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International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)

Opening Statement by
Ms. Navi Pillay
High Commissioner for Human Rights

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Madame President,
Madame Chairperson of the International Coordinating Committee,
Distinguished representatives of National Human Rights Institutions,
Ladies and gentlemen,

I have the pleasure to welcome you to the 25th session of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. I would like to commend Ms. Rosslyn Noonan’s strong leadership over the past years, as well as all the achievements made by the ICC. I would also like to take this opportunity to welcome Dr. Mousa Burayzat, Commissioner General at the National Centre for Human Rights of Jordan, who has been nominated as the next ICC Chairperson. I look forward to working closely with you in supporting the work of national human rights institutions globally.

Much progress has been made in recent years in the development of international human rights law and standards. However, one of the most significant challenges to the full realisation of human rights remains the practical implementation of these standards at the national level. This implementation can be hindered by weak or dysfunctional governing institutions, structural and institutional impediments, armed conflict, long-standing discriminatory laws, or corruption and impunity.

Over the last twelve months, the widespread political and social unrest in many countries, especially in the Middle East and North Africa brought to the fore gaps in governance, freedoms and democracy. NHRIs have been carrying out key functions which are crucial in times of crisis, as well as in post-conflict situations when restoring normalcy requires comprehensive strategies aimed at justice, redress and remedy for the victims.

During and after the events in Egypt in January 2011, the National Human Rights Council of Egypt made a call for comprehensive reforms with the view to achieving the people’s demands and aspirations. The Council also sent a fact-finding committee to investigate incidents that occurred during the events. The Afghanistan Human Rights Commission drafted provisions for a new criminal code to incorporate the provisions of the Rome Statute; and promoted the implementation of transitional justice by establishing a special investigation team for violations of international humanitarian and human rights law.

In Kenya, following the post-elections violence a few years ago, the Kenya National Commission on Human Rights was instrumental in providing immediate protection and remedies to victims. It also gathered data which are useful for the current justice mechanisms in establishing evidence of human rights abuses. The recently established Independent National Human Rights Commission of Burundi is playing an important role in the on-going transitional justice process by participating in awareness raising and addressing rampant human rights violations.

NHRIs are increasingly active in protecting vulnerable individuals and groups by ensuring that principles of non-discrimination and equality are incorporated in laws and practices. This is reflected in the topics on the ICC 25 agenda which illustrate NHRIs’ engagement in a broad range of important and challenging issues: business and human rights; monitoring under the Optional Protocol of the Convention against
torture and the Convention on the Rights of Persons with Disabilities; environment and human rights; indigenous peoples’ rights; follow up to the UPR; as well as the right to development.

In their capacity as actors for change, NHRIs are well placed to address but also to prevent human rights violations and abuses, including torture, arbitrary detention, all forms of discrimination, and human trafficking. A number of NHRIs are very active in initiating preventive measures. The Uganda Human Rights Commission has been monitoring business enterprises and using its mandate to advise on bills tabled in the parliament in order to ensure that human rights are respected within the business sector. In Timor-Leste, the Provedoria for Human Rights and Justice developed strategies aimed at protecting women against domestic and sexual violence, and is campaigning for the decriminalization of abortion. This NHRI took part together with women human rights defenders in a working group which drafted the domestic violence law.

In 2010 - 2011, my Office was pleased to provide support to the South African Human Rights Commission, to reinforce its role in addressing discrimination against non-nationals, following a wave of xenophobic attacks in the country. The project strengthened the capacity of the Commission to handle complaints, mediate in inter-communal conflicts, monitor detention centres where non-nationals are held. It sensitized host communities through a Human Rights Ambassadors programme, and supported the development of a national action plan against racism, racial discrimination, xenophobia and related intolerance in follow-up to the 2001 Durban conference.

It is the primary responsibility of the State, through its constituencies, including the Parliament, to provide favourable conditions for the full operation of NHRIs. As highlighted in a 2011 Secretary-General’s report to the Human Rights Council, a constructive relationship between independent NHRIs and Parliaments can make an invaluable contribution to the promotion and protection of human rights at the national level, particularly in ensuring compliance of national laws and practices with international human rights norms. In February 2012 in Belgrade, OHCHR, the ICC, the National Assembly of Serbia and the Protector of Citizens of the Republic of Serbia organised an International Seminar on the Relationship between NHRIs and Parliaments. I welcome the outcome document of this seminar, called the Belgrade Principles, which contains a number of important provisions securing the operational and financial independence of NHRIs, the reporting procedures and the follow up to NHRI recommendations.

Dear colleagues,

OHCHR accords priority to the establishment and strengthening of NHRIs with due regard to the Paris Principles. In 2011, OHCHR continued to provide advice and assistance in the establishment and strengthening of NHRIs in more than 50 countries, in close coordination with the regional coordinating bodies of NHRIs, UNDP and other partners.

I would like to welcome Ms. Geraldine Fraser-Moleketi, Director of Democratic Governance Group, Bureau for Development Policy, and commend UNDP for its
commitment to cooperate with OHCHR in supporting the establishment and strengthening of NHRIs, in close cooperation with the ICC network.

OHCHR is also engaged in improving United Nations system-wide coordination to assist NHRIs, and supports the increased interaction of NHRIs with the regional human rights mechanisms. OHCHR encourages the sharing of good practices among NHRIs, supports the strengthening of their regional networks, and facilitates their access to United Nations Country Teams and other relevant partners.

OHCHR is playing a catalytic role for NHRIs’ engagement with the international human rights system. As a result, NHRIs are now enjoying a fully recognised space as strategic partners in international human rights forums and are key actors for practical implementation of international human rights standards at the national level.

In his 2011 report to the Human Rights Council, the Secretary-General noted that an increasing number of independent NHRIs were carrying out an implementing role in relation to the Optional Protocol to the Convention against Torture and the Optional Protocol to the Convention on the Rights of Persons with Disabilities. He called upon Governments and NHRIs to work together to ensure the implementation of international human rights law and standards at the national level. A number of NHRIs has been designated as National Preventive Mechanisms under the Optional Protocol. Therefore, it is crucial that states parties further strengthen the mandate and capacity of these designated NHRIs and adequately finance them in order to enable them to effectively fulfil their role.

I am pleased that your session will include a discussion on NHRIs’ role in follow-up to UPR recommendations. NHRIs can be instrumental in monitoring States’ implementation of these recommendations. It is expected that in the ongoing second cycle NHRIs’ unique contribution as well as their participation will be reinforced. I am also pleased by the growing interest and participation of NHRIs in sessions of treaty bodies. Information received from NHRIs and other national actors adds great value to the discussions of human rights mechanisms and can inform their recommendations to States.

Ladies and gentlemen,

NHRIs are critical for a strong national human rights protection system. Therefore, it is important that the accreditation review of NHRIs by the ICC seeks to strengthen their independent status. The accreditation process is one of the major achievements of the ICC. The outcome recommendations have had a concrete impact as many States have taken steps to strengthen the capacity and independence of NHRIs, by conducting legal and institutional reforms, as well as by providing adequate resources.

As of today, 69 NHRIs enjoy A status. In October 2011, the first cycle of the re-accreditation review launched in 2006 was completed and the second cycle has now started. The side event dedicated to accreditation is important to take stock of what has been achieved so far and to address underlying challenges in the accreditation process. OHCHR will continue supporting this process by working closely with the ICC.
Ladies and Gentlemen,

I would like to mention the International Conference of the ICC which will take place in Amman (Jordan) in November 2012. It will focus on the rights of women and girls and gender equality. This event will certainly contribute to deepening discussions around the valuable role of NHRIs in the fight against discrimination along with their commitment to continue to support the implementation of the Durban Declaration and Plan of Action, as well as the Outcome of the Review Conference on Countering Racism, Racial Discrimination, Xenophobia and Related Intolerance.
I look forward to the outcome of this meeting, and wish you fruitful deliberations.

Thank you for your attention.