



International Service for Human Rights
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ISHR presentation on NHRI/NGO cooperation at the 7th Annual Conference of African National Human Rights Institutions, Rabat, 7 November 2009

ISHR is a service organisation for human rights defenders to facilitate their engagement with international and regional mechanisms. This includes NGOs and NHRIs that are not only independent but also effective. While effectiveness is difficult to measure, one criteria for NHRIs includes the level of cooperation with NGOs. It can be generally observed here that the stronger this cooperation, the more legitimate the NHRI is publicly perceived, and the better its impact.

Promotion of an enabling environment

- NHRIs should consider, according to their capacity, a human rights defender 'focal point', whose mandate may include any of the proposals listed below.
- NHRIs must first see themselves human rights defenders, as defined by the *UN Declaration on Human Rights Defenders*, and to apply the *Declaration* to their work.
- Assessing and advising on existing national legislation relevant to human rights defenders should be undertaken with reference to the *Declaration*. This can apply not only to traditional rights (expression, assembly etc.) but also emerging or new rights, such as the scope of discrimination, or the right to a healthy environment. NHRIs could also apply the *Declaration* in calling for revision of its own enabling legislation if it is considered that it limits the NHRI's ability to carry out its functions as human rights defenders.
- There is a need to create formal space for NGOs, such as through an NGO core group, representing a cross-section of civil society and senior staff and commissioners from the NHRI, to share information both ways on work and challenges, to answer questions, and to plan collaboration where applicable, such as below.

National collaboration in engaging with international mechanisms

- In accordance with the Paris Principles, it is the responsibility of NHRIs to engage with international human rights mechanisms, and this includes monitoring implementation of recommendations and following up on implementation.

- National collaboration between NHRIs and NGOs in preparing for and following up on examinations by international mechanisms creates strong national networks, and strengthens impact at the international level.
- The process of submitting information should not be considered to be too resource-intensive, as relevant information should already be with national institutions.
- The universal periodic review (UPR) mechanism's expectation that the State conducts broad national consultations puts NHRIs in a position of being able to create a space for dialogue where possible between the State and civil society.
- National consultations between NHRIs and NGOs should also take place *after* the UPR examination in order for NHRIs to brief civil society on its priority areas for follow-up.
- This collaboration and follow-up may also carry over to reporting to treaty bodies. As statutory bodies, NHRIs can actively request of the State participation in treaty body examinations, and if requested by treaty bodies to speak (as is increasingly becoming the practice), should be in a position to also reflect the general concerns of national NGOs.

Strengthening collaboration in the region

- Regional NHRI/NGO collaboration has developed very well through the Asia Pacific Forum of National Human Rights Institutions (APF), and could be imported into the Annual Conferences of African National Human Rights Institutions, starting next year.
- This could include a pre-conference NGO Forum, a formal space in the agenda for presentations and open dialogue, consideration in a closed NHRI session of NGO recommendations, and a final adoption of recommendations that NHRIs accept.
- However, the African Conference would also be in a good position to go further than the APF by committing to follow up on its activities regarding these recommendations the following year. This is important in sustaining NGOs commitment to the process.