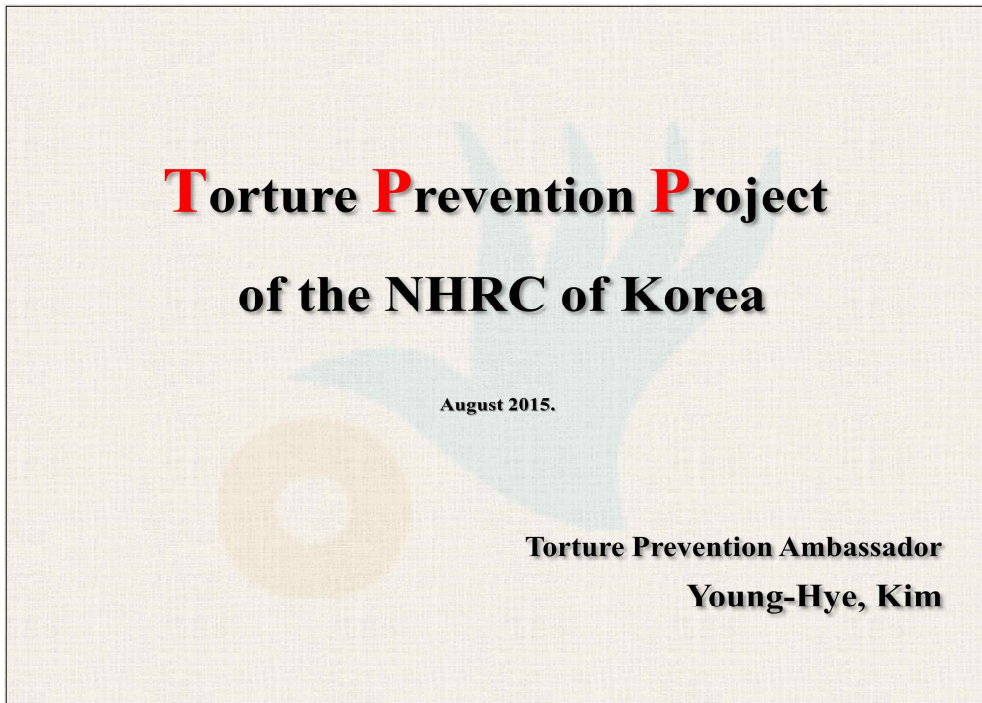


Table of Contents

- I. Why TPA?**
- II. Contents of TPP – Integrate with NHRCK’s regular tasks**
- III. Challenges of TPP**
- IV. Contributions to TPP**
- V. Overview of TPP**
- VI. Achievements of TPP**

The image shows the table of contents for the report. It is titled 'Table of Contents' in a bold, black, sans-serif font. Below the title, there is a list of six numbered sections, each in a bold, black, sans-serif font. The background is a light beige color with a faint, large watermark of a handprint in shades of blue and yellow.

I. Why TPA ?

To share practices of Korea regarding prevention of torture and ill-treatment

Reality: different perspectives among nations when it comes to torture prevention agenda

Rapid social changes of Korea for the last two decades

The direction is set to reflect the social changes in Korea.

➡ *“apathetic one”*

To seek a sustainable role of torture prevention agenda in response to changes

physical torture

➡ *“broader range of human rights infringement”*

eg) violence, excessive crackdown, verbal abuse, etc.

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II. Contents of TPP

Integrate its agenda with regular tasks of the NHRCK

- ➔ With its limited financial resource of TPP
- ➔ The project aims to enable management of human and financial resources.

“Article 25 of the National Human Rights Commission Act”

- ➔ mandates the NHRCK to conduct On-site investigation
- ➔ on-site investigation (more than 20 detention facilities every year)

Human rights education and survey

TPP

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III. Challenges of TPP

“Low public and media awareness of torture prevention”

Torture is considered an issue of the past

Measures

“reflect the social changes in Korea”

“Human rights violation in the military such as violent bullying and harassment among soldiers”

The public pays much attention to military issues

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III. Challenges of TPP

Immigration Processing Centers

Increasing influx of immigrants

➡ *“Growing interests”*

As of 2015

Migrant workers	Marriage immigrants	Illegal immigrants
620,000	150,000	220,000

IV. Contributions to TPP

The National Assembly established “the Special Committee on Military and Human Rights”(31.Oct. ‘14)

A revised bill to the National Human Rights Commission Act

To set up a “Military and Human Rights Ombudsman” within the NHRCK (30. July ‘15)

Once the bill is passed, the Commission will be able to include the military in the on-site investigation

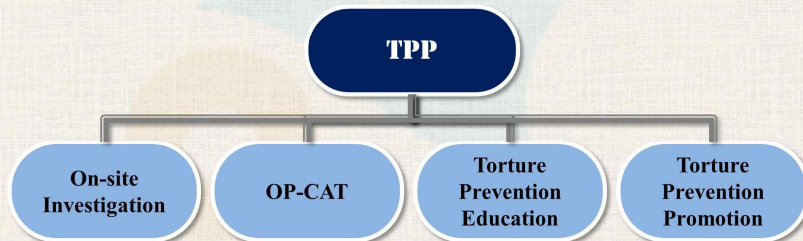
Social media network

To raise awareness of torture prevention among youths

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V. Overview of TPP

Purpose	Prevention of torture and ill treatment in Korea
Slogan	<i>“Torture Prevention: from Remedy to Prevention”</i>



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V. Overview of TPP

On-site Investigation of Detention and Protective Facilities

Purpose of On-site Investigation	To prevent torture and ill-treatment	
	To find solutions for identified issues	
How to Investigate	Subject	Treatment for inmates Hygienic conditions
	Methods	Paper Survey Field Investigation Interview(inmates and staffs)

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V. Overview of TPP

On-site Investigation of Detention and Protective Facilities

Progress

A plan for on-site investigation was set up (March)

- 22 institutions to be investigated in 2015 (USD 46,000)

The NHRCK's On-site investigation	53 detention centers and 5,600 mass care facilities are subject to the investigation
3 Immigration Processing centers	
6 military mental health centers and correctional institutions	
3 youth detention centers	
Institute of Forensic Psychiatry	
3 senior nursing homes	
6 mental health care centers	

Establishment of investigation teams and preparation work (July)

- Data request
- Schedule confirmation
- Checklist and key findings

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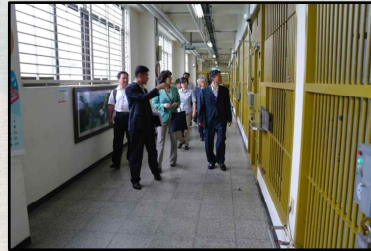
V. Overview of TPP

On-site Investigation of Detention and Protective Facilities

On-site investigation (Aug. and Sep.)

- Immigration Processing Centers were completed
 - ※ TPA visited Cheongju shelter
- On-site investigation for other facilities will be finished in Sep.

On-site Investigation in Cheongju



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V. Overview of TPP

Research on measures to join the OP-CAT

Objective	Encourage Korea's accession to the OP-CAT
Contents	<i>"Implementation status of the OP-CAT in state parties and ways for Korea's accession to the OP-CAT"</i>
Budget	USD 24,500

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V. Overview of TPP

Research on measures to join the OP-CAT

Progress	<ul style="list-style-type: none"> ○ Select and contract with a research institute (March) ○ Interim report on progress of the research (June) ○ Analysis of the OP-CAT and issues on Korea's accession to the OP-CAT Issues : protection of military secret provision of special rights to NPM staff
Plans	<ul style="list-style-type: none"> ○ Final report on result of the research(Sep.) ○ Presentation and debate on result of the research (Oct.)

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V. Overview of TPP

Torture Prevention Education

Objective	Provide education to people in charge of tasks with high possibility of occurrence of torture during execution to prevent occurrence of torture and ill-treatment
Contents	Integrate torture prevention education to human rights education curriculum for police and military
Methods	<ul style="list-style-type: none"> ○ Instructors from the NHRCK or TPA provide education based on CAT related cases ○ Human Rights Education (annually) 68 courses, 270 times, Budget: USD 630,000

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V. Overview of TPP

Torture Prevention Education

Progress

- Workshop for human rights investigators at the National Police Agency (March)
- Investigation and Human Rights
 - Seoul Metropolitan Police Agency (March)
- Enhance human rights sensitivity of police officers (March - June)
- Student at law school (July)
- Human rights education instructors in military (Year-around)

Human rights instructor in military



Education for student at law schools



Plans

- Human rights education instructor in military (Year-around)
- Human rights sensitivity of police (lecture by TPA, September)
- Human rights sensitivity of military (lecture by TPA, October)

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V. Overview of TPP

PR on Torture Prevention

Objective	Strengthen torture prevention activities through enhancing awareness
Methods	Contribution to daily magazine and internet, and meeting with high-ranking officials
Plans	Produce and disseminate leaflets on the CAT and prevention of ill-treatment (Sep.)

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V. Overview of TPP

PR on Torture Prevention

Progress

- Meeting with the Navy Chief :
 - Discussion on prevention of violence in military (31 March)
- Meeting with the Vice-minister of Justice :
 - Encourage accession to the OP-CAT (17 August)

Meeting with the Navy Chief



Meeting with the Vice-minister of Justice



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V. Overview of TPP

PR on Torture Prevention

Progress

- Contribution of TPA to daily newspaper (Seoul Newspaper) on the UN Day in Support of Victims of Torture (26 June)
- Introduction of TPP and enhancement of awareness on torture

서울신문 2015년 06월 23일 화요일 030면 사설/오피니언

세계 고문 희생자 지원의 날을 맞아

김기교

김영애
아시아태평양국가인권기부포럼
고문방지대사

6월 26일은 유엔이 정한 '세계 고문 희생자 지원의 날'이다. 일제강점기와 권위주의 정부 시기를 거치며 고문으로 인해 고통받고 희생당한 역사가 있는 만큼 이날은 우리에게도 남다른 의미가 있다. 물론 1990년 대 이후 '민주화 운동이 평화와 사회를 연가'는 취지를 위해서, 또는 '원박·강요할 목적이나 차별적인 이유로 극심한 신체적·정신적 고통을 가하는' 전통적 의미의 고문이 무중의 감소된 것은 사실이다.

그렇지만 이제 우리 사회에서 다양 상 고문에 대한 논의는 필요성이 없 어졌다고 할 수 있을까. 이는 소위 선 진 국가들에서 주목 받고 있는 의문인 기도 하다.

유엔은 세계적으로 인권에 대한 중 대한 위해 행위인 고문을 방지하고 이를 위한 가 국가가 의무를 강화하기 위해 1984년에 고문 및 그 밖의 잔혹 하거나 비인도적이고 굴욕적인 대우 와 처벌의 방지에 관한 협약(이하 고 문방지협약)을 채택했다. 우리나라 는 1996년에 이 협약에 가입했다(1998 개국 기일).

고문방지협약은 우리가 일반적으로 알고 있는 간혹만 불행히 고문받 만 아니라 고문에 미치지 아니하는 그 밖의 비인도적이고 굴욕적인 대 우나 처벌을 방지하는 것도 목적으로 하고 있다.

이러한 맥락에서 우리 사회에서도 고문의 본질에 비인도적인 부당한 처우의 문제까지 그 폭을 넓혀 생각 할 필요가 있을 것이다.

과거에 비해 고문이나 부당한 처 우에 대한 인식이 높아지고 따라서 관련 사건의 발생 빈도나 강도가 낮 아졌다.

그러나 국가인권위원회에 제기되 는 진정 사건을 보면 여전히 제도 및 구급 과정에서의 과도한 조치나 군 대에서의 비인도적인 부당한 처우에 대한 조치가 반복되고 있고, 특히 최 근에는 윤 일병 사건 등과 같이 군대 에서의 폭행, 괴롭힘과 그로 인한 충 기 남사, 자살 등이 사회적으로 큰 문 제가 되고 있다. 비인도적인 부당한 처우가 사람의 정신과 신체뿐 아니 라 생명도 위협할 수 있다는 점에서 국내적으로도 방지를 위해 노력해야 하지만, 이는 국제적으로 고문방지 협약이 이를 명제하고도 지적되고 할 수 있다.

한편 유엔은 2002년에 고문이나 부당한 처우 방지를 위한 효과적인 수단으로 '구급 장소에 대한 정기적 방 문'이라는 예방제도를 고안해 각 국 에서서 이러한 제도를 수립할 것을 주요 내용으로 하는 고문방지협약 실태의 심사를 채택한 바 있다. 그런 데 우리나라는 아직 이에 가입하지 않고 있다(2014년 기일). 하지만 국 가인권위원회는 이미 국내법에 따라 고문이나 부당한 처우에 관해 진정 사건 조사의 길이 사후적 구제 가능 을 담당하는 것 외에도 고도소, 유치 관, 소 영환, 정신병원 등 구급장소에 대한 사전예방적 방문 조사도 정기 적으로 실시하고 있다. 위의 실태의 원인이 고문이라는 기능을 사실상 담 담하고 있는 것이다.

세계 고문 희생자 지원의 날을 맞 아 인권의 고문 방지 노력을 세계에 알리고, 인권 수준을 한 단계 높이기 위해 유엔 고문방지협약의 이종과 실태의 심사 기일인 관련 논의가 활성화 되기를 기대한다.

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V. Overview of TPP

PR on Torture Prevention

Progress

- ‘Online Quiz Event’ on the UN Day in Support of Victims of Torture (June)
- Facebook Quiz, “Fill in the Blank”
- Reaches 200960, Participation 1874, ice-cream gifticon to 50 people



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VI. Achievements of TPP

Importance of direct communication with the heads of institutions

- Effectiveness of direct awareness through constructive dialogue

The meeting with the Vice-minister of Justice

- Sustained function of the CAT was discussed
- Accession to the OP-CAT was encouraged

Navy Chief invited TPA for high commanders in Navy to provide human rights education

- Q & A session on cases of human rights violation in military
- Practical measures to address the issues

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VI. Achievements of TPP

Meeting with executives of institutions during on-site investigations

- Encouraged improvement of management of the facility and lack of shielding facilities in toilet
- Major concerns reported by institutions:
 - wage claims/ remedy for industrial accidents/ medical treatment

Integration of torture prevention in human rights education for police and military

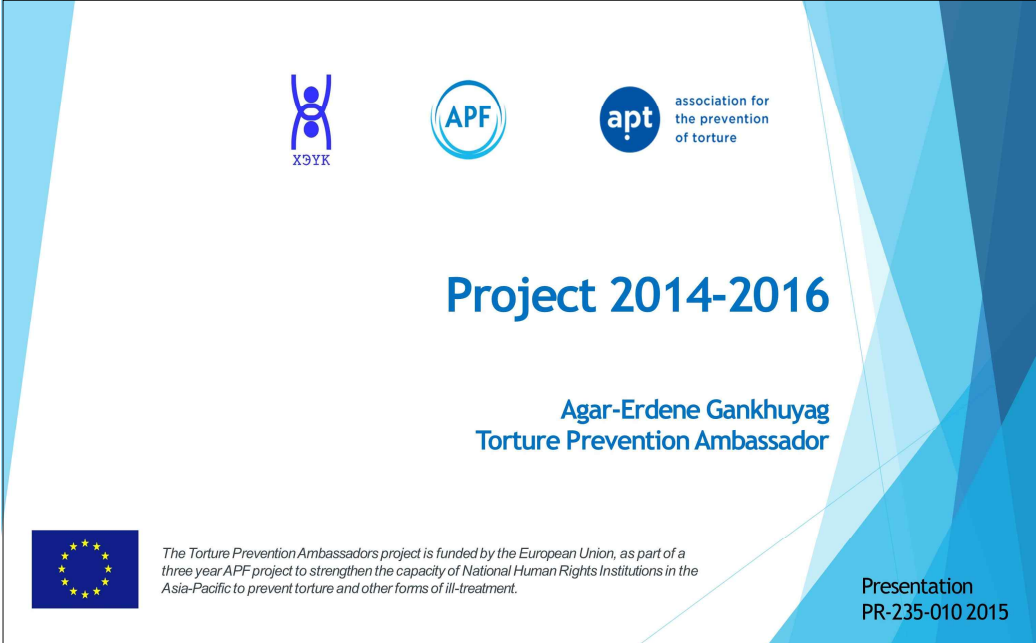
- Contents on abuse of physical power during arrest of the accused or crack down of demonstration
- violence, bullying, sexual harassment in military

Meaningful material on torture prevention in Korea at APF and APT

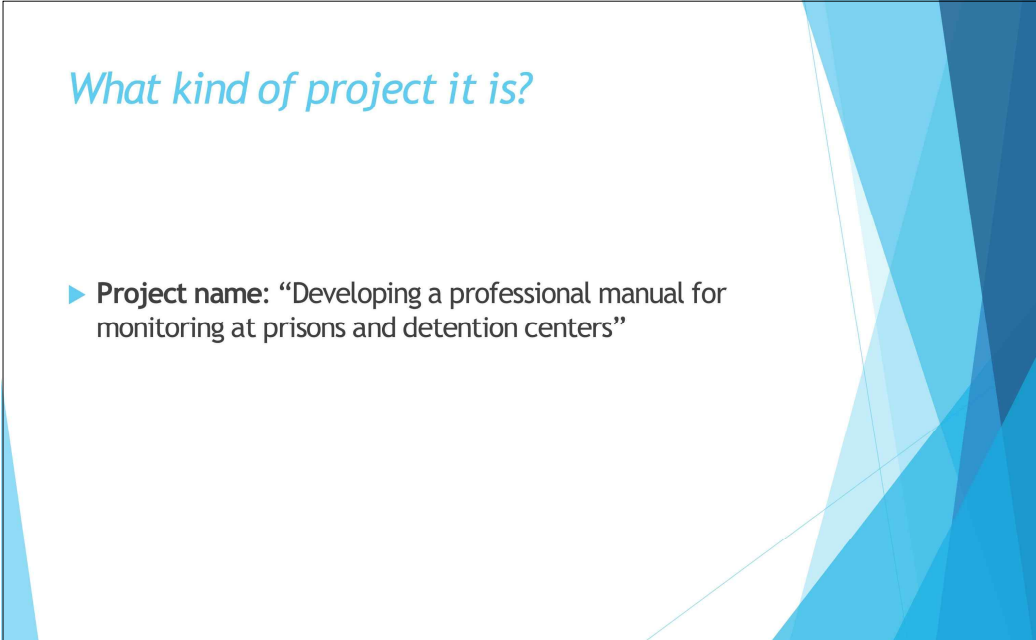
21

Thank You

● <세션 4> 아가 에르딘 고문방지대사(몽골 국가인권위원회 위원)



The slide features a blue geometric background on the right side. At the top left, there are three logos: a stylized human figure with arms raised and the Mongolian text 'ХЭҮК' below it; the 'APF' logo in a circle; and the 'apt' logo with the text 'association for the prevention of torture' to its right. In the center, the text 'Project 2014-2016' is displayed in a large blue font, followed by 'Agar-Erdene Gankhuyag Torture Prevention Ambassador' in a smaller blue font. At the bottom left, there is a small European Union flag icon and a paragraph of text: 'The Torture Prevention Ambassadors project is funded by the European Union, as part of a three year APF project to strengthen the capacity of National Human Rights Institutions in the Asia-Pacific to prevent torture and other forms of ill-treatment.' At the bottom right, the text 'Presentation PR-235-010 2015' is written.

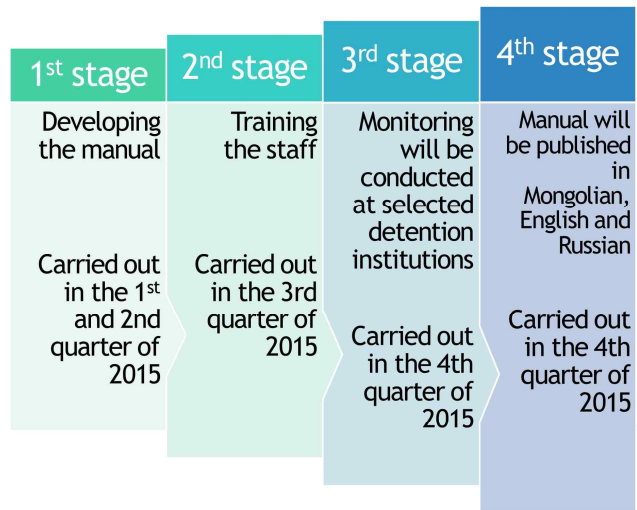


The slide has a blue geometric background on the right side. At the top, the text 'What kind of project it is?' is written in a light blue, italicized font. Below this, a bullet point with a blue triangle icon is followed by the text: 'Project name: “Developing a professional manual for monitoring at prisons and detention centers”’

Why this project is important?

- ▶ In 2011, the Commission assessed its capacity with the support of APF. Capacity Assessment report stressed that manuals are important for the effective and professional handling of human rights and general matters within the NHRCM.
- ▶ Too much is dependent on the individual skills and capabilities of individual staff, and so outcomes can differ depending on the specific staff member who conducts monitoring.
- ▶ NHRCM is organization that has high percent of staff movement. About 4-6 years later almost 40 percent of staff are replaced. When they leave the Commission, they don't leave their knowledge and experience.

Implementation stages



General content of the Manual

ONE. PREPARATION OF MONITORING

- 1.1. Selecting the detention institution to undertake the monitoring in
- 1.2. Appointing the team of monitoring and adopting its terms of reference
- 1.3. Preparing monitoring materials
- 1.4. The day before the monitoring

TWO. CONDUCTING MONITORING

- 2.2. Having a meeting with the authority of the detention institution
- 2.3. Interview
- 2.4. Examining documents
- 2.5. Examining the conditions
- 2.6. Making observation over the condition

THREE. DOCUMENTING THE OUTCOME OF MONITORING

- 3.1. Briefing on provisional outcome of the

- preventive monitoring
- 3.2. Drafting a narrative report
- 3.3. Discussing the outcome of the monitoring with the meeting of the Commission
 - 3.3.1. Preparing for the meeting
 - 2.3.2. Organising the meeting
- 3.4. Releasing demands and recommendations
- 3.5. Organising activities for the enforcement of the recommendations

Appendix 1. Model questionnaire for the use in pre-trial detention centers

Appendix 2. Model questionnaire for the use in prisons

Appendix 3. Model checklist

Expected outcomes:

- ▶ Supporting the monitoring activities of the NHRCM/NPM
- ▶ Strengthening the capacity of the NHRCM/NPM staff
- ▶ Preventing torture and ill-treatment are in place and are enforced
- ▶ Other NPMs/NHRIs can use the manual



● <세션 4> 시도니오 소아레스 고문방지대사(동티모르 인권 및 정의 위원회)

Twentieth Annual Meeting and Biennial Conference

Role of PDHJ



Human Rights Directorate
Department of Monitoring & Advocacy

Mandate of the PDHJ

Defend human rights and strengthen the integrity of
the rule of law in order to promote:



Human Rights



Good Governance

Summary report on torture preventive ambassador project

Human Rights Directorate
Department of Monitoring & Advocacy

Introduction

- PDHJ signed Memorandum of Understanding (MoU) with APF
- PDHJ received support from APF in May 2015
- Contents of this presentation:
 - Contents of PDHJ-APF project
 - Contents of the training
 - Results and challenges

Urgent monitoring

- Since March 2015 the Joint Operation by military and police forces against illegal groups
- KRM: Konseho Revolusaun Maubere lead by Sr. Mauk Moruk
- Many human rights violations during the joint operation

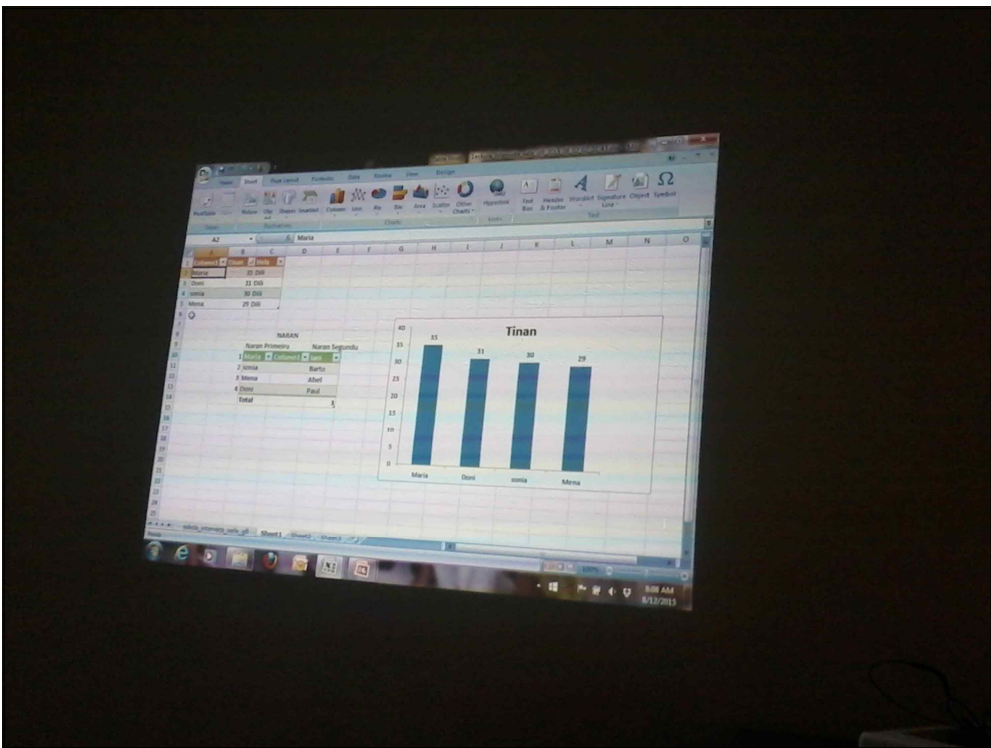
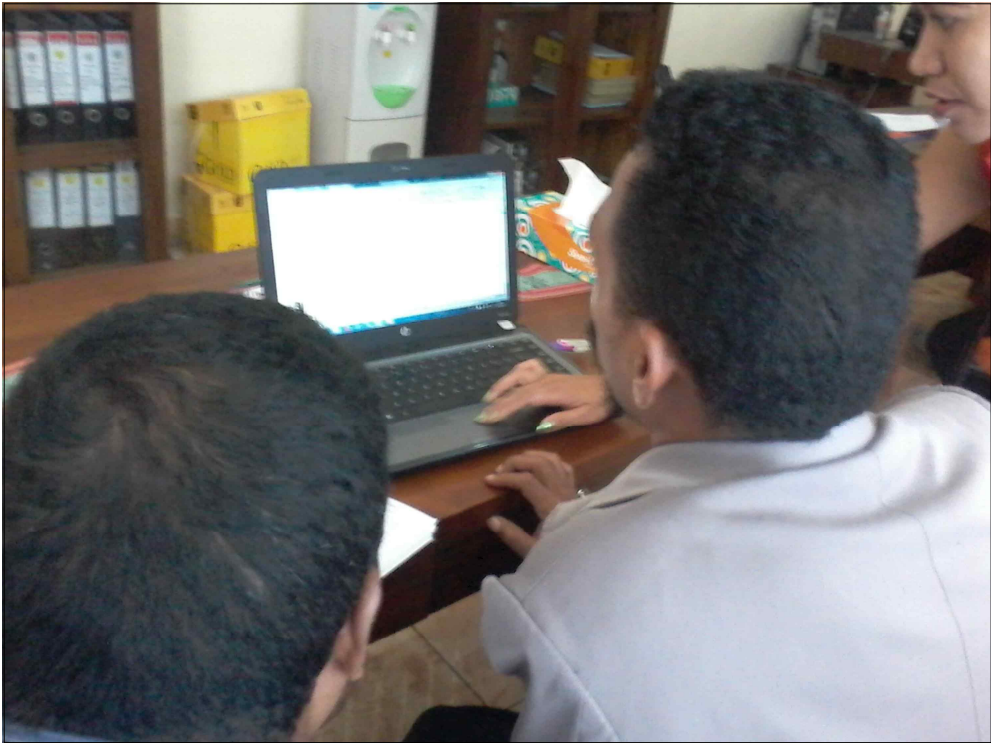
PDHJ-APF program

- Main objectives:
 - Training on data gathering
 - Interview techniques
 - How to create a database
- Training for regional offices:
 - Baucau (next week)
 - Maliana (finished)
 - Oecusse (September)
 - Same (finished)

Training schedule

Day 1	How to use MS Excel, to analyse the data base of the monitoring
	How to download excel from formhub.
Day 2	Visit to police station and observe directly the technical aspects of the interview and observe directly the conditions in the detention facility
	Practical how to use the and dowload file excel from formhub (www.formhub.org) Provedoria TI. By the participant .
Day 3	How to create the data base by participants.
Day 4	How to analyse the data base
	How to create the graph
	Practical how to do analysis using MS Excel and Graphi





Budget

Regional office	National staff	Daily allowance total	Food allowance total	Total
Same	3	600 \$	140 \$	740 \$
Maliana	3	600 \$	140 \$	740 \$
Baucau	3	600 \$	140 \$	740 \$
Oecusse	3	600 \$	140 \$	800 \$
Total	12	2.400.00 \$	560 \$	2.960.00 \$

The remaining budget will be used for the prison monitoring training.

Results

- Staff understands importance of creating database
- Officers can create and use database
- Officers can create and use graphs based on data
- Officers have better understanding of technical aspects of interviews

Challenges

- No internet access in regional offices
- No focus person for data entry in regional offices
- Other IT issues including viruses scan etc.
- Despite improvement, capacity of regional staff remains a challenge

Conclusion

- APF provides strong support to PDHJ activities
- The PDHJ is now better able to carry out its mandate, which is to promote and protect human rights
- PDHJ expresses hope that the cooperation with APF will be continued and reinforced in the future

제20차 APF 연례회의 및 제3차 격년 컨퍼런스 참가보고서

| 인 쇄 | 2015년 12월

| 발 행 | 2015년 12월

| 발행인 | 이 성 호 (국가인권위원회 위원장)

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