

Dear National Human Rights Institution,

With a view to assessing the role played by National Human Rights Institutions (NHRI) in promoting and protecting the rights of human rights defenders, the next report of the Special Rapporteur to the Human Rights Council in March 2013, will focus on the challenges faced by NHRIs in carrying out their work and will include recommendations as to what measures can be taken to ensure an enabling working environment for NHRI staff.

To this end, I would be grateful if you could answer the attached questionnaire, which will be used to inform my report. I have also requested information from member States and from civil society. The report will later be made public on my website: <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/AnnualReports.aspx>.

I would greatly appreciate receiving your responses at your earliest possible convenience, preferably no later than 22 October 2012. Responses received after this date will not be reflected in my 2013 report. Responses may be addressed to the Special Rapporteur at the Office of the High Commissioner for Human Rights (defenders@ohchr.org; fax: +41 22 917 90 06).

The English, French and Spanish versions of the questionnaire are attached below.

Yours sincerely,

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders

Questionnaire on National Human Rights Institutions and human rights defenders

It would be greatly appreciated if responses were brief. They may be submitted in bullet-point form if preferred.

Please note that responses to the questionnaire will be published on the website of the Special Rapporteur and will be used to inform her next report to the UN Human Rights Council in March 2013. If requested, the response from your Institution will remain confidential.

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| 1. | <p>a) Please provide a brief overview of the legislative framework adopted to establish a National Human Rights Institution (hereafter ‘the Institution’) in your country. Please cite the names of any such laws or regulations in full.</p> <p>b) Please indicate how these laws and regulations comply with international human rights standards, and in particular, the Paris Principles¹.</p> <p>c) Please indicate the current accreditation status of the Institution with the International Coordination Committee (ICC) and what measures, if any, have been taken to implement the recommendations highlighted at the most recent ICC Sub Committee on Accreditation meeting² with a view to strengthening NHRI's compliance with the Paris Principles.</p> |
| 2. | <p>a) Please provide details outlining the mandate adopted by the Institution in relation to the protection and promotion of human rights in accordance with the range of competencies and responsibilities specified in the Paris Principles.</p> <p>b) Please indicate whether the Institution is mandated to consider and/or adjudicate individual complaints of human rights violations.</p> <p>c) If relevant, please indicate whether the mandate is limited to specific rights or whether complaints against the Government, the police and/or the military are permitted and how they are dealt with.</p> <p>d) In this regard, please indicate whether the Institution is empowered to carry out protection related functions including providing remedies to victims of human rights violations, witness protection mechanisms and conducting visits to detention facilities.</p> |
| 3. | <p>a) Please indicate what mechanisms, if any, are in place within the Institution to ensure that human rights defenders at risk are protected (e.g. through protection programmes, early warning systems or by submitting complaints to regional bodies on specific cases).</p> |

¹ Principles relating to the Status of National Institutions (The Paris Principles), adopted by UN General Assembly resolution 48/134 on 20 December 1993

² At the 22nd Meeting of the International Coordinating Committee of NHRIs (ICC), held in Geneva from 23 - 27 March 2012, the organisation's Sub-Committee on Accreditation presented three new General Observations developed at its November 2008 session.

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| | <p>b) Please indicate whether any obstacles or challenges exist with regard to the effective protection of human rights defenders through these mechanisms, and how the Institution addresses them.</p> |
| 4. | <p>a) Please describe the working relationship between the Institution and civil society, including human rights defenders, in accordance with the Paris Principles.</p> <p>b) Please indicate whether any challenges or obstacles exist that may prevent interaction and cooperation with civil society and/or human rights defenders and how the Institution seeks to address them.</p> |
| 5. | <p>a) Please indicate whether any member of the Institution's staff has ever been the victim of threats, or other kind of harassment, as a result of work carried out on behalf of the organisation.</p> <p>b) Please specify what mechanisms, if any, are in place to protect Institution members investigating human rights violations. If applicable, please specify what mechanisms at the institutional, national, regional and international level have been employed to protect Institution members.</p> <p>c) Please indicate whether the Institution has ever been subjected to an unannounced visit by representatives from the police or state authorities, or if it has otherwise been subject to interference or threat that may jeopardize its independence as a national human rights institution under the Paris Principles.</p> |
| 6. | <p>a) Please indicate the main sources of funding for the Institution.</p> <p>b) In this regard, please indicate whether any challenges exist, particularly in relation to the functional autonomy of the organisation and how this impacts on the work of the Institution.</p> |
| 7. | <p>a) Please describe the procedures in place relating to the selection and appointment of members of the governing body.</p> <p>b) Please indicate what mechanisms are in place to ensure independent scrutiny of candidates and security of tenure for members of the governing body.</p> |