



For Immediate Release

National Human Rights Institutions in Asia Still Have Much to Prove Following Recent Review by International Governing Body

National Human Rights Commission of Thailand Face Downgrading; NHRIs in Afghanistan, Mongolia, Nepal and South Korea Receive Recommendations for Improvements

(Bangkok, 27 January 2015) - National Human Rights Institutions (NHRIs) in Asia still have considerable steps to take to ensure their full compliance in law and practice with the Paris Principles, the Asian NGO Network on NHRIs (ANNI) said following the recent release of the [outcome report](#) after the accreditation review from 27-31 October 2014 convened by the Sub-Committee on Accreditation of the International Coordinating Committee of NHRIs, the international governing body of NHRIs. Reflecting on the international body's latest review exercise, ANNI stressed the importance of compliance with the Paris Principles through the practices and activities of NHRIs, and reiterated its call for NHRIs to ensure timely interventions, quality of responses and systematic follow-up plans to collectively address larger systemic issues in the country that can lead to institutional change.

The International Coordinating Committee of NHRIs' Sub-Committee on Accreditation (ICC-SCA) recommended that the NHRIs from Mongolia, Afghanistan and Nepal retain their 'A' status, while the National Human Rights Commission of Thailand was downgraded and the determination of the National Human Rights Commission of Korea's status was deferred to the March 2015 session.

The Asian NHRIs under review (including those re-accredited with 'A' status continue to be beset by problems that inhibit their independence and effectiveness. The ICC-SCA recommendations from the review also highlighted the critical role that States must play in the creation of an enabling environment for NHRIs to discharge their duties and actualize their mandates. Many NHRIs continue to be under-resourced or confront restrictions to their mandate and competence.

Commenting on the ICC-SCA's review of the **National Human Rights Commission of Mongolia (NHRM)**'s accreditation, Urantsooj Gombosuren, Executive Director of Center for Human Rights and Development (CHRD) said, *"Despite retaining its 'A' status, the NHRM cannot afford to be complacent and must begin to robustly address repeated recommendations relating to the selection and appointment process as well as strengthening protection mechanisms for human rights defenders."*

South Korea's NHRI, the **National Human Rights Commission of Korea (NHRCK)**, had the decision on its accreditation once again deferred by the ICC-SCA. The international governing body of NHRIs reiterated its concerns expressed in previous assessments of NHRCK, particularly in relation to deficiencies in its enabling law concerning selection, pluralism and immunity of its members.

Responding to this, NHRCK-Watch's Eunji Kang said, *"Even despite repeated deferrals by the ICC-SCA to prove its compliance with the Paris Principles, the NHRCK has been disingenuous and even diluted its proposed amendments on the Enabling Law to Parliament at the last minute. The recent appointment, again through a problematic selection process, of Commissioner Choi Ee-woo who has openly spoken out against LGBT rights, again highlights how the NHRCK is in crisis."*

Meanwhile, although the **National Human Rights Commission of Nepal (NHRCN)** was given an 'A' status, with the ICC-SCA welcoming the recent appointment of five Commissioners after a long period being vacant, the international body nevertheless recommended for further improvements, including for the NHRCN to advocate for changes in its enabling law that will ensure for a more comprehensive and transparent selection process of Commissioners. Bijaya Gautam, Executive Director of Nepal's Informal Sector Service Center (INSEC) noted, *"We are relieved that the NHRC Nepal has finally emerged from a period of limbo and welcome the appointment of all members. However, a myriad of issues continue to exist, especially those relating to the transitional justice process, and the NHRC must prove itself at this critical juncture."*

Finally, the ICC-SCA recommended that the **National Human Rights Commission of Thailand (NHRCT)** be downgraded from 'A' to 'B' status for its persistent deficiencies in the selection process of its members, including the absence of requirements for public advertisements of vacancies and for broad consultations in the application, screening and selection of applicants. The international body also registered concerns over the NHRCT's inability to address serious human rights violations in a timely manner. NHRCT has been given a period of one year to provide evidences of improvement, failing which the downgrading will be enforced.

"We are hardly surprised at this outcome as the NHRCT has suffered from a serious legitimacy deficit, which the SCA report poignantly points out. However, this is not a time to dismiss or disengage with the NHRC. On the contrary, it is time for heightened vigilance and efforts to ensure the NHRC can function as a credible actor, in particular in this challenging political and security environment", said Chalida Tajaroensuk, Executive Director of People's Empowerment Foundation (PEF), Thailand.

"The NHRIs under review and governments in the respective countries must take the review and recommendations seriously. The poor or non-implementation of ICC-SCA recommendations, even for 'A' status NHRIs, has been a recurring feature and suggests a sense of complacency or indifference," said Evelyn Balais-Serrano, Executive Director of FORUM-ASIA, the designated secretariat of ANNI.

"There remains much work to be done to revitalize NHRIs in the region before they can truly earn their place as the principal human rights mechanism in the country to their stakeholders, particularly human rights defenders and victims of rights violations," added Balais-Serrano.

Background:

The Paris Principles articulate the minimum standards and provide a normative framework required for their effective work and functioning. The International Coordinating Committee of National Human Rights Institutions' Sub-Committee on Accreditation (ICC-SCA) has also developed [General Observations](#) to provide interpretive clarity to the Paris Principles and further guidance concerning the implementation of the Paris Principles. The ICC-SCA determines the status of each NHRI through assessments and periodic reviews of each institution's compliance with the Paris Principles and the General Observations. Most recently, in October 2014, five NHRIs in Asia from Mongolia, Afghanistan, Nepal, Thailand and South Korea were assessed for their institutional compliance with the Paris Principles both from a legal point of view as well as by considering their effectiveness at the national level. The [outcome report](#) of this latest round of reviews was released recently. The ICC-SCA accreditation statuses denote varying levels of participation rights and related privileges (such as voting rights and governance positions) within the United Nations human rights system.

About ANNI:

The Asian NGOs Network on National Human Rights Institutions (ANNI) was established in December 2006. It is a network of Asian NGOs and human rights defenders working on issues relating to National Human Rights Institutions (NHRIs). ANNI is composed of members that are national organizations from all over Asia. ANNI currently has 30 member organizations from 17 countries or territories. The work of the ANNI members focus on strengthening the work and functioning of Asian NHRIs to better promote and protect human rights as well as to advocate for the improved compliance of Asian NHRIs with international standards, including the Paris Principles and General Observations of the Sub-Committee on Accreditation (SCA) of the International Coordinating Committee (ICC). The Asian Forum for Human Rights and Development (FORUM-ASIA) is the Secretariat of ANNI.

FORUM-ASIA has Consultative Status with the ECOSOC (UN Economic and Social Council) since 2004.

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