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**EFFECTIVE FUNCTIONING OF HUMAN RIGHTS MECHANISMS:
NATIONAL INSTITUTIONS AND REGIONAL MECHANISMS**

Afghanistan*, Albania*, Argentina, Armenia, Australia, Bangladesh*, Cameroon*, Canada*, Chile, Costa Rica, Croatia, Cyprus*, Denmark*, Dominican Republic, Ecuador*, Egypt, Estonia*, Finland*, France, Germany, Ghana*, Greece*, Guatemala, Honduras, Hungary, Iceland*, India, Indonesia, Ireland, Italy, Japan, Kazakhstan*, Latvia*, Lithuania*, Madagascar*, Mexico, Morocco*, Nepal, New Zealand*, Norway*, Paraguay, Poland*, Republic of Korea, Romania*, Sierra Leone, Slovakia*, Slovenia*, Spain*, Sri Lanka, Sweden*, Switzerland*, Thailand*, Tunisia*, Turkey*, United Kingdom of Great Britain and Northern Ireland*, United States of America: draft resolution

2004/... National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling the relevant resolutions of the General Assembly, notably resolution 48/134 of 20 December 1993, and its own resolutions concerning national institutions for the promotion and protection of human rights,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Welcoming international recognition of the importance of establishing and strengthening independent, pluralistic national institutions for the promotion and protection of human rights consistent with the Principles relating to the status of national institutions (the Paris Principles),

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that it is the prerogative of each State to choose, for the establishment of a national institution, the legal framework that is best suited to its particular needs and circumstances to ensure that human rights are promoted and protected at the national level in accordance with international human rights standards,

Recalling the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights, which reaffirmed the important and constructive role played by national human rights institutions and their role in remedying human rights violations and in the dissemination of human rights information and education concerning human rights,

Recalling the Programme of Action adopted by national institutions meeting in Vienna during the World Conference on Human Rights, which recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Welcoming the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

Welcoming also the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Noting with appreciation efforts to strengthen regional human rights networks in Europe and Africa, the continuing work of the Network of National Human Rights Institutions of the Americas, including workshops held in Cartagena, Colombia, in September 2003 and in Merida,

Mexico, in March 2004, and the work of the Asia Pacific Forum of National Human Rights Institutions, including the holding of their eighth annual meeting and third session of the Advisory Council of Jurists in Kathmandu in February 2004,

Noting the conclusions and programme of action adopted at the 12th Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asian and Pacific Region held in Doha in March 2004 with regard to the role of national institutions (see E/CN.4/2004/89),

Welcoming the call of the 12th Regional Workshop for the Office of the High Commissioner for Human Rights to support a subregional workshop for the Arab Region on national human rights protection systems, including national human rights institutions,

Noting the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

1. *Reaffirms* the importance of the development of effective, independent, pluralistic national institutions for the promotion and protection of human rights consistent with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) annexed to General Assembly resolution 48/134 of 20 December 1993;

2. *Reiterates* the continued importance of the Paris Principles, recognizes the value of further strengthening their application and encourages States, national institutions and other interested parties to consider ways to achieve this and, in this context, welcomes the holding of the round table “The Paris Principles: a reflection” in Geneva in December 2003 with members of the International Coordinating Committee of National Institutions and civil society;

3. *Welcomes* the decisions of a growing number of States to establish, or to consider establishing, national institutions consistent with the Paris Principles;

4. *Encourages* States to establish or, where they already exist, to strengthen such institutions, as outlined in the Vienna Declaration and Programme of Action;

5. *Recognizes* that national institutions have a potentially crucial role to play in promoting and ensuring the indivisibility and interdependence of all human rights and calls upon all States to ensure that all human rights are appropriately reflected in the mandate of their national human rights institutions when established;

6. *Takes note with satisfaction* of the efforts of those States that have provided their national institutions with more autonomy and independence, including through giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

7. *Recognizes* the important and constructive role that individuals, groups and organs of society can play for the better promotion and protection of human rights and encourages efforts by national institutions to establish partnerships and increase cooperation with civil society;

8. *Welcomes* greater efforts by the Office of the High Commissioner to engage national institutions as partners and provide them with opportunities to exchange experiences and best practices amongst themselves, and in this context welcomes:

(a) The active participation of national human rights institutions in the International Race Relations Round Table, held in Auckland, New Zealand, in February 2004;

(b) The Round Table on National Human Rights Institutions and the Administration of Justice, held in Copenhagen in November 2003;

(c) Plans for similar round tables regarding good governance, gender-based discrimination and migration to be held in 2004;

9. *Also welcomes* the practice of national institutions which conform with the Paris Principles of participating in an appropriate manner in their own right in meetings of the Commission and its subsidiary bodies;

10. *Welcomes* the continuation of the practice of national institutions' convening regional meetings and encourages national institutions, in cooperation with the Office of the High Commissioner, to continue to organize similar events with Governments and non-governmental organizations in their own regions;

11. *Also welcomes* the active attention paid to the issue of disability by national institutions, including through the holding of workshops for national institutions held in San Jose in March 2003, in New Delhi in May 2003, and in Kampala in June 2003, and also welcomes their continued contribution in their independent capacity to the work of the Ad Hoc Committee established pursuant to General Assembly resolution 56/168 of 19 December 2001;

12. *Affirms* the important role of national human rights institutions, in cooperation with other mechanisms for the promotion and protection of human rights, in combating racial and related forms of discrimination and in the protection and promotion of the human rights of women and the rights of particularly vulnerable groups, including children and people with disabilities;

13. *Recognizes* the important and constructive role that national institutions can play in human rights education, including by the publication and dissemination of human rights material and other public information activities during the United Nations Decade for Human Rights Education, 1995-2004, and calls upon all existing national institutions to implement human rights education training programmes across all relevant sectors of society;

14. *Commends* the High Commissioner for the priority accorded to the establishment and strengthening of national human rights institutions, including through technical cooperation, and calls upon the Office of the High Commissioner to continue to strengthen its coordinating role in this field and to allocate the resources necessary for this work from both core and extrabudgetary sources;

15. *Welcomes* efforts, through the Secretary-General's action 2 programme, to ensure effective engagement by all parts of the United Nations with national institutions and notes in this regard the importance of strengthening the National Institutions Unit within the Office of the High Commissioner, including with appropriate specialist expertise;

16. *Expresses its appreciation* to those Governments that have contributed additional resources for the purpose of the establishment and strengthening of national human rights institutions;

17. *Welcomes* the important role of the International Coordinating Committee of National Institutions, in close cooperation with the Office of the High Commissioner, in assessing conformity with the Paris Principles and in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

18. *Requests* the Secretary-General to continue to provide, from within existing resources, the necessary assistance for holding meetings of the International Coordinating Committee during the sessions of the Commission, under the auspices of, and in cooperation with, the Office of the High Commissioner;

19. *Also requests* the Secretary-General to continue to provide, from within existing resources and from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for international and regional meetings of national institutions;

20. *Welcomes* the report of the Secretary-General (E/CN.4/2004/101) and requests him to report to the Commission at its sixty-first session on the implementation of the present resolution and on ways and means to enhance participation of national human rights institutions in the work of the Commission, to enable them to continue to contribute substantially to the work of the Commission by passing on their expert knowledge and practical experience in human rights matters;

21. *Decides* to continue its consideration of this question at its sixty-first session.

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