



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9172 • FAX: +41 22 917 9006 • E-MAIL: [defenders@ohchr.org](mailto:defenders@ohchr.org)

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The Office of the United Nations High Commissioner for Human Rights presents its compliments to all Permanent Missions to the United Nations Office and Other International Organizations at Geneva and has the honour to inform them of the following communication from the Special Rapporteur on the situation of human rights defenders, pursuant to General Assembly resolution 60/251 and Human Rights Council resolution 16/5.

The mandate of the Special Rapporteur on the situation of human rights defenders was established by the then Commission on Human Rights in April 2000, to support the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (the Declaration on Human Rights Defenders), adopted by the UN General Assembly on 9 December 1998. The Special Rapporteur was appointed by the Human Rights Council as the second mandate-holder of this mandate in March 2008, and the Human Rights Council renewed the mandate in March 2011 for a duration of three years.

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, the Special Rapporteur is kindly requesting that all Member States submit the information outlined in the attached questionnaire, which will be used to inform her report. She is also requesting information from NHRIs along with a number of regional and international inter-governmental and non-governmental actors.

In this regard, the Special Rapporteur would be grateful if your Government could send any responses it may have to the questions that are annexed to this letter. She would greatly appreciate receiving these responses at your earliest convenience, preferably no later than 10 October 2012. Responses received after this date will not be reflected in her 2013 report. Responses may be addressed to the Special Rapporteur at the Office of the High Commissioner for Human Rights ([defenders@ohchr.org](mailto:defenders@ohchr.org); fax: +41 22 917 90 06).

11 September 2012



### 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.

1.	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.  b) Please indicate how these laws and regulations comply with international human rights standards, and in particular, the Paris Principles <sup>1</sup> .
2.	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 competences and responsibilities specified in the Paris Principles.  b) Please indicate whether the Institution is mandated to consider and/or adjudicate individual complaints of human rights violations.  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  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.
3.	a) Please indicate what specific activities and programmes the Institution carries out in relation to the protection of human rights defenders.  b) 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/international bodies on specific cases).
4.	a) Please indicate whether any member of the Institution's staff has ever been the victim of threats or harassment as a result of work carried out on behalf of the organisation.

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

	<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>
5.	<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>
6.	<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>