



09 November 2009

Ms. Jennifer Lynch

Chairperson

International Coordinating Committee of National Institutions

for the Promotion and Protection of Human Rights (ICC)

c/o The National Institution Unit

Office of the High Commissioner for Human Rights (OHCHR)

CH-1211 Geneva 10, Switzerland

nationalinstitutions@ohchr.org

Dear Ms. Lynch,

We are writing to you today to raise our concern regarding the procedure of decision-making in the International Coordinating Committee (ICC) pertaining to the accreditation status of the Human Rights Commission of Malaysia (SUHAKAM), which will be determined this month. We note that, under Article 12 of the ICC Statute, decisions of the Sub-Committee on Accreditation (SCA) need to be approved by the ICC Bureau. We also further note that SUHAKAM is currently sitting as one of the representatives of the Asia Pacific Forum (APF) to the ICC Bureau.

Because of this and the fact that SUHAKAM decided to sit in the ICC Bureau at a time when a decision on its accreditation status is due to be made, there is a perception that SUHAKAM could play an influencing role – directly and indirectly – in the decision of the Special Review through its membership in the ICC Bureau. Given this perception, we strongly urge the ICC to take steps to guarantee transparency and impartiality in the decision-making process during the re-accreditation review of SUHAKAM.

It is in this light that we would like to request that NGOs be closely informed of the process and discussions surrounding the decision over the review of SUHAKAM at all stages – from the SCA's deliberation up to the adoption of the decision of the Special Review by the ICC. This is so that the ICC leaves no room for doubts – whether perceived or real – over its own credibility in its decision-making procedures, as well as SUHAKAM's, in its decision to sit in the ICC Bureau with full knowledge that its accreditation status will be determined during its tenure in the Bureau.

We also wish to acknowledge that the ICC's accreditation and re-accreditation process has thus far been impartial and based solely on the merit of an NHRI's compliance with the Paris

Principles and its implementation of the ICC's previous recommendations. We hope that this will continue in the Special Review of SUHAKAM this month.

Thank you very much for your kind consideration. We remain committed to continue our engagement with the ICC in its work in promoting and protecting human rights in Asia.

Very truly yours,



Emerlynn Gil

Coordinator

The Asian NGOs Network on National Human Rights Institution (ANNI)

The following are the members of the Asian NGOs on National Human Rights Institutions (ANNI):

ADVAR – Iran

Ain o Salish Kendra (ASK) – Bangladesh

Asian Forum for Human Rights and Development (FORUM-ASIA)

Cambodian League for Promotion and Defence of Human Rights (LICADHO)

Cambodian Working Group for the Establishment of NHRI (CWG)

Center for Human Rights and Development (CHRD) – Mongolia

Citizens' Council for Human Rights Japan (CCHRJ) – Japan

Commission for Disappearances and Victims of Violence (KONTRAS) – Indonesia

Defenders of Human Rights Center – Iran

Education and Research Association for Consumer Education (ERA Consumer) – Malaysia

Hong Kong Human Rights Monitor (HKHR) – Hong Kong

Human Rights Organisation of Kurdistan

Indonesian Human Rights Monitor (IMPARSIAL) – Indonesia

Indonesian NGO Coalition for International Human Rights Advocacy (HRWG) – Indonesia

Informal Service Sector Center (INSEC) – Nepal

Institute for Policy Research and Advocacy (ELSAM) – Indonesia

International Campaign for Human Rights in Iran – Iran

Judicial System Monitoring Program (JSMP) – Timor Leste

Korea House for International Solidarity (KHIS) – Korea

Law and Society Trust (LST) – Sri Lanka

Lawyers' League for Liberty (LIBERTAS) – Philippines

Maldivian Detainees Network (MDN) – Maldives

People's Watch – India

Philippine Alliance of Human Rights Advocates (PAHRA) – Philippines

Suara Rakyat Malaysia (SUARAM) – Malaysia

Taiwan Association for Human Rights (TAHR) – Taiwan

Working Group for Justice and Peace (WGJP) – Thailand

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