



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION



NHRI Leadership:

an introductory guide

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Glossary and abbreviations

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| APF | Asia Pacific Forum of National Human Rights Institutions |
| chief commissioner | the most senior position in a commission-model NHRI; its formal title can be president, chairperson or chief commissioner; the term 'chief commissioner' is used generically in this guide |
| commission | the governing body collectively in a commission-model NHRI, consisting of the chief commissioner and other commissioners |
| commission-model NHRI | an NHRI distinguished by having a multi-member governing body that acts collectively or collegially and having a broad mandate for human rights promotion and protection |
| commissioner(s) | a member(s) of the governing body in a commission-model NHRI, other than the chief commissioner |
| founding law | the national law that establishes an NHRI |
| GANHRI | Global Alliance of National Human Rights Institutions |
| institution head | the chief commissioner in a commission-model NHRI or the ombudsperson in an ombuds-model NHRI |
| NHRI(s) | national human rights institution(s) |
| NHRI leaders | the chief commissioner and commissioners in a commission-model NHRI or the ombudsperson, and the deputy ombudsperson where they exist, in an ombuds-model NHRI, together with the senior executive officer and the other senior staff |
| ombudsperson | the most senior position in an ombuds-model NHRI; its formal title can be ombudsman, ombudsperson, ombuds, provedor(a), defensor(a) or public defender; the term 'ombudsperson' is used generically in this guide |
| ombuds-model NHRI | an NHRI built on one member who is full-time and supported by a significant number of staff and principally undertaking investigations of complaints or situations of human rights violations |
| Paris Principles | the Principles relating to the Status of National Institutions, attached to United Nations Commission on Human Rights resolution 1992/54 and United Nations General Assembly resolution 48/134 |
| SCA | Sub-Committee on Accreditation of GANHRI |
| SEO | senior executive officer |
| senior executive officer | the most senior staff position in an NHRI, often called executive director, general manager, secretary-general or secretary |
| senior staff | the directors or heads of staff units |
| staff leadership team | the senior executive officer and other senior staff |
| top leaders | the chief commissioner and other commissioners in a commission-model NHRI; the ombudsperson and deputies in an ombuds-model NHRI |
| UN | United Nations |

Introduction

National human rights institutions (NHRIs) are independent bodies, established by the law of their country, to promote and protect human rights. They are state institutions, not non-government organisations. They investigate and report on human rights violations, help shape laws, policies and practices to protect and promote human rights, raise awareness of human rights issues and educate on human rights law and obligations. They work for attitudinal change to create fair, inclusive communities based on human rights. They collaborate with the international human rights system and with other NHRIs to strengthen human rights law and practice nationally and internationally. Strong, independent and effective leadership is a key factor in NHRIs' fulfilling their mandate.

Due to their unique nature, leading NHRIs is a significant task. New NHRI leaders may face challenges understanding their new roles and responsibilities and the complexity of the work of NHRIs. Even experienced NHRI leaders regularly encounter new issues and challenges in their work. This short guide is a resource to assist leaders in meeting these challenges.

The guide describes briefly the nature of NHRIs and the requirements of NHRI leadership. It sets out the roles and responsibilities of the various categories of leaders – those who head the institution, others appointed to statutory positions within the institution, the senior executive officer (SEO) and other senior staff, acting individually and collectively. These are all NHRI leaders with important roles to play in directing and managing the NHRI and its operations and ensuring its effectiveness.

Necessarily the guide deals generally with the roles and responsibilities of NHRI leaders. Each NHRI has its own law and its own policies and procedures. NHRIs differ significantly from one another. This short guide cannot incorporate all the divergence of NHRIs. It therefore deals with what is general or typical among NHRIs. At the end of each section, there is a set of questions for leaders that seeks to direct attention to the specific situation of the NHRI in which the leader is located. In this way, the guide seeks to enable leaders to come to a better understanding both of general practice among NHRIs and of the specific practice of their own NHRI.

At the end of the guide, section 6 provides a list of resources for further reading and for consulting. Wherever possible, it includes a weblink to enable quick and easy access to the particular resource. The list is not exhaustive but it includes those resources most specific to NHRI leadership and therefore most immediately useful to NHRI leaders. The list includes all the manuals for NHRIs produced by the Asia Pacific Forum of National Human Rights Institutions (APF), the regional association of NHRIs. These manuals provide detailed introductions to the world of NHRIs and to areas of their work and activity. They supplement this short guide for those who want to look more deeply into specific aspects of NHRIs and of NHRI leadership.

In producing this guide, APF continues its work to strengthen the capacity of NHRIs and their effectiveness in promoting and protecting human rights. It seeks to support NHRI leaders in the important, challenging roles they have accepted. APF supports NHRI leaders with specific services such as capacity assessments, high level dialogues and chairperson outreach programmes. Section 5 of this guide provides information about these services to NHRI leaders.

Section one:

The nature of national human rights institutions¹

- NHRIs are official independent legal institutions established by the state by law for the promotion and protection of human rights.
- They are established by the constitution or an act of the parliament that guarantees their independence from political direction and political interference, both governmental and non-governmental.
- They should comply with the international minimum standards for NHRIs, the Paris Principles.

1. What is a national human rights institution?

NHRIs are state institutions, part of the official governance structure of the state. They are established by law, either the state constitution or special legislation enacted by the parliament. They investigate and report on human rights violations, help shape laws, policies and practices to protect and promote human rights, raise awareness of human rights issues and educate on human rights law and obligations. They work for attitudinal change to create fair, inclusive communities based on human rights. They collaborate with the international human rights system and with other NHRIs to strengthen human rights law and practice nationally and internationally.

Although they are state institutions, NHRIs are unlike other state institutions. They have their own status, functions and roles. They are not the only state institutions with human rights responsibilities; parliaments, governments and courts also have essential roles in the promotion and protection of human rights. However, NHRIs are established for the specific purpose of promoting and protecting human rights and, in performing that role, they are required to act independently of all external direction or influence, except for directions of the courts relating to the interpretation and observance of the law.

NHRIs are also unlike non-government organisations. As state institutions, they have strengths that NGOs do not have. They have greater authority than NGOs, deriving from their official status. They have stronger investigative powers than NGOs, usually including the powers to obtain documents, summon witnesses and enter premises, such as prisons and detention centres. They often have greater resources than NGOs. However, they do not have the freedom that NGOs enjoy. They are not only established by law but also restricted by law. They can speak and act only within the limits of the law that establishes them.

¹ This section of the guide is drawn from APF A manual on national human rights institutions at <https://www.asiapacificforum.net/resources/manual-on-nhris/>. The manual is available on the APF website in English, Arabic and Russian. It has also been translated into other languages by other organisations.

NHRIs are typically given the following functions, with the necessary legal powers to implement these functions:

- monitor the human rights situation in the country and the actions of the state
- provide advice to the state in relation to laws, policies, programmes and actions so that the state can meet its international and domestic human rights commitments
- receive, investigate and resolve complaints of human rights violations
- promote human rights awareness and understanding through education programmes for all sections of the community
- engage with the international human rights community to raise pressing issues and advocate for recommendations that can be made to the NHRI's state.

2. The Paris Principles

The Paris Principles are the international minimum standards for NHRIs². They are not aspirational – what NHRIs should be – but obligatory – what NHRIs must be, if they are to be legitimate, credible and effective in the promotion and protection of human rights. They are arranged in four sections:

- competence and responsibilities
- composition and guarantees of independence and pluralism
- methods of operation
- additional principles concerning the status of commissions with quasi-judicial competence.

The Paris Principles have been the subject of General Observations developed over several years by the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI)³. The General Observations are authoritative, interpretative statements that assist in understanding and implementing the Paris Principles⁴. They are ‘an important body of jurisprudence to give meaning to the content and scope of the Principles’⁵.

In spite of their limitations, the Paris Principles have proved to be the essential starting point for NHRIs throughout the world. They are the basis on which the SCA accredits NHRIs. NHRIs fully compliant with the Paris Principles are accredited with A status and those that comply only partially are accredited with B status. A status institutions are recognised and respected nationally and internationally as legitimate, authoritative experts on human rights and so they can participate fully in UN forums. B status institutions do not have this level of recognition and acceptance and have only limited access to UN forums. New NHRIs can apply at any time for accreditation and the SCA determines whether they should be accredited with A or B status. A status NHRIs are subject to a regular five-year cycle for review of their accreditation. They must also advise the SCA of any material change to their situation that occurs at any time and, based on that advice or on its own initiative, the SCA can undertake a special review. B status NHRIs are not currently subject to regular review. However, a B status NHRI can apply at any time for a review of status to enable it to

2 Principles relating to the Status of National Institutions, attached to Commission on Human Rights resolution 1992/54 and General Assembly resolution 48/134, at <https://ganhri.org/paris-principles/>.

3 Formerly called the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

4 GANHRI SCA General Observations as adopted in Geneva in May 2013 and revised in February 2018, at <https://ganhri.org/accreditation/general-observations/>.

5 GANHRI SCA General Observations as adopted in Geneva in February 2018, Introduction para 4, at <https://ganhri.org/accreditation/general-observations/>.

be upgraded to A status if it meets all the requirements of the Paris Principles. At the conclusion of each review, the SCA publishes its comments on the situation of the NHRI and raises any concerns it may have about the NHRI's law or position or work in relation to the Paris Principles⁶.

3. The essential characteristics of a national human rights institution

The first and most essential requirement for NHRIs is **independence**. Although NHRIs are state institutions, they must be independent and act independently from all other institutions and organisations, governmental and non-governmental. Independence has five dimensions required by the Paris Principles and a sixth that is the most important of all:

- legal independence – establishment by the constitution or a legislative act⁷
- operational independence – independence to determine their own priorities, programmes and projects, that is, all aspects of their operations, subject to the law and available resources
- policy independence – independence to determine their policies and their findings, conclusions and recommendations in the course of their work
- financial independence – independence to control their budgets once they are allocated and to allocate financial and other resources as they see appropriate and according to their own priorities
- independent members – independence ensured through a process of open, transparent, competitive selection and appointment
- independent thinking – a personal quality, the attitude, mindset, orientation and determination of NHRI members and staff to be free from influence by government and others, to be free from a sense of being defenders of the current government or the current political system, or of being under some form of obligation to the government or of owing their loyalty to the government.

Full compliance with the formal requirements of the Paris Principles is essential but not enough to guarantee the independence of an NHRI. Only independent thinking throughout the institution will ensure true independence.

The Paris Principles also list other essential characteristics of NHRIs:

- **pluralism** to provide representation of all the community among members and staff
- a broad **mandate** to deal with all human rights
- broad **functions**, including investigation, research, legal analysis, human rights education and advocacy
- adequate **powers**, usually including the powers to obtain documents, summon witnesses and enter premises, such as prisons and detention centres.
- adequate **resources**, including staff, finances, premises, information and communications technology, transport, educational materials, and staff and institutional capacity building activities
- **cooperative working** arrangements with all relevant actors, such as government, parliament, courts, civil society, business and academia
- **international engagement**, with the international human rights system, other NHRIs and their global and regional associations, and international civil society.

6 See <https://ganhri.org/accreditation/>.

7 Where an NHRI is established in the constitution, it will usually also have a law to implement the constitutional provision. A law relating to the establishment of an NHRI is referred to as the 'founding law' in this guide.

In addition, two further characteristics are implied:

- **accessibility**, especially for those individuals and groups who experience human rights violations or are at risk of human rights violations, taking into account socio-economic, cultural, geographical and procedural dimensions
- **accountability** – legal accountability, arising from being state institutions established by law, and moral accountability as a human rights organisation.

The Paris Principles requirement of pluralism is important in ensuring that each NHRI reflects the society it serves. This is especially important for women because women have been historically under-represented in state institutions, especially in decision-making and management roles. NHRIs should seek to ensure the presence of women among their top leaders and appoint women to senior management positions in their staff.

The Paris Principles are international minimum standards. NHRIs can go beyond the requirements of the Paris Principles, for example, with greater independence, broader human rights mandates, stronger powers, better resources and so on. However, full compliance with the Paris Principles is the minimum required for NHRIs to be legitimate, credible and effective.

4. Models of NHRIs

The Paris Principles do not prescribe any particular model for the structure of NHRIs. They provide the general framework but leave it to each individual state to establish an NHRI on the model most appropriate to its national context.⁸ The NHRI's founding law prescribes the model for the institution. In the Asia Pacific region NHRIs have been established on two models, the commission model and the ombuds model.

The commission model is distinguished by having a multi-member governing body that acts collectively or collegially and having a broad mandate for human rights promotion and protection.⁹ The governing body is generally called the commission and its members are called commissioners. It is headed by a commissioner who is called president or chairperson or chief commissioner. In this guide the NHRI head is referred to generically as 'chief commissioner'.

The ombuds model is built on one member who is full-time and supported by a significant number of staff. The position is variously named: ombudsman or ombudsperson or ombuds, provedor(a), defensor(a) or public defender. In this guide the NHRI head is referred to generically as 'ombudsperson'. These NHRIs principally undertake investigations of complaints or situations of human rights violations.¹⁰

This guide is written for leaders in both types of NHRI.

8 See APF A manual on national human rights institutions chapter 4 p 29 and following, at <https://www.asiapacificforum.net/resources/manual-on-nhris/>.

9 APF A manual on national human rights institutions p 30 at <https://www.asiapacificforum.net/resources/manual-on-nhris/>.

10 APF A manual on national human rights institutions p 31 at <https://www.asiapacificforum.net/resources/manual-on-nhris/>.

Questions for leaders

- What are the functions of your NHRI under its founding law?
- How do these functions compare with the typical functions of NHRIs set out in this section of the guide?
- Does your NHRI comply fully with the Paris Principles? If not, what are the deficiencies?
- What recommendations has the GANHRI Sub-Committee on Accreditation made to your NHRI in past reports? Has the NHRI accepted these recommendations and implemented them? If not, why not?
- What are the vision and mission of your NHRI? Are they set out in the strategic plan?

Section two: The Leaders

- The leaders in NHRIs are all those who have a leadership role. They include the institution head, other statutory officeholders, the SEO and other members of the staff leadership team.
- An NHRI's founding law often prescribes the criteria for NHRI leaders.
- There are five essential requirements for NHRI leaders: independence, integrity, expertise, experience and collegiality.
- When they begin their appointments, new NHRI leaders need to be provided with the information and resources required to understand the institution and its law, its policies and procedures, its work plans and its staffing.

1. Who are the leaders in NHRIs?

Leadership within an NHRI is a shared function. All those who make key decisions, who are the institution's principal advocates, who manage and supervise, and who are accountable for the performance of the institution share the leadership function. So, leaders include both statutory officeholders and senior staff. That is not to say that all leaders have the same roles and responsibilities. Each person will share in institutional leadership in accordance with the nature and functions of the position occupied and with individual expertise and experience.

The NHRI's founding law designates one or more statutory positions in the institution. The titles and nature of these positions varies from one NHRI to another. There are also significant differences flowing from whether the institution is established on the commission model or the ombuds model.

In commission-model NHRIs, the founding law designates one person as the head of the institution. That person may be called the president or the chief commissioner or the chairperson. In addition, the law will provide for a number of other commissioners. The institution head and the other commissioners together constitute the commission, a collegial body chaired by the institution head and collectively responsible for the leadership and operations of the NHRI. Generally, they are collectively accountable to the parliament for the NHRI's performance. In some institutions, the institution head acts as chief executive officer, managing the institution on behalf of the commission. In other institutions, that role is shared collectively by the commission.

In ombuds-model NHRIs, the founding law will designate one person as head of the institution. That person will usually be called the ombudsman or ombudsperson or ombuds. In some ombuds-model NHRIs, the head may be called provedor(a) or defensor(a) or public defender. That person is solely responsible for the NHRI's leadership and operations. The law may also identify positions of deputy to assist the institution head. The law may give these positions specific functions and powers but generally the deputies act on behalf of the institution head within whatever areas and with whatever powers the head may delegate to the deputies. The institution head is the chief executive officer and is individually accountable for the NHRI's management and for its performance.

Whether established on the commission model or the ombuds model, NHRIs will typically have a SEO heading the staff team. This officer is accountable to the institution head individually or to the commission collectively, depending on the nature of the institution and the provisions of the founding law. The day-to-day management of the institution lies with the SEO.

Finally, other senior staff also share in the leadership role. They are the directors or heads of staff units who are responsible for the work of those units, the supervision of the staff in the units and the control of the units' budgets. With the SEO, they will constitute the staff leadership team within the institution.

Recognising that leadership is shared among all those occupying these kinds of positions is important to maximise the effectiveness of NHRIs and to ensure that all the leaders contribute fully to their work. It will drive collegiality, mutual respect and support, and shared responsibility. No NHRI is a one-person operation.

2. The legal criteria for NHRI leaders

The NHRI's founding law will usually establish some criteria for the statutory officeholders. Some criteria may relate to the personal qualities and qualifications of the individuals and others may relate to the broader composition of the institution as a whole, in particular its pluralism. Staff positions will each have a job description and selection criteria attached to it, some criteria related to the specific position and some generic.

NHRI founding laws differ from one institution to another. Typically, the laws set out some standard criteria that NHRI leaders must meet to be eligible for appointment:

- a.** capability of fulfilling the position with independence and impartiality
- b.** extensive knowledge, skills or experience in one or more of the following:
 - i.** the principles of human rights and relevant domestic and international human rights law
 - ii.** the promotion and protection of human rights
 - iii.** good governance and public administration
- c.** demonstrated commitment to the achievement of the NHRI's objectives.

In addition, the laws for commission-model NHRIs will often set out criteria related to the composition of the NHRI's leadership as a whole. In considering the appointments, the overall composition of the commission may have to be considered to ensure that the commission as a whole has

- a.** knowledge of or experience in
 - i.** domestic human rights law and international human rights law
 - ii.** current economic, employment and social issues
 - iii.** cultural issues and the needs and aspirations of individuals, different communities and population groups in society
 - iv.** other diverse matters likely to come before the commission
- b.** skills or experience in
 - i.** human rights advocacy
 - ii.** public education
 - iii.** public governance, administration and financial management and
 - iv.** civil society, academia, social welfare, community development and law
- c.** equitable representation of men and women and of the diversity of society, taking into account factors such as ethnicity, religion, culture and language.

3. Five essential requirements for NHRI leaders

Because of the centrality of independence in the Paris Principles, **independence** is the most important criterion for an NHRI leader. NHRI leaders must be independent and independently minded. Independence requires an independent mindset that enables the leader to think and act without being beholden to the government or seeking to build favour with the government or being in fear of the government. This is difficult to assess at the time of appointment, however. Potential appointees must be able to demonstrate actual experience in thinking and acting independently, without fear or favour. During their time in office, NHRI leaders should not be associated with any political party or political movement. They should be independent in fact and be seen to be independent.

Second, all NHRI leaders must be persons of the highest **integrity**. The founding law will often provide that persons with criminal convictions are ineligible for appointment. This is an aspect of integrity but integrity is much more than this. Integrity requires honesty, free from actual or possible or perceived corruption. It requires action without fear or favour. It requires impartiality. Integrity requires that the person have no conflict of interest, actual or perceived, no financial stake in any decision, no relationship of family or friendship or association with anyone involved in an investigation and no favouritism or animosity that might influence any internal decision as to appointment or promotion or disciplining of staff. It also includes having and implementing a non-discriminatory approach within the operations of an NHRI, on the grounds prohibited under national or international law, including race or ethnicity, sex, gender identity, marital status, sexual orientation, pregnancy, national origin, religion, age, disability and so on.

As part of meeting the requirements of integrity, NHRI leaders may be required to make a declaration of interest on their appointment in relation to financial affairs, business relationships and significant memberships. The declaration should be updated annually. The declaration is a means of ensuring transparency and accountability in relation to NHRI functioning and decision-making.

In addition, upon their appointment and before taking office, NHRI leaders should endeavour to identify all possible conflicts of interest and remove them wherever possible. Where a conflict of interest is identified and it cannot be removed, it should be declared openly to other leaders in the NHRI and recorded formally in the NHRI's records and the person concerned should not participate in any issue, matter or decision in which the conflict of interest is relevant. Where a conflict of interest arises or becomes apparent after appointment, it should be declared immediately and recorded and from that moment the person concerned should not participate in any issue, matter or decision in which the conflict of interest is relevant.

Human rights **expertise** is the third essential criterion for NHRI leaders. It is a generic criterion that applies to all NHRI leaders. Expertise can come from formal qualifications in human rights and from experience, including lived experience as a person who has suffered human rights violations or is at risk of violations, individually or as a member of a group.

No one has expertise in all areas of human rights. One of the first tasks after a leader's appointment is to determine what additional opportunities the new leader requires to be proficient in those areas of human rights related to the position to which the leader has been appointed. These opportunities could include further formal education and training, exposure to actual situations of human rights violation or risk of violation, and consultation with and learning from victims of violation, human

rights defenders, and academic and other experts. NHRI leaders should have opportunities for further learning throughout their terms of office, not only when they are first appointed.

NHRI leaders, especially new leaders, should also be enabled to exchange views and experiences with those in other NHRIs with similar roles and responsibilities and with those in United Nations (UN) and other international human rights agencies and mechanisms and those with UN human rights mandates. The international and regional networks of NHRIs generally and of NHRI leaders in particular are very valuable supports for NHRI leaders that can be tapped and utilised, especially when an NHRI leader is newly appointed or is facing a situation or issue not previously encountered. Everyone needs support and advice from time to time and NHRI leaders should be lifelong learners. So, there is no embarrassment in learning from other leaders.

Although all are learners, every NHRI leader needs some previous **experience** relevant to the position to which the leader is appointed. Leadership positions are the most senior positions in an NHRI. For that reason, those heading a specific area of human rights work need experience in that area. Those with functional responsibilities, in management or in policy and research or in investigation and conciliation, for example, need experience in the appropriate function. They might not have experience at a comparable level of seniority but their experience should be sufficient to provide a base from which to learn more and develop further.

Fifth, NHRI leaders should practise **collegiality** in their work. Collegiality is especially important in commission-model NHRIs where responsibility for the institution as a whole lies with the institution head and the other commissioners who collectively constitute the commission. Without collegiality among the members, these institutions will be unable to work effectively. Collegiality is also essential in ombuds-model NHRIs. The ombudsperson individually may have full authority within the NHRI but others, such as deputies and senior staff, share the responsibility for the NHRI's work. The ombudsperson cannot do everything alone but needs to work as head of a team if the institution is to succeed.

Collegiality is required among the NHRI leaders as a whole, both the top leaders and the senior staff, and among those two subsets separately, that is, among the top leaders and among the senior staff. In both contexts, teamwork should be the essential way of working. This requires high levels of trust, common vision and mutual accountability among the NHRI leaders. These requirements do not occur naturally but have to be consciously built and fostered. The common vision is developed through the strategic planning process. That process leads to an agreed plan for the organisation as a whole to which all leaders and all staff can be committed through their involvement in the process itself. The planning process can also build trust and its product, the strategic plan, can be the mechanism for mutual accountability.

4. What do NHRI leaders need to know?

Joining an NHRI as a new leader can be challenging. The NHRI has probably been operating for many years, sometimes many decades, and has well established strategies, policies, programmes, operational procedures and public profile. All these are subject to review and change by incoming leaders, as appropriate, but new leaders will want to start by understanding the state of play in the institution at the time they join it.

New leaders will want to know, among other things,

- the NHRI's legal framework relating to its role and mandate, including its founding legislation
- international human rights standards set out in the Universal Declaration of Human Rights and international human rights treaties to which the country is a party
- the international human rights framework for NHRIs, including the Paris Principles, resolutions of the UN Human Rights Council and the General Assembly dealing with NHRIs and the NHRI's role in relation to the Human Rights Council, the human rights treaty bodies, the special procedures and the Universal Periodic Review, as well as with regional and global NHRI associations, including APF and GANHRI¹¹
- all reports on the NHRI's compliance with the Paris Principles issued by the GANHRI SCA
- the NHRI's current strategic and operational plans and its priorities and programmes, legacy work flowing from previous NHRI initiatives, key complaints and investigations before the NHRI, and other issues that may have come to the attention of the NHRI
- the staffing structure and the responsibilities of NHRI staff, including internal reporting lines and the responsibilities and accountabilities of key positions
- the internal administrative, financial and personnel policies and procedures, including those relating to gender mainstreaming and women's employment within the NHRI
- the media responsibilities of the NHRI's leaders, including whether they would benefit from a programme of media training.

The NHRI should have a package of key documents ready to be provided to each incoming NHRI leader. The leaders should be updated as and when these key documents are updated.

Questions for leaders

- Who are the leaders in your NHRI?
- What criteria does your NHRI's founding law set for eligibility for appointment to the NHRI?
- In addition to the five essential requirements for NHRI leaders set out in this section of the guide, what other requirements do you see as essential?
- What are the criteria for senior staff appointments in your NHRI?

Questions for leaders (continued)

- What kinds of interests could raise a conflict with an NHRI leader's role and responsibilities in the NHRI?
- What information and resources did you receive when you began at your NHRI?
- What do new leaders at your NHRI receive now at the time of their appointment?
- What additional information and resources do they require?

11 More information on this topic is available in the APF manual on international human rights and the international human rights system, at International Human Rights and the International Human Rights System: A Manual for National Human Rights Institutions.

Section three:

The roles and responsibilities of NHRI leaders

- NHRIs' founding laws set out the statutory roles and responsibilities of NHRI leaders.
- NHRI leaders across all NHRIs have generic roles and responsibilities, generally arising from the statutory roles and responsibilities.
- Governance is the responsibility of the highest-level leaders in NHRIs.
- Strategic planning and direction are shared by all NHRI leaders, who should engage all NHRI staff in developing the NHRI's vision, mission, strategies and priorities.
- Policy making is a shared function among NHRI leaders, with responsibility allocated in accordance with the significance of the policy area.
- Ultimate management responsibility lies with the NHRI's highest-level leaders. They set the directions and provide the management framework. Day-to-day management is the responsibility of the SEO and other senior staff in the staff leadership team.
- NHRI leaders also have specific roles set out in each institution's founding law.
- All NHRI leaders share responsibility for gender mainstreaming throughout the NHRI's work.

1. Statutory and generic roles and responsibilities

The NHRI's founding law sets out the principal functions and powers of the NHRI. The law is generally the source of the specific roles and responsibilities of the NHRI's leaders. These are the leaders' statutory roles and responsibilities. Because the contents of the founding law vary from one NHRI to another, there can be differences in the specific functions and powers and responsibilities. However, the roles and responsibilities fall within a number of general areas that are found in all the laws. These are generic roles and responsibilities of NHRI leaders. They generally arise from the statutory roles and responsibilities. This section of the guide focuses on the generic roles and responsibilities.

2. Governance

Governance encompasses the framework of rules, relationships, systems and processes within and by which authority is exercised and an institution is controlled and operates, and the mechanisms by which the institution and its people are held to account. Ethics, risk management, compliance and administration are all elements of governance.¹² Governance obligations will be found in each NHRI's own founding law and in other laws that apply generally to state institutions, such as those dealing with financial audit, public employment and evaluation and reporting.

Governance is the responsibility of highest-level NHRI leaders – the members of the commission collectively in a commission-model NHRI or the ombudsperson individually in an ombuds-model institution. These leaders cannot delegate their ultimate responsibility for governance. They must ensure that their NHRI operates within the law, that it discharges its responsibilities and that it meets

¹² See Governance Institute of Australia at <https://www.governanceinstitute.com.au/resources/what-is-governance/>.

its accountability obligations. They must also ensure that the NHRI and all its leaders and staff comply fully with the highest ethical standards of integrity, honesty and transparency. They are the custodians of the NHRI's values.

The governance responsibilities of the top leaders include

- acting consistently with the NHRI's founding law, vision and mission, objectives and functions
- complying with high ethical standards in the spirit of service to the public
- monitoring and enhancing performance and encouraging high performance
- safeguarding the integrity of the NHRI's reporting
- ensuring that gender issues and gender perspectives are mainstreamed throughout the NHRI's work and in its policies and procedures inside the NHRI
- fostering constructive relationships with the NHRI's stakeholders to encourage them to engage with the NHRI
- laying solid foundations for management, oversight and standards, and for efficient and effective working
- ensuring accountability and transparency
- guarding the NHRI's reputation
- recognising and managing risk
- acting diligently and prudently and in a financially responsible manner
- acting honestly, with integrity, in good faith and not contrary to the NHRI's interests
- exercising the responsibility to be a good practice employer
- reporting publicly on the NHRI's performance and its use of financial, personnel and other resources.¹³

3. Strategic planning and direction

Governance responsibilities include strategic planning and direction but here the responsibilities are shared with the SEO and the staff leadership team. In general, the process of strategic planning is managed by the SEO and the product, the strategic plan, is the responsibility of the commission in a commission-model NHRI and the ombudsperson in an ombuds-model NHRI, as appropriate. They alone have the authority to approve the strategic plan for the whole NHRI and then monitor and report on its implementation.

The strategic plan includes the NHRI's vision, mission, goals and objectives, strategies and priorities. It should also include its performance indicators so that success can be measured and reported. It should identify the groups that will receive particular attention from the NHRI due to their experience of human rights violations or risk of human rights violation. The situation and perspectives of women should be given specific attention and the plan should ensure gender mainstreaming throughout the NHRI's work.

Strategic planning, the process by which the strategic plan is produced, should be a wide, consultative exercise to which every member of the NHRI's leaders and staff is able to contribute.

13 Drawn from New Zealand Human Rights Commission Commissioner Handbook 2008.

In that way, the final plan reflects the vision of the whole institution to which every person in the institution is committed.

Strategic planning cycles vary from one NHRI to another. They are also affected by the timing of appointments to the institution. In some commission-model NHRIs, all the commissioners are appointed at the same time, as a group. In others, commissioners are appointed for staggered terms so that some are retiring and new appointments are being made on a continuing basis. In commission-model NHRIs where all commissioners are appointed at the same time and in ombuds-model NHRIs, it may be appropriate to develop and adopt a new strategic plan early in the life of each new leadership group for the term of that group. In commission-model NHRIs where new commissioners are appointed on a continuing basis to join an existing NHRI leadership team, it may be appropriate to discuss with each new commissioner how best that commissioner can contribute to the NHRI's priorities for the remainder of the strategic plan and then can help shape the subsequent strategic plan.

4. Policy making

NHRIs make policy on a very broad range of issues within a very wide range of areas. Policy can relate to significant human rights themes, situations and issues, to strategies, programmes and activities, to procedures and to administration, including financial and personnel administration. Gender mainstreaming should be ensured in policy making.

Policy making is a shared function across the NHRI leaders. The top leaders, the chief commissioner and other commissioners or the ombudsperson, set the broad policy and make the most significant policy decisions. The senior staff team generally has authority to determine lesser policy questions within the framework of broad policy set from the top. The most significant requirement is clarity about who makes what policy decisions. As with any shared functions, problems can arise when there is confusion about the distribution of responsibility.

Policies should be reviewed periodically, according to a regular schedule, to ensure that they continue to be relevant and appropriate for a continually changing context. The review process enables consideration whether the policy under review has deficiencies, gaps, overlaps or unnecessary or inappropriate content and whether it requires amendment. The commissioners or ombudsperson should have oversight of the review schedule to ensure that policies are always relevant and appropriate. However, the actual review of a specific policy may be undertaken by senior staff on behalf of the commissioners or ombudsperson.

5. Management

The NHRI needs to be managed well. Management needs to ensure effectiveness, that is, that the NHRI is achieving its objectives in promoting and protecting human rights as well as it possibly can. Management also needs to ensure efficiency, that is, that the NHRI is using its limited resources as carefully and as strategically as possible to achieve maximum impact.

Ultimate management responsibility lies with the NHRI's commissioners or ombudsperson. That responsibility, however, is not for day-to-day management. Their focus should be developing and adopting the strategic plan and annual implementation or operational plans under the strategic plan and then monitoring and reporting on implementation. Day-to-day management is the responsibility

of the SEO and other senior staff in the staff leadership team. They manage the institution in accordance with the strategic and operational plans and the policies approved by the top leaders.

6. Other statutory roles and responsibilities

NHRI leaders also have specific roles set out in the institution's founding law. Sometimes these roles relate to specific areas of human rights, for example, equality and non-discrimination, or to the human rights of specific population groups, for example, children or women. On other occasions, the specific roles are management related, such as reporting on activities, financial control and audit. Most of the specific statutory responsibilities are imposed on the top leadership – the chief commissioner and other commissioners or the ombudsperson. However, the law might also set out specific responsibilities of the SEO. All NHRI leaders need to be aware of their statutory responsibilities and ensure that they meet those responsibilities. Each NHRI should provide a list of each leader's statutory responsibilities to enable clarity and accountability for compliance.

Questions for leaders

- What does your NHRI's founding law say about the roles and responsibilities of NHRI leaders?
- What are your own statutory roles and responsibilities under the law?
- How does your NHRI exercise its responsibilities for governance? If it is a commission-model institution, does the commission as a whole make all or some governance decisions? If so, which ones?
- When was your NHRI's current strategic plan adopted? What was the process by which it was developed and approved? When will the planning process for the next strategic plan begin?
- Do you individually have specific responsibilities for policy making? In what areas of human rights?
- How do you understand your own management responsibilities within the NHRI?
- What do you understand by 'gender mainstreaming'? Does your NHRI have a gender mainstreaming policy? Who is responsible for leading gender mainstreaming within your NHRI? How can you promote gender mainstreaming within your NHRI?

Section four:

The division of roles and responsibilities

- The president or chairperson or chief commissioner in a commission-model institution or the ombudsperson in an ombuds-model institution is the head of the institution. The institution head is the NHRI's most senior leader internally and its public face externally.
- The other statutory leaders are those specific positions named in the founding law. They can be appointed with general responsibilities or have specific responsibilities assigned to them by law. They can also have specific responsibilities assigned to them by the institution head.
- In a commission-model institution, the chief commissioner and all the other commissioners meet as a collective body, the commission. The commission is the supreme decision-maker in the institution.
- The position of SEO is the most senior staff position in the NHRI. It is located as the pivot within the institution, between the top leaders and the staff.
- The SEO leads the staff, working most closely with the directors and managers who report directly to the SEO. Together they constitute the staff leadership team.
- The division of roles and responsibilities within the top leadership group, between that group and the SEO, and between the SEO and the other staff leaders needs to be clear and documented.

1. The institution head

The president or chairperson or chief commissioner in a commission-model institution or the ombudsperson in an ombuds-model institution is the head of the institution. The institution head is the NHRI's most senior leader internally and its public face externally.

In a commission-model institution, the head of the institution typically

- convenes and chairs meetings of the commission
- sets the agenda for meetings of the commission
- is the principal spokesperson for the NHRI as a whole
- is the NHRI's principal point of contact with the government and the parliament
- oversees the NHRI's external partnerships, including with civil society organisations and academics
- is the person to whom the SEO reports directly, even where the SEO is formally accountable to the commission collectively
- has closest oversight of the NHRI's staff and the budget
- is the person who ensures that the NHRI operates according to the highest standards of integrity, equity and equality, with a strong operational commitment to gender mainstreaming in its policies and procedures.

In addition to these typical roles, the institution head can have specific roles provided in the NHRI's founding law or by decisions of the commission. These roles vary from one NHRI to another. Under the founding law or commission decisions, the institution head could be designated to

- be chief executive of the NHRI
- allocate areas of work or specific programmes or projects to other commissioners
- authorise all expenditure
- authorise all public statements.

In other founding laws, the commission as a whole exercises these powers.

As the head of a multiple-member institution, the chief commissioner has the implicit role of forming the consensus among the group. This is a heavy and challenging responsibility as the effectiveness of the NHRI often depends on the extent of internal consensus among commissioners in relation to the institution's policies, programmes and operations.

In an ombuds-model institution, the ombudsperson holds all the authority of the institution under the establishing law. The ombudsperson determines how the institution is to operate and what it is to do.

2. The other statutory leaders

The other statutory leaders are those specific positions named in the founding law. In commission-model institutions, they are the other commissioners. In ombuds-model institutions they may be specified deputy ombudspersons.

The other statutory leaders could be appointed as generalists or some or all could be appointed as specialists, with specific statutory responsibilities for particular areas of human rights (such as children's rights or indigenous rights or sex or race discrimination) or particular human rights functions (such as investigations, litigation or education) or particular regions of the country (such as remote areas or indigenous or minority areas). Even where the founding law provides for generalists, the chief commissioner or the commission collectively or the ombudsperson may allocate specific areas of responsibility to individual statutory leaders. Where, by law or internal allocation, individual leaders have individual areas of responsibility, they lead work in that area on behalf of the NHRI. In a commission-model NHRI, the commission will need to determine the scope of the responsibilities of individual commissioners – what they can decide individually within their areas of responsibility and what needs to be referred to the commission collectively for decision.

Whether, in a commission-model NHRI, commissioners are generalists or specialists, they each have roles within the commission as a corporate body. They are equal members of the commission and share joint responsibility for the development of the NHRI's vision and its strategic and operational plans and for monitoring, evaluating and reporting on the NHRI's work. They also share the responsibility to contribute to consensus within the commission itself and the NHRI as a whole. This means that they have a responsibility to attend and participate fully in meetings of the commission and to accept and support decisions of the commission.

Commissioners can undertake particular functions on behalf of the NHRI, including, for example,

- building the NHRI's external profile through speeches, media interviews and presentations
- steering, writing or contributing to high level reports, policy submissions and documents for external consumption
- leading keynote external events on behalf of the NHRI
- strategic relationship building with external partners, including civil society organisations and academic experts
- supporting programme development
- leading projects and activities
- overseeing complaints and investigations
- contributing to reports.

In ombuds-model institutions, the ombudsperson may be the only office established by the law. Sometimes the law may also provide for one or more deputy ombudspersons but these officials are subordinate to the ombudsperson and their role is usually limited to supporting the ombudsperson. In practice the ombudsperson will typically allocate specific areas of responsibility to any deputy and that person will take the lead in those areas of work. It is important for the ombudsperson to determine the scope of the responsibilities of each deputy – what the deputy can decide individually within the areas of responsibility and what needs to be referred to the ombudsperson for decision.

3. The commission

In a commission-model NHRI, all commissioners, including the institution head, meet as a collective body, the commission. The commission is the supreme decision-maker in the NHRI. The commission

- determines strategy and operations, policy and priorities
- monitors, evaluates and reports on performance
- allocates resources in accordance with strategic and operational plans and priorities
- makes high level management decisions and oversees their implementation
- receives reports from the SEO and other internal and external evaluations and reports
- assesses and manages risk
- oversees the NHRI's implementation of its policies and procedures relating to staffing and operations, including in relation to gender mainstreaming
- delegates functions and powers as appropriate to individual commissioners and staff
- performs other responsibilities assigned to it by the law.

All members of the commission, whether full-time or part-time, should attend and participate fully in all commission meetings. Discussion at the meetings should be free and frank and respectful. Commission members should strive to achieve consensus but, where consensus is not possible, a vote should be taken and a majority decision adopted.¹⁴ Commissioners share collective responsibility for commission decisions, whether adopted by consensus or by vote. All commissioners are bound by the decisions of the commission and should support them publicly where necessary. Some

¹⁴ Some founding laws require a special majority, such as two-thirds, for commission decisions where consensus is not possible. Other NHRIs make decisions on a simple majority vote.

discussions at commission meetings should be treated as confidential outside the NHRI, including where the matter concerns people who are or could be at risk or where the matter concerns confidential personal information, for example, relating to staff.

At each commission meeting, commissioners should declare any actual, possible or perceived conflict of interest in relation to any item on the agenda and then withdraw from the discussion of that item. Where an actual, possible or perceived conflict of interest arises during the course of the meeting, the commissioner concerned should immediately declare the conflict and withdraw from further discussion of the matter in question. All declarations of conflict of interest should be recorded in the minutes of the commission meeting, along with a statement that the commissioner concerned withdrew from discussion of any matter to which the conflict was relevant.

4. The senior executive officer

The SEO is the most senior staff position in the NHRI. The SEO usually reports directly to the institution head. The position may report to the commission in a commission-model institution. All staff then report to the SEO directly or indirectly through the NHRI's particular staffing structure.

The position of SEO is located as the pivot within the NHRI, between the top leaders and the staff. The top leaders are statutory office holders with independent mandates, legal roles and responsibilities, and very public accountability directly to the parliament. The staff are generally civil servants, or equivalent to civil servants, who operate within a hierarchical structure according to the rules and procedures of civil service or equivalent employment. The SEO has to meet requirements, expectations and demands from above and below. This position, therefore, can be the most difficult and the most challenging within an NHRI. Often neither the top leaders nor the staff appreciate this inherent difficulty. To be effective the SEO needs the support both of the top leaders of the institution and of other staff leaders and the staff generally.

The SEO's most important roles are to be the principal adviser to the top leaders and the enabler of their work. The SEO needs to have a broad overview both of the human rights context of the country and of the work of the NHRI so as to be able to advise the top leaders. This does not mean detailed knowledge of everything – that is not possible. But it does require a good general understanding of the human rights situation and of national and international human rights law. As the enabler, the SEO must also have expertise and experience in management at a senior level. That is required to be able to implement the NHRI's strategic and operational plans and its policy and other decisions. The SEO must manage, monitor and report on the NHRI's implementation of its policies and procedures affecting staffing and resourcing, including those relating to gender equality and gender mainstreaming. These two roles of adviser and enabler are the essential dimensions of the SEO's pivotal role within the NHRI.

The SEO manages the NHRI on behalf of the institution head and, in a commission-model NHRI, the commission collectively. The top leaders set the direction, the strategy and the priorities and allocate the resources and then the SEO operationalises it all. The SEO is responsible for day-to-day management. Difficulties can arise where the top leaders involve themselves excessively in day-to-day management. For example, staff can become confused when they receive instructions from both top leaders and their direct supervisor. They may not know whose instructions to carry out, what instructions to carry out in the case of inconsistency or to whom they are accountable. As a result, lines of direction, supervision and accountability break down and the NHRI's operations

become uncertain, with some activities not undertaken or commenced but not completed or performed differently and at times inconsistently. The SEO must be supported to establish and maintain clear lines of direction, supervision and accountability throughout the staffing structure.

The SEO is delegated certain functions and powers by the commission in a commission-model NHRI or by the ombudsperson in an ombuds-model NHRI, to enable the SEO to perform the responsibilities assigned to the position. These delegations may include authority, within specified limits and under the oversight and control of the commission or the ombudsperson, to

- appoint, assign and manage officers and staff
- approve and vary expenditure, enter into contracts for services, lease property, write off assets and/or liabilities and make investments
- develop policies and processes within the NHRI's parameters
- produce annual work programmes and corresponding budgets and resources
- direct and control the NHRI's operations, especially in relation to operational coordination and corporate management, to ensure compliance with its statutory functions
- ensure the NHRI's implementation of its policies and procedures affecting women, including gender equality and gender mainstreaming, and other policies and procedures on equity and non-discrimination
- ensure compliance with relevant civil service administrative and financial requirements
- agree to the scope and emphasis of the annual audit plan, receive, consider and respond to the external audit report, and make recommendations to the top leaders in relation to the audit report
- review the draft annual financial statements and recommend endorsement
- assist the commissioners or the ombudsperson in relation to the conduct of their programmes in planning and coordinating communications, research, inquiries, complaint handling and education functions
- provide advice to the commission or the ombudsperson on the operations and administration of the NHRI.

5. Others in the staff leadership team

The SEO leads the staff, working most closely with the directors and managers who report directly to the SEO. Together they constitute the staff leadership team. These are the people the SEO will rely on most to provide the advice that the SEO will put to the top leaders and to implement the decisions of the top leaders. Because of their importance in the NHRI's work, the SEO and the directors and managers are part of the NHRI leadership.

The actual staff structure will vary from one NHRI to another, as a result of the specific needs of the institution and the civil service and related laws and practices of the particular country. The human rights context will also be relevant, for example, in deciding whether specialist units are required to deal with specific human rights issues or population groups or regions. The SEO and the other staff leaders should review the structure regularly and provide advice to the top leaders on what changes are needed to enable the staff to undertake the NHRI's work most effectively.

The staff leadership team and its individual staff leaders typically have responsibility to

- lead, motivate and develop staff
- manage resources
- provide advice to the top leaders on the development and delivery of the strategic and operational plans
- ensure strategic implementation of plans
- set and maintain standards of staff performance
- develop and implement processes, systems, infrastructure and ways of working to manage the organisation
- ensure the NHRI's responsibilities of being a good employer
- manage the NHRI's finances, human and other resource allocation
- undertake evaluations and performance reporting.

In carrying out these responsibilities staff in the leadership team may be delegated with functions and powers by the commission or ombudsperson or by the SEO.

6. Documenting the division of roles and responsibilities

The division of roles and responsibilities within the top leadership group, between that group and the SEO, and between the SEO and the other staff leaders needs to be clear and documented. That is the best way to ensure that the division is well known and can be accessed at any time. It is also a good means to articulate the expectations of different categories of leaders. Some NHRIs have developed and adopted manuals or handbooks for NHRI leaders that discuss the kinds of issues in this guide and set out the leaders' roles and responsibilities. Some of those manuals list the particular responsibilities of different leaders and include a protocol for commissioners. APF has also developed an 'operational good practices' guide for SEOs. These manuals and guides can assist other NHRIs in their own development of similar guides that set out the roles and responsibilities.¹⁵

Questions for leaders

- What are the respective roles and responsibilities of each of the institution head, other statutory officeholders, the SEO and other staff leaders in your NHRI?
- Do you think there should be any changes in this division of roles and responsibilities among your NHRI's leaders? What changes would you propose?
- Is there a document that sets out the various roles and responsibilities of the various leaders in your NHRI? If there is, how current is it? Does it need to be reviewed? When should that be done?
- If there is no document that sets out the various roles and responsibilities of the various NHRI leaders, do you think there should be? What can you do to promote the development and adoption of such a document?

15 See section 6 of this guide, resources.

Section five:

APF services to NHRI leaders

Providing services to NHRI leaders is one of APF's core functions. These services assist the leaders to build NHRIs that are deeply committed to the promotion and protection of human rights, that are fully compliant with the Paris Principles, that live and foster a culture of independence, lead necessary conversations and demonstrate initiative. Service provision to NHRI leaders is incorporated under Outcome 2 of the APF Strategic Plan 2022-2027, specifically Outcome 2.2 'NHRIs demonstrate leadership in their internal and external actions'.¹⁶ This sub-outcome aims to support and empower NHRIs to be leaders in promoting and protecting human rights.

APF services to NHRI leaders come within six principal programmes.

The **APF Leadership Solidarity Outreach** programme was commenced at the beginning of the COVID-19 pandemic.¹⁷ It involves regular calls to support APF member leaders as they navigate challenges presented by the pandemic and other challenges. It provides opportunities for discussion of NHRI work and priorities. The calls have provided a 'sounding board' for advice and have led to NHRIs accessing other APF services. Held virtually, the calls have been a valuable way of connecting and maintaining institutional and personal relationships with chairpersons and commission members when international travel was not possible during 2020-21. Because of their value, the calls have continued since borders re-opened and travel re-commenced. The virtual service is continuing as a service to NHRI leaders as it has proven extremely useful.

The **Introduction to APF** programme provides newly appointed leaders of APF members with a briefing and exchange on the role and services of APF. It also provides a similar opportunity for leaders of NHRIs wishing to join APF. The Introduction to APF is a short two-hour session delivered virtually. This programme has given NHRI leaders greater understanding of APF and of its services and programmes and of issues such as the GANHRI accreditation process. It has led NHRIs to take up other APF programmes, for example, the High-Level Dialogue.

The **APF Virtual Dialogue Series** brings together the top leaders of APF members on a regular basis to share their work in the promotion and protection of human rights. Each dialogue is a 90-minute virtual event co-hosted by APF and an NHRI. The dialogue topic is nominated by a chairperson of an NHRI. Past topics have included monitoring detention centres during the pandemic, advancing vulnerable groups during the pandemic, the rights of people with disabilities, employment discrimination and pay equity, and the role of NHRIs in relation to climate change.

16 See APF Strategic Plan 2022-27 at <https://www.asiapacificforum.net/resources/apf-strategic-plan-2022-27/>.

17 See <https://www.asiapacificforum.net/news/supporting-nhri-leadership-during-covid/>.



The **High-Level Dialogue** programme provides dialogues, facilitated by APF, for newly appointed leaders in an NHRI. These are comprehensive and confidential high-level discussions conducted over several days with NHRI experts and peers. They can cover a range of topics, including thematic, strategic

and operational issues, as well as a discussion on the governance responsibilities of the leaders at the individual and collective level. A short APF video on the High-Level Dialogue is at <https://youtu.be/0NQTgBJRWpQ>.



The **Capacity Assessment programme** is an APF initiative to build strong and effective NHRIs.¹⁸ It supports APF members and prospective members to identify the capacities they have and those they need to develop to fulfil their mandate to promote and protect rights at the national level. It is a joint project of APF, the United Nations Development

Programme and the Office of the High Commissioner for Human Rights. Each capacity assessment is undertaken at the invitation of the NHRI leadership and is based on a self-assessment process that draws on the expertise and insights of those within the NHRI, including NHRI leaders and all staff. It is a forward-looking process that identifies both the current capacities of the NHRI and those that need to be developed or strengthened over the following five-year period. Each capacity assessment leads to a report to the NHRI that analyses current capacity and future capacity needs and proposes strategies to strengthen the NHRI, to develop the capacities of staff individually and collectively, and to make the internal processes of the NHRI more effective and more efficient. APF provides continuing support after the assessment at the request of the NHRI. An APF video on capacity assessments is available at <https://youtu.be/rxPsPYThIsw>.

The **Capacity Assessment Review programme** is another APF initiative to capture the experience and insights of NHRI leaders and staff members several years after a capacity assessment as well as to review the progress made on recommendations that were adopted by the NHRI in the capacity assessment. The review is facilitated by the NHRI and the APF secretariat. An APF video on the Capacity Assessment Review process is available at <https://youtu.be/N9GiIWo1Gjw>.

18 See <https://www.asiapacificforum.net/support/what-we-do/capacity-assessments/>.

Section six:

Resources

International standards for NHRIs

The Principles relating to the Status of National Institutions (the Paris Principles), attached to UN Commission on Human Rights resolution 1992/54 and UN General Assembly resolution 48/134, at <https://ganhri.org/paris-principles/>

The General Observations of the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions, at <https://ganhri.org/accreditation/general-observations/>

APF manuals for NHRIs

APF has produced a series of practical manuals for NHRIs, dealing with NHRIs and the international system generally, specific human rights issues handled by NHRIs and specific NHRI functions. All the manuals can be accessed on the APF website at <https://www.asiapacificforum.net/resources/country:all/type:manual-full/issue:all/skill:all/?keywords=>. The following manuals are currently available.

General

- [Manual on National Human Rights Institutions](#)
- [International Human Rights and International Human Rights Mechanisms: A Manual for NHRIs](#)

Specific human rights issues

- [NHRI Guide on Responding to COVID-19 Impacts on LGBTI people](#)
- [Impact of COVID-19 on Women and Girls](#)
- [Human Rights and Disability: A Manual for NHRIs](#)
- [Implementing Guidelines for the APF Regional Action Plan on Human Rights Defenders](#)
- [The UN Declaration on Rights of Indigenous Peoples: A Manual for NHRIs](#)
- [Promoting and Protecting Rights of Migrant Workers: A Manual for NHRIs](#)
- [Promoting and Protecting Human Rights: Sexual Orientation, Gender Identity, and Sex Characteristics](#)
- [Preventing Torture: An Operational Guide for NHRIs](#)
- [Promoting and Protecting the Human Rights of Women and Girls: A Manual for NHRIs](#)

Individual NHRI functions

- [Capacity Assessment Manual for NHRIs](#)
- [Human Rights Education: A Manual for National Human Rights Institutions](#)
- [Facilitating an NHRI Gender Audit: A Toolkit for NHRIs](#)
- [NHRI Guidelines for mainstreaming the human rights of women and girls into our everyday work](#)

- [Undertaking Effective Investigations: A Guide for National Human Rights Institutions](#)
- [Media Handbook for NHRIs](#)
- [Defending Dignity: A Manual for NHRIs on Monitoring Economic, Social and Cultural Rights](#)
- [Monitoring, Evaluation, Accountability and Learning: A Guide for NHRIs](#)
- [National inquiries into systemic patterns of human rights violation](#)

APF guidelines for NHRIs

- [Guidelines on mainstreaming the human rights of women and girls in our everyday work](https://asiapacificforum.net/resources/nhri-guidelines-mainstreaming-rights-women/)
- [Gender mainstreaming guidelines for trainers](https://asiapacificforum.net/resources/apf-gender-mainstreaming-guidelines-trainers/)
- [Guidelines on mainstreaming sexual orientation, gender identity and sex characteristics work](https://asiapacificforum.net/resources/guidelines-mainstreaming-sexual-orientation-gender-identity-and-sex-characteristics-work/)
- [APF Operational Good Practice Guide](#)

NHRI guides for NHRI leaders

Some NHRIs have produced their own guides for their leaders, dealing with the roles and responsibilities of NHRI leaders. The NHRIs of Malaysia and New Zealand, for example, have done so. Copies of those guides can be requested from the NHRIs themselves.



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