

Executive Summary Research on Standards and Good Practices for a National Human Rights Institution (NHRI).

This study was prepared with the objective to identify work standards and good practices for a National Human Rights Institution (NHRI). It can also serve as a reference for staff members to work with the National Human Rights Commission how to comply with related international standards, to enhance reliability, effectiveness, efficiency, and to earn domestic and international acceptances. The contents were collected and collated from the Paris Principles as well as other internationally recognized academic papers and articles composed by international human rights organizations such as the Office of the United Nations High Commissioner for Human Rights.

The NHRI is required to comply with the standards stipulated in the Paris Principles as well as the Evaluation Guidelines of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), which include 1) establishment 2) independence through legal, financial and operational autonomy including appointment and dismissal procedures 3) pluralism in the composition of the national institution 4) appropriate organizational infrastructure, including accessibility, human resource management and organizational development.

The Paris Principles prioritizes 5 functions of the NHRI detailed as follows

1. **Promotional Function:** The NHRI should undertake a variety of initiatives to promote human rights. They include 1) human rights education and training in schools, in the informal sectors, as well as for professional careers 2) public awareness initiatives 3) media strategies 4) publications 5) seminars and/or workshops 6) community-based initiatives. The NHRI can also serve as a national repository or archive for human rights documents.
2. **Protecting Function and Quasi-Judicial Function:** They include handling of complaints, acting as *amicus curiae*, seeking redress or remedies through courts or other specialized tribunals. The NHRI needs to foster efficient procedures of human rights protection, to monitor the compliances of its recommendations systematically and to disseminate the results to the public.
3. **Advisory Function:** With or without requests from related organizations, the NHRI needs to give its advise on 1) the draft Bills or the amendment of laws to ensure compliances of human rights principles and other related national commitments 2) any situation with human rights concerns or the situations of human rights violation that deserve attention from the government (If necessary, the NHRI may need to address the government's responses regarding the matters) and 3) ratification of international human rights treaties and assisting the government agencies to comply with the obligations in practice. The advices to the government, the Parliament and other authorities may be undertaken through directly participating in working teams, written recommendations, and thematic or annual reports.
4. **Monitoring Function:** The function refers to 4 major responsibilities which are 1) monitoring domestic human rights situations such as seeking information and truth of certain incidents, documenting, reporting and giving recommendations to related authorities 2) monitoring some important situations 3) monitoring detention places to prevent torture and to ensure

that international human rights standards are appropriately observed and 4) monitoring the operation of authorities and their compliances with international human rights obligations and commitments which they accepted. The results of the NHRI's operation should be analyzed and reported in its thematic or annual reports. Additionally, the NHRI can publicize such analysis or research to put pressures on related authorities to resolve the problems in accordance with the proposed measures. The NHRI should also monitor and evaluate if and to what extent the authorities concerned appropriately carry out measures in accordance with the NHRI's recommendations.

5. **Co-operation with Stakeholders and Other Bodies:** The works of NHRI must involve various stakeholders and other bodies including the Parliament, governmental bodies, international and foreign human rights Institutions, judicial bodies and NGOs. It has to ensure that the most vulnerables are the most accessible group to the NHRI. However, the works of NHRIs must be non-partisan and result-oriented strictly based on human rights principles

The NHRI should **maintain appropriate balances among the 5 functions** stated in the Paris Principles by managing limited resources and prioritizing the functions in accordance with national strategies and domestic circumstances.

Despite those 5 main functions, the NHRI can also have a pivotal role in monitoring and examining human rights violations during crisis or political turmoils. The NHRI can also promote understanding of human right principles, facilitate negotiations among conflicting groups, support development of dispute resolution mechanisms, or induce acceptances and reconciliation regarding basic human right issues that may be the cause of conflicts.

In order to carry out the 5 functions with efficiency, operations within the office should be put in progress immediately after the official establishment of the NHRI; by which the following elements should be initiated:

- Infrastructure with highly accessible location and appropriate channel of communication and information technologies;
- Organization development that includes specification of the management team, development of organization structure, strategic roadmap, human resource planning and systematic knowledge management;
- Financial resources with budgeting, managing and obtaining processes that are independent from the national government.