

The Larrakia Declaration: Conclusions, Recommendations and Decisions of the First Asia-Pacific Regional Workshop of National Human Rights Institutions¹

DARWIN DECLARATION

Background

The First Asia-Pacific Regional Workshop of National Institutions for the Promotion and Protection of Human Rights consisting of representatives of the National Human Rights Commissions of Australia, New Zealand, India and Indonesia, meeting in Darwin, Australia, from 8 to 10 July 1996:

Notes with sympathy the death of Mr Ali Said, distinguished chairperson of the Indonesian Commission,

Reaffirms the commitment of participants to the universal and indivisible rights declared in the Universal Declaration of Human Rights and other international human rights instruments which recognise that all human beings are born free and equal in dignity and rights and are entitled to equal protection against any form of discrimination and abuse of power,

Recalls the Vienna Declaration and Programme of Action especially its support for national human rights institutions and the progress made by the international workshops of National Institutions for the Promotion and Protection of Human Rights held in Paris in 1991, Tunis in 1993 and Manila in 1995, and

Recalls the resolutions of the United Nations General Assembly and of the Commission on Human Rights supporting and encouraging the establishment and development of national institutions and regional arrangements in the Asia-Pacific region,

Welcomes the participation in the Workshop as observers of representatives of governments with national institutions or considering the establishment of national institutions in conformity with the Paris Principles and encourages other governments working in that direction,

Welcomes the participation in the Workshop as observers of a number of non-government organisations,

Thanks the United Nations High Commissioner for Human Rights, the Centre for Human Rights and the Australian government through AusAID for their financial and other support for the Workshop.

¹ Darwin, Australia, 8-10 July 1996.

Conclusions

The National Institutions for the Promotion and Protection of Human Rights meeting in Darwin, Australia, from 8 to 10 July 1996 concluded:

That the promotion and protection of human rights is the responsibility of all elements of society and all those engaged in the defence of human rights should work in concert to secure their advancement,

That national institutions work in close cooperation with non-government organisations and wherever possible with governments to ensure that human rights principles are fully implemented in effective and material ways,

That, at the international level, regional cooperation is essential to ensure the effective promotion and protection of human rights, and

That to ensure effectiveness and credibility the status and responsibilities of national institutions should be consistent with the Principles relating to the status of national institutions adopted by the General Assembly that provide that national institutions should be independent, pluralistic and established wherever possible by the Constitution or by legislation and in other ways to conform to the Principles.

Recommendations

National institutions attending the First Asia-Pacific Regional Workshop recommend:

That the United Nations formally recognise the unique status and character of independent national institutions and take appropriate measures to ensure that they participate in their own right in the work of United Nations human rights fora,

That the United Nations facilitate the close cooperation between and periodic meetings of national institutions in the Asia-Pacific region as recommended in the Manila Declaration, including by ensuring that necessary funds are committed for those purposes,

That the High Commissioner for Human Rights continue his efforts to promote the acceptance of and adherence to international standards and request that he give particular attention to supporting in the Asia-Pacific region the creation and strengthening of independent national institutions that conform to the Principles relating to the status of national institutions,

That all Members States in the region and existing institutions work to ensure that the status and responsibilities of national institutions are consistent with the Principles relating to the status of national institutions adopted by the General Assembly,

That all Member States in the region take appropriate steps to promote the exchange by national institutions of information and experience concerning the establishment and operation of such national institutions and to specifically encourage more extensive cooperation between existing national institutions on a regional basis.

Decisions

National institutions attending the First Asia-Pacific Regional Workshop agree:

To respond where possible with personnel and other support to requests from governments in the region for assistance in the establishment and development of national institutions,

To further and expand their mutual support, cooperation and joint activity through:

information exchanges

training and development for Commission members and staff

development of joint positions on issues of common concern

undertaking joint projects

sharing expertise

periodical regional meetings

specialist regional seminars on common themes and needs

responding promptly and effectively to requests from other national institutions to investigate violations of the human rights of their nationals present in a country that has a national institution

To establish themselves for these purposes as an informal Asia-Pacific regional forum of national human rights institutions,

To welcome as participants in the forum other independent national institutions established to conform with the Paris Principles,

To encourage governments and human rights non-government organisations to participate in forum meetings as observers,

To accept with thanks

the offer of the Indian Commission to host the Second Regional Workshop of National Human Rights Institutions within the next 12 months

the offer of the New Zealand Commission to continue as coordinator of the Asia-Pacific regional forum

the offer of the Australian Commission to service the forum for a period of up to three years, after which time consideration will be given to relocating a secretariat in the Asia-Pacific region.