

**Address by
Ms. Louise Arbour
UN High Commissioner for Human Rights
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of National Institutions for the
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*) Re-circulation due to change of cover note, text remains unchanged

Distinguished representatives of National Human Rights Institutions,

Ladies and gentlemen,

I would like to extend a warm welcome to all of you at this 19th Annual Meeting of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

Today we commemorate the International Day for the Elimination of Racial Discrimination. The theme of this year is “Racism and Discrimination – Obstacles to Development”.

No one can deny the pervasive prevalence of racism in almost all societies. In fact, the problem is such that it directly impacts many people’s daily life, the choices they make to fulfill their needs, and the opportunities offered to them in terms of social interactions, work and leisure. Because of this, discrimination, be it on the grounds of race, ethnicity or religion, directly affects personal, professional, social, and economic development. This impact is without any doubt harmful for those discriminated against, but it also negatively influences the development of society as a whole, thus also undermining the efficient use of available resources and the opportunity for progress.

This heavy toll that racism is inflicting calls for unrelenting vigilance and persistent efforts to fight it, involving every societal group and sector. It is with this in mind that I would like to emphasize to you, representatives of national human rights institutions, your unique role and privileged position to engage in this fight.

I particularly would like to recall today the Copenhagen Declaration, adopted during the 6th International Conference of the ICC in April 2002. This Declaration spells out specific recommendations on the role of NIs in combating racism, racial discrimination, xenophobia and related intolerance. First, the Declaration specifies that NIs have at their disposal a broad range of **remedial functions** which should provide victims of racism with appropriate and just remedies and recourses. Secondly, NIs have a crucial role in **monitoring and reporting** on racism and discrimination, for example through special reports, public inquiries, or annual reports. Finally, the Declaration specifies the roles that NIs play in human rights **advocacy and education**, for example through promoting the ratification of international human rights treaties by their Government (such as the Convention on the Elimination of All Forms of Racial Discrimination and the Migrant Workers Convention), or through the development of partnerships with the media and educational institutions to combat racism and all related intolerance.

I encourage NIs to fully take up these roles, break the walls of silence that often hide discrimination and by that feed into it, and act as bridges at the international as well as national level.

Distinguished representatives,
Ladies and gentlemen,

The fight against racism and all related intolerance highlights the important role of NIs, although this is only one aspect of the broad mandate they have for the promotion and protection of human rights. Their central role derives from the pivotal position that NIs have as the key-stone of a strong national human rights protection system. In addition to human rights institutions in line with the Paris Principles, national human rights protection systems should also consist of an independent judiciary; a properly functioning administration of justice, a representative national parliament with parliamentary human rights bodies; and strong and dynamic civil society organizations.

The importance I attach to the development and strengthening of national human rights protection systems stems directly from the 2002 Secretary-General's Agenda for Further Change. This report stated specifically that the emplacement or enhancement of a national protection system in each country, reflecting international human rights norms, should be a principal objective of the United Nations.

An enhanced country engagement and an increased focus on national human rights protection systems is crucial to address human rights challenges and protection gaps, as outlined in OHCHR Plan of Action and the resulting Strategic Management Plan. I am convinced that NIs are also the best relay mechanism at country level to ensure the application of international human rights norms, for example through monitoring the State's follow up to recommendations of UN Human Rights Treaty Bodies as well as the mechanisms of the Human Rights Council, which currently include the Special Procedures, but may soon be expanded to a novel universal periodic review system. It is therefore of the utmost importance that NIs fully comply with the Paris Principles – especially that they are independent – so that they can optimally play their role in the protection system, act as a guarantor of international norms at the national level, and use their prominent position to effectively interact with international organizations – such as OHCHR – as well as with national Governments, State entities, particularly national parliaments, as well as the media and civil society organizations.

I should mention on this occasion that late last year, OHCHR has been given a leading role within the UN system on national human rights institutions in the context of action on the rule of law. NIs can be instrumental for the reform and the strengthening of judicial and security institutions, including the police and prison administrations, and all sectors of the rule of law, including by monitoring the application of standards of good governance. NIs must work to ensure that national legislation is consistent with the Constitution and with international human rights norms, and that the administration of justice conforms to human rights standards and provides effective remedies particularly to minorities and to the most vulnerable groups in society. In countries coming out of conflict, NIs are also key in the development of transitional justice strategies that can ensure accountability for past crimes, as well as facilitate the creation of effective mechanisms for national reconciliation.

Finally, NIs can play a crucial role in addressing critical human rights issues, such as summary executions, torture and arbitrary detention, as well as fighting impunity. It is here that NIs are especially encouraged to take the initiative and be proactive, as they

are often one of the few authoritative bodies with the capacity and contacts to act urgently at the national level and ensure greater protection to individuals in need.

Our current efforts in OHCHR to establish or strengthen NIs in full compliance with the Paris Principles are grouped around four major strategic objectives:

First, on **country engagement**, OHCHR is supporting efforts by Governments to establish or strengthen NIs in accordance with the Paris Principles, so as to better promote and protect the application of international human rights norms at the national level. In particular, we try to assist NIs in promoting human rights, democracy and rule of law, and we engage in institutional and thematic capacity building, including linking individual institutions and encouraging engagement in their regional network.

Secondly, OHCHR has a **leadership** role and intends to closely monitor compliance with the Paris Principles and thus strengthen the capacity of NIs to work effectively, including on economic, social and cultural rights and the rights of persons with disabilities or living with HIV/AIDS.

Thirdly, OHCHR works to enhance the synergy in the relationship between NIs and the **UN human rights system** in order to close critical implementation gaps. NIs provide regular information to Treaty Bodies and Special Procedures Mandate holders as well as monitor at country level follow up action (or lack thereof) to the recommendations. Indeed, I see NIs as fundamental to ensuring the broader implementation of human rights norms and their translation into laws and practices at the national level.

Finally, I fully realise that in order to succeed in implementing the vision outlined in the OHCHR Plan of Action and the recent SG's reform programs, NIs are critically important **partners** who need a support system nationally and internationally, with and through UN agencies and programs on the ground, especially UNDP. United Nations Country Teams are the most obvious entry points at the national level for action on NIs, especially where OHCHR does not have an Office or a human rights component of a UN peace mission. We are therefore expanding OHCHR-UNCT cooperation to ensure the success and sustainability of the protection and promotion of human rights, good governance and respect for the rule of law at the country level. If the UN system can more effectively support NIs compliant with the Paris Principles, we will have greatly strengthened our ability to realize norms and implement rights at the national level.

In closing, I would like to reiterate the importance of NIs as key elements of a strong national human rights protection system, which in turn will assist in fostering a broader climate of security and equitable development.

You have a full agenda, with issues spanning from the role of NIs in the United Nations human rights system to the follow-up to the 8th International Conference and the Santa Cruz Declaration. Because of the Human Rights Council, unfortunately, I am not in a position to follow the ICC session personally. However, I look very much forward to reviewing the results of your deliberations and wish you a successful and fruitful annual meeting. Thank you for your attention.