



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

Executive Summary

Baseline Assessment of National Human Rights Institutions' engagement with Inter-Governmental Mechanisms

South-East Asia and the Pacific sub-regions

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National Human Rights Institutions (NHRIs) constitute an essential bridge between the State, civil society as well as the regional and international human rights mechanisms. In particular, the Paris Principles envision NHRIs to cooperate with regional institutions that are competent in the area of promotion and protection of human rights. As such, NHRIs can play a crucial role with regional or sub-regional inter-governmental mechanisms (IGMs) in bringing attention to relevant human rights issues and priorities and shaping regional dialogue and cooperation in those areas.

This baseline assessment – conducted as part of the APF’s Action titled “Increased Engagement of Selected Asian and Pacific Inter-Governmental Mechanisms on Human Rights Issues, in Collaboration with NHRIs” – was designed to assess the current level, type and sentiments of engagement of NHRIs and IGMs representatives in the South-East Asia and Pacific sub-regions. Hence, the baseline assessment covered six (6) NHRIs in the South-East Asia sub-region (namely, NHRIs of Indonesia, Malaysia, Myanmar, Philippines, Thailand and Timor-Leste) and five (5) NHRIs in the Pacific (Australia, Fiji, New Zealand, Samoa, and Tuvalu) and their engagement with the ASEAN Inter-Governmental Commission on Human Rights (AICHR) and the Pacific Islands Forum (PIF), respectively. A survey as well as in-depth follow-up interviews were used as data collection instruments. The NHRIs, state representatives of the AICHR and the PIF, as well as the secretariats of the ASEAN and the PIF were invited to complete a survey and interview. This baseline assessment is based on primary data received from eleven (11) NHRIs and six (6) IGM representatives. The IGM representatives participated in their individual or personal capacity.

Based on the Logical Framework of the Action, the baseline indicators were grouped around five (5) broad areas of knowledge and awareness; current practice of engagement; attitude and sentiments; common interests; and current capacity. Under each of the areas, relevant indicators and their baseline values were calculated as evident in the data.

1 Knowledge and awareness

The baseline assessment captured the current level of knowledge and awareness of the NHRIs and IGMs in relation to each other in their respective sub-regions. All six (6) (or 100%) of NHRIs in the South-East Asia sub-region reported a sufficient level of awareness about the roles and functions of AICHR, while the level of knowledge and awareness in the Pacific is lower, with only two (2) (or 40%) of Pacific NHRIs reporting sufficient level of knowledge and awareness of the PIF. The lower level of awareness in the Pacific sub-region can be attributed to the absence of a dedicated human rights mechanism under the PIF and its limited engagement with NHRIs. On the other hand, all IGM participants indicated that they have adequate knowledge and awareness about the roles and functions of NHRIs in their sub-region and their respective countries. Data also shows that all six (6) (or 100%) of the NHRIs in the South-East Asia sub-region have

contacted and/or engaged with the IGM or their country representative, while no NHRIs in the Pacific sub-region has done so.

2 Current practice of engagement

The indicators in this category capture the nature and form of engagement between NHRIs and IGMs at present, or in the past. There is evidence that NHRIs and IGMs in the South-East Asia sub-region have engaged through dialogues, workshops, forums, meetings, joint studies, focus group discussions, online discussions, consultations, conferences, roundtables, seminars and submissions; while no direct engagements or activities were recorded from the Pacific sub-region. Six (6) NHRIs indicated that they had a designated focal point, while others were yet to establish one. When asked about joint action plans between NHRIs and IGMs, only one (1) such action plan was indicated, with four (4) actions already carried out. The nature of interactions between NHRIs and IGM representatives has been through both formal and informal communications channels in both sub-regions. It was particularly evident from the interviews that the communications and interactions have been mostly through personal connection between the IGM representatives and NHRI leadership, rather than any formalised institutional relationship.

3 Attitudes and sentiments

The indicators in this category captured the views of both the NHRIs and IGM representatives about the benefits of establishing, formalising and strengthening their relationship. All 11 NHRIs and six (6) IGM representatives responded positively indicating that value would be added to their work by strengthening the relationship with their relevant counterparts. All respondents identified the benefits of joint action and sharing expertise on human rights issues. When asked if they have future plans to establish formal relationships with the relevant IGM, five (5) NHRIs said that they had such plans, while six (6) said that they did not. To this question, only one (1) IGM representative responded in the positive.

4 Common interests

The baseline assessment identified common thematic areas of interests for the NHRIs and IGMs in both sub-regions. Based on a pre-determined list of relevant human rights themes, respondents identified their top three priorities. The weighted score for NHRIs in both sub-regions identified 'human rights and public health emergencies' as the first priority area, while 'business and human rights', and 'gender and women's rights' were identified as second priority (with equal scores), and 'climate change and human rights' and 'human rights and SDGs' were the third priority (also with equal scores). The IGMs identified 'human rights and public health emergencies' as the first priority, while 'climate change and human rights' and 'business and human rights' were identified as second and third priority areas, respectively. When the scores for NHRIs and IGMs are combined, 'human rights and public health emergencies' was identified as the first priority, 'business and human rights' and 'climate change and human rights' as the

second priority, and ‘gender and women’s rights’ as the third priority area for joint action. When disaggregated at the sub-regional level, NHRIs in the South-East Asia sub-region gave priority to ‘human rights and public health’, while the Pacific sub-region identified ‘climate change and human rights’ as their first priority. The same pattern is also observed for IGM responses at the disaggregation level.

5 Current capacity

Using a five-point Likert scale, NHRIs were asked to rank their current institutional capacity in the priority areas. In the South-East Asia sub-region, ‘gender and women’s rights’ had the highest current capacity (score of 3.8), while ‘human rights and SDGs’ had the lowest current capacity (score of 2.8). In the Pacific sub-region, NHRIs identified two areas – the ‘rights of indigenous peoples’ and ‘business and human rights’ with the highest current capacity (score of 4.0) while ‘climate change and human rights’ had the lowest capacity (score of 1.6). When scores for both sub-regions were combined, the lowest capacity area identified was ‘climate change and human rights’ (score of 1.6), and ‘human rights and SDGs’ (score of 2.7), while ‘rights of indigenous peoples’ (score of 4.0), and ‘gender and women’s rights’ (score of 3.7) were identified with the highest current capacity.

In terms of required capacity development interventions, NHRIs identified specific areas such as targeted support towards engaging with IGMs, capacity development in thematic areas such as ‘climate and human rights’, ‘business and human rights’, ‘human rights and SDGs’, and ‘human rights and public health emergencies’. In addition, various forms of knowledge exchange and training opportunities were also identified. Furthermore, development and availability of manuals and other tools and resources on regional cooperation, opportunities for networking as well as platforms for exchange of ideas were identified as essential for NHRIs to further develop their capacity to engage with the relevant IGMs.