



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

Capacity Assessment Manual for National Human Rights Institutions



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Resilient nations.*

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Capacity Assessment Manual for National Human Rights Institutions

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This manual flows from a partnership between the Asia Pacific Forum of National Human Rights Institutions (APF), the United Nations Development Programme (UNDP) Asia-Pacific Regional Centre and the Office of the United Nations High Commissioner for Human Rights (OHCHR) for the Capacity Assessment of National Human Rights Institutions. The first edition of the manual was produced in 2011. This revision was produced in 2014 by the APF following an external evaluation of the capacity assessment process in 2012 and further development of the process as recommended by the evaluation. It reflects the capacity assessment methodology as at August 2014.

Staff and consultants of APF, UNDP (both the Asia-Pacific Regional Centre and the Regional Centre in Cairo) and OHCHR have driven the capacity assessment project for national human rights institutions in States stretching from the Pacific to West Asia and the Arab States. Their experience and work is reflected in this manual. Many of them produced or contributed to the original manual in 2011 and have contributed again to this revision. Senior officers of national human rights institutions have also participated in the teams that have conducted capacity assessments. They too have contributed to this revision from their experiences in these teams.

The capacity assessments have seen the insights, professionalism and commitment of the leaders and staff of the national human rights institutions. Their commitment to their work and to doing their work even better has helped make these assessments so successful. The evolution of this methodology to its current level of effectiveness is due to the contributions that they have made – by being open to experimentation; by reacting and commenting during their own assessments; by contributing to debates in workshops, training sessions and APF forums; and by generously sending staff to participate in capacity assessment teams.

This revised manual has been produced by the APF. UNDP APRC has supported its publication but the views expressed in this publication are those of the author(s) and do not necessarily represent those of the United Nations, including UNDP, or the UN Member States.

Abbreviations

APF	Asia Pacific Forum of National Human Rights Institutions
APRC	UNDP Asia-Pacific Regional Centre
CA	Capacity assessment
CAP	Capacity Assessment Partnership
CD	Capacity development
CSO	Civil society organisation
ICC	International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights
INGO(s)	International non-governmental organisation(s)
MOU	Memorandum of Understanding
NHRI(s)	National human rights institution(s)
NIRMS	National Institutions and Regional Mechanisms Section, OHCHR
NGO(s)	Non-governmental organisation(s)
OHCHR	Office of the High Commissioner for Human Rights
RCC	UNDP Regional Centre in Cairo
UN	United Nations
UNCT	United Nations Country Team
UNDP	United Nations Development Programme



Chapter 1:

Introduction

UNDP has long been engaged in helping build the capacity of national human rights institutions... [Our] experience of working with the Asia Pacific Forum and the Office of the High Commissioner in the past tells us that together we can make a big difference. For example, we jointly facilitated capacity assessment of the human rights commissions [in Asia and the Pacific]...

National human rights institutions have critical roles to play in advancing human rights and, thereby, in accelerating development progress...

Effective national human rights institutions are charged with empowering and supporting individuals and communities to understand and claim their rights. They advise law-makers on policies and legal frameworks, and on how to meet the international commitments which states have made in ratifying human rights conventions.

To play these demanding and often politically charged roles effectively, national human rights institutions require expertise and skilled advocates.

It is in the interests of all stakeholders, including governments, to ensure that national human rights institutions are given the space and freedom to function independently.

Human rights cannot be effectively protected and advanced by institutions which lack that space and the necessary capacities and resources.

HELEN CLARK

Administrator, UNDP

**Speaking at the Bangladesh National Human Rights Commission's Regional Forum
13 November 2010**



Capacity development (CD) is the process through which individuals, organisations and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time. Supporting this process requires identifying what key capacities already exist and what additional capacities may be needed to reach these objectives. This is the purpose of a capacity assessment (CA). A capacity assessment provides a comprehensive perspective on the capacities critical to achieving development objectives. It is an analysis of required capacities against existing capacities and offers a systematic way of gathering data and information on capacity assets and needs.

In 2008 the Asia Pacific Forum of National Human Rights Institutions (APF), the United Nations Development Programme Asia-Pacific Regional Centre in Bangkok (UNDP APRC) and the Office of the High Commissioner for Human Rights (OHCHR) National Institutions and Regional Mechanisms Section (NIRMS) began an initiative to strengthen national human rights institutions (NHRIs) through CA. That collaboration became known as the Capacity Assessment Partnership (CAP).

The CAP has been based on the strengths and years of experience each organisation has in providing support to NHRIs. The APF is the regional association of NHRIs, a member-based organisation that supports the establishment and strengthening of independent NHRIs in the region. UNDP has supported many NHRIs as part of its support to national systems for the promotion and protection of human rights. OHCHR has similarly had a long history of supporting the establishment and/or strengthening of NHRIs around the world.

In July 2008 the CAP was developed to provide coordinated assistance to NHRIs in the region. Because the APF's members stretch from the Pacific to West Asia, the UNDP Regional Centres in Bangkok and Cairo were both involved. The partners took the UNDP CA methodology – a generic assessment template for State institutions – and adapted it to the particular circumstances of NHRIs. They revised the assessment methodology to help the NHRI self-identify areas in which it needs to improve its capacity, and thus its effectiveness, and potential strategies to foster this improvement.

In 2008–09 two pilot CAs of NHRIs were conducted, first with the Human Rights Commission of Malaysia (known as SUHAKAM) and then with the Human Rights Commission of the Maldives. These assessments were valuable learning experiences that helped in developing a model methodology suitable for NHRIs.

THE HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM), DECEMBER 2008 – FEBRUARY 2009

The first CA for NHRIs under the CAP was conducted for SUHAKAM from December 2008 to February 2009. The CA was divided into two substantive visits by the CA team: the first focused on staff in the Kuala Lumpur Office (head office) and the second engaged with staff in the regional offices and with external stakeholders.

The CA resulted in 39 recommendations to address capacity gaps. SUHAKAM accepted the majority of the recommendations and developed a strategy to support the implementation of the priority recommendations. The UN Country Team in Malaysia was actively involved in exploring areas of substantive collaboration to support SUHAKAM in the implementation of the plan. Joint activities were initiated from 2010 on key areas of human rights in Malaysia.

As the CA for SUHAKAM was the first pilot exercise for the CAP, there were a number of lessons learned. These included the need to ensure NHRI ownership throughout the process, the value of strengthening internal coordination with the NHRI leadership and staff, and the importance of providing sufficient time to inform and guide NHRI leaders and staff through the process.

THE HUMAN RIGHTS COMMISSION OF THE MALDIVES (HRCM), OCTOBER 2009

Following the CA of SUHAKAM, the next CA took place for the Human Rights Commission of the Maldives. An officer of SUHAKAM joined the CA team in the Maldives to promote country experience sharing and to provide a step-by-step learning opportunity to SUHAKAM on how to conduct a full scaled CA. It commenced the practice of always including in the CA team a senior officer of an NHRI that has previously conducted a CA.

The CA highlighted the strengths of the HRCM, particularly its vision to continue to work in accordance with international best practice and with both regional and international human rights actors. The findings and the recommendations of the CA report were submitted by the CAP partners during the HRCM's Strategic Plan (2010–2014) drafting process. This ensured that the findings and recommendations were practically incorporated into the Strategic Plan, in particular those recommendations relating to complaints handling, investigations and monitoring. The engagement also led to tangible changes in the internal management structure of the HRCM to improve coordination between the different staff levels.

The UN programme supporting the capacity development of the HRCM was developed drawing on the recommendations of the CA.



Following these first two CAs, the CAP partners engaged with the National Centre for Human Rights in Jordan, the National Human Rights Commission of Thailand, the Independent Commission on Human Rights in Palestine, the Afghanistan Independent Human Rights Commission, the National Human Rights Commission of Mongolia, the Human Rights Commission of Sri Lanka, the Australian Human Rights Commission, the New Zealand Human Rights Commission, the Commission on Human Rights of the Philippines, the National Human Rights Commission of Nepal, the Bangladesh National Human Rights Commission, the Ombudsman's Office of Samoa, the National Human Rights Commission of Oman and the National Commission on Human Rights of Indonesia – in all, CAs of 16 APF member NHRIs, with the UNDP Regional Centre in Cairo (RCC) participating in the CAs in Jordan, Palestine and Oman and the UNDP APRC in all others. Each of these CAs incorporated the lessons learned from the previous CAs, resulting in a much more comprehensive, systematic, yet flexible CA methodology for NHRIs. The methodology was also refined through an independent external review of the CA process undertaken in 2012.

THE NATIONAL CENTRE FOR HUMAN RIGHTS IN JORDAN (NCHR), OCTOBER 2010

In October 2010, the CAP conducted a CA for the National Centre for Human Rights in Jordan. The CA focused on making the structure of the NCHR more efficient and strengthening internal coordination among the different units within the Centre. The assessment in Jordan was the first time the CA methodology was adapted and used for an NHRI outside the UNDP Asia Pacific region. As such, the engagement also provided space to strengthen South-South knowledge exchange (an officer from the Human Rights Commission of the Maldives participated in the NCHR Jordan capacity assessment) and cross-regional collaboration. The CA itself and the CA report led to an internal structural review and the formalisation of regular meetings and consultations between leadership and staff, which also increased staff motivation. With the support of the UNDP Country Office and Regional Centre in Cairo, a senior consultant was hired to assist with the implementation of the CA recommendations.



All CAs of NHRIs in the Asia Pacific region to date have been undertaken under the CAP. It has proved to be a very useful and effective collaboration of real benefit to NHRIs. It may continue to provide the basis for CAs of NHRIs in the region.

The CA methodology for NHRIs offers a very useful approach to strengthening NHRIs and increasing their effectiveness in the promotion and protection of human rights. It provides NHRIs with a process of self-assessment assisted by external expert facilitators. It incorporates both qualitative and quantitative elements in assessing current capacities, forecasting future capacity requirements, identifying capacity gaps and, most importantly, developing strategies and actions to close those gaps in the most significant areas. It also provides a firm basis for international cooperation to assist NHRIs when they undertake institutional strengthening.

This manual discusses what CA is and its relevance for NHRIs, the benefits that they can gain from it, and what is involved in doing it. It also provides an easy step-by-step guide for the conduct of a CA for an NHRI.



Chapter 2:

The capacity assessment approach for national human rights institutions

2.1. THIS MANUAL

This *Capacity Assessment Manual for National Human Rights Institutions* has been developed to describe a process of self-assessment assisted by external expert facilitators and to provide a step-by-step approach to identifying specific organisational challenges. The assessment methodology incorporates both qualitative and quantitative elements in assessing the current situation of the NHRI, identifying weaknesses, forecasting future capacity requirements and developing strategies to close the capacity gaps. It is a process that seeks the participation of all the NHRI's leaders that is, its Commissioners or Ombudsman as the case may be, its senior managers and all other staff to ensure a comprehensive picture, from all perspectives, of the NHRI's current capacities, its future required capacities and the strategies and actions proposed to meet the gap.

The CAP, the partnership between APF, OHCHR and UNDP, sought to develop a systematic approach to supporting NHRIs to fulfil their mandate as effectively and efficiently as possible, fully utilising the financial and human resources available to them. The CA methodology for NHRIs has been developed from the UNDP CD framework. It identifies and analyses key challenges preventing NHRIs from achieving their goals and, based on the analysis, develops strategies for organisational improvement.

Capacity assessment of NHRIs is a joint initiative of APF, OHCHR, and UNDP, and this enhances ownership and credibility. If it was only by one of these organizations, the initiative may not have received such recognition. The assessment process was facilitated by experienced experts who are themselves subject experts rather than generic capacity building consultants. This also adds credibility.

In addition, the CA is a self-assessment and, as such, the CA prepared the organization for change. This was an important factor for UNDP in terms of enhancing national ownership.

BARKHAS LOSOLSUREN
UNDP CO
Mongolia



2.2. WHAT A CAPACITY ASSESSMENT IS NOT

CA is a different kind of approach to working with NHRIs. At the outset it is important to recognise what a CA is not. It is not an evaluation – evaluation looks to the past. It is not a needs assessment – needs assessment looks merely to the present. CA looks to the future: what skills and processes, or capacities, does the NHRI need to build if it is to be as effective as possible in the future?

Uniquely, the CA process is not an external exercise, undertaken by outsiders with no detailed, inside knowledge of the NHRI. It is a self-assessment, undertaken by the NHRI itself – the leaders, senior managers and all the staff – with the assistance and support of a team of CA facilitators. Because it is an internal self-assessment, the NHRI has full ownership over the process and the product.

It was a very useful tool for us because it's a self-assessment process and it helped all of us, including the officers, to really analyse what we are doing and what we want to achieve as an organisation.

HASHIMAH NIK JAAFAR

Secretary, SUHAKAM

Team member for the Human Rights Commission of the Maldives CA 2009



The CA process is not related to the NHRI accreditation process undertaken by the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). The accreditation process assesses the NHRI's compliance with the international standards for NHRIs, the Paris Principles, for the purpose of international recognition and acceptance of the NHRI, especially in the UN human rights system. The CA will consider the comments and recommendations of the accreditation process relating to the NHRI. Those comments and recommendations may assist the CA's development of strategies and actions to strengthen the NHRI's capacity. However, the CA does not assess compliance with the Paris Principles. It does not provide any report to the Sub-Committee on Accreditation or to the ICC. It has no role in the international accreditation process.

2.3. WHAT A CAPACITY ASSESSMENT IS

A CA asks what the current strengths and weaknesses of the NHRI are and what developments are needed to improve the functioning of the NHRI over the next five years. In doing so, NHRI leaders and staff are invited to identify the 'capacity gaps' or 'capacity deficiencies' of the NHRI.

The capacity assessment is a truly unique opportunity to assess and gauge the structure, internal workings and capacity challenges of a national human rights institution. The distinctiveness of this process lies in its focus on discerning and benchmarking the current institutional capacity in each individual NHRI as a basis for planning its own future capacity development and addressing a broader range of capacity areas relevant to the particular context in which the NHRI operates.

AHMED SHAHID

Secretary General, Human Rights Commission of the Maldives

Team member for the New Zealand Human Rights Commission CA 2012, the National Human Rights Commission of Nepal CA 2013 and the Indonesian National Commission on Human Rights CA 2014



Unlike many other forms of assessment the CA is participatory and inclusive. It seeks to involve everyone in an NHRI – leaders (commissioners or ombudsmen), senior managers and all staff, including lawyers, investigators, administrative and finance staff, secretaries, drivers, everyone. All perspectives on the NHRI's capacity are sought and welcomed. All leaders and staff are given opportunities to participate and are urged to contribute. In this way, unlike many other forms of assessment, the CA is able to reflect the full range of perspectives within the NHRI and to draw on the expertise of all the NHRI's leaders and staff.

The CA focuses on development issues in the five core capacity areas identified in the UNDP framework:

- policies, procedures and processes, including organisational structure
- leadership
- human resources and knowledge

- financial and other resources
- accountability.

It analyses these five core areas in relation to six functional and technical capacities:

- capacity to plan strategically, and implement plans
- capacity to investigate, manage and handle complaints, and conduct human rights research and analysis
- capacity to advocate, raise awareness and educate
- capacity to engage with stakeholders and create/manage partnerships
- capacity to monitor and evaluate.

The CA report then proposes strategies and actions to address the identified core capacity challenges and to strengthen the NHRI as a whole, including developing the capacities of individual staff and making the internal processes and procedures of the NHRI more efficient and more effective. It tries to identify strategies and actions that are within the current or reasonably obtainable resources of the NHRI. The report's primary objective is not to mobilise additional financial resources, physical resources or staff, although that may be a result. The CA team can also advise on opportunities to increase resources, if required.

The CA complements the strategic planning, priority setting and work planning processes of the NHRI. It can be carried out in conjunction with the strategic planning process and is a valuable means of strengthening its implementation. The CA process also helps the NHRI review its organisational structure, operational functions and business processes as well as analysing stakeholder positions.

THE NATIONAL HUMAN RIGHTS COMMISSION OF THAILAND (NHRCT), NOVEMBER 2010

The National Human Rights Commission of Thailand became the fourth NHRI to undertake a CA. Following a series of internal strategic planning exercises, the NHRCT utilised the findings from the CA to develop a comprehensive and practical implementation plan for its institutional work plans. The CA provided an opportunity for NHRCT staff to reflect on internal organisation and process of the NHRCT and voice their recommendations on how to overcome capacity challenges. It helped in pinpointing critical achievements of the NHRCT as well as opportunities to replicate similar success in all areas of their work – from awareness raising and promotion activities to human rights reporting, research, and analysis.

INDEPENDENT COMMISSION FOR HUMAN RIGHTS OF PALESTINE (ICHR), APRIL 2011

The second CA for the UNDP Arab region took place in Palestine with the Independent Commission for Human Rights (ICHR). The CA highlighted the high level of commitment of staff at all levels and the difficulties of working in a very complex political environment. While it was important for the CAP to involve all staff, including those in the Gaza Strip, interviews with the Gaza regional office could only be done through videoconferencing. The recommendations of the CA report were provided during the finalisation of the new strategic plan for 2011–2013. Based on the strong work already delivered by the ICHR, the recommendations focused on strengthening its internal structure and mechanisms, improving its external relationships, and enhancing the accountability mechanisms. Again, the presence of a senior officer from the National Human Rights Commission of Thailand, which led to the exchange of experiences, was perceived as particularly useful by ICHR staff.



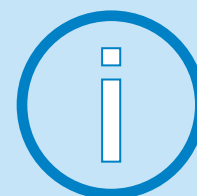
2.4. THE INDEPENDENT EXTERNAL REVIEW OF THE CAPACITY ASSESSMENT PROCESS

In 2012 UNDP commissioned an independent external review of the CAP and the CA process. The review was strongly supported by the other CA partners, APF and OHCHR. The review was conducted through interviews with those involved in CAs in the three partner agencies and in the NHRIs themselves, a desk review of the nine CA reports produced at that time and visits to the NHRIs of Palestine and the Maldives that had undertaken CAs. The draft report was also discussed at a consultation arranged for that purpose in Bangkok, Thailand, in October 2012. The review report was finalised in November 2012.

The review report affirmed the value of CAs and the validity of the CA process.

From the interviews conducted for this review it is apparent that many elements of the CA process itself, i.e. the way it is done, are widely perceived as being of significant inherent value. The elements or underlying values most widely appreciated, which may be referred to as process values, include:

1. The stress on inclusion and participation of every single staff member from across the organisational hierarchy;
2. The spirit of giving equal weight to the perceptions and views of all staff across the organisation;
3. The diversity of spaces and modes of expression—written and oral; individually or in groups; qualitative and quantitative;
4. The self-driven or voluntary nature of the process as opposed to being externally imposed;
5. The engagement of trusted peers as external facilitators;
6. An understanding that the process is more “thinking about ourselves” rather than judgement and its distinctiveness from performance or funding/funder linked evaluation; and
7. Guarantees of confidentiality and anonymity as well as the fairly transparent nature of the process.



Almost all respondents described the process itself as having had “an impact” or having “made a difference”, largely by/through:

- Creating spaces for collective reflection or, as one respondent put it, “holding a mirror to ourselves”;
- The inclusive nature of the process “made every staff member feel valued”;
- Allowing staff to “break their silence”; in the words of one respondent it was something “like a catharsis”;
- Creating a new dynamic, especially in NHRIs with relatively low levels of intra-organisational communication;
- “Shaking things up” and opening up for discussion issues, which were being ignored or not really acknowledged as important.



For Commissioners and staff the CA process and the report, the main output of the process, appear to have provided a combination of the following overall benefits:

- Provided a better understanding of capacities both on the organisational front (including leadership and decision making, human resources, personnel policies, training, etc.) and many aspects of programming especially in areas such as complaints handling, media and communications, external relations, including with other human rights actors, institutions of state and donors, etc.
- Given the nature of its focus on institutional issues, the CA, when its recommendations are relevant, appears to have been a valuable tool in the hands of senior managers pressing for certain key mission-driven organisational changes. The Executive Director of one NHRI said “the [CA] report is now my bible”, noting how she uses it often in her discussions with staff and Commissioners alike to advocate for change and innovation within the institution.
- As one respondent noted, the value of the CA is that it seeks to capture internal processes and functioning as well as the externally oriented activities and outputs of the NHRI and thus helps better understand the link between the two.
- Enabling more effective and evidence-based strategic planning, especially when the CA has been timed right, by highlighting institutional strengths and challenges and enabling a discussion of possible ways and means to build or address them.
- The CA report also provided (a) a baseline and yardstick to assess organisational development through its generation of data and information from across the organisation, and (b) a basis for designing possible trajectories of organisational development not only through its recommendations but also the debate and discussion generated by the process and the report.
- It brought to the fore the extent of divergence and convergence in the perceptions of capacities and functioning between different levels/parts of the institution especially between Commissioners and staff, Senior Management and staff, headquarters and field offices, etc.
- The CA has triggered a focus on leadership and management and precipitated review of decision making processes, changes in management structure and methods, and revisiting the configuration of relationships between headquarters and field offices and relationships between different departments;
- CA has been followed by a new focus on training programmes, in-house and external. This includes training focussed on individuals as well as the broader institution and has included areas as diverse as strategic planning, public enquiries, language, scholarships for professional advancement, etc.;
- The development of new, or review of existing, standard operating procedures, manuals or guidelines covering areas like complaints handling, investigations and reporting, case management, also appears to have been given an impetus by the CA process.
- The CA has also tended to result in planning changes in human resources policies, including revisiting and clarifying roles and responsibilities of Commissioners and staff; staff development; and, measures aimed at grievance redressal, for example.

FINAL REPORT

Independent Review of the Capacity Assessment of National Human Rights Institutions in the Asia Pacific Region

November 2012, p 6, 8-9

The review report recommended many adaptations to the CA process, including

- composing the CA discussion groups to reflect better the differences among the staff, according to function, level, gender and other status
- shortening and simplifying the CA questionnaire to focus only on those institutional issues that are most widely shared
- better formulation of the core capacity issues covered in the questionnaire to make them simpler and clearer
- better and more easily understandable presentation of the quantitative data from the questionnaire
- electronic administration of the questionnaire, for example, using an online survey site
- shortening the CA report and focusing it more tightly on the proposed strategies and actions
- allowing more time at the end of the assessment visit for the discussion of findings and proposed strategies and actions with NHRI leaders and senior managers
- contextualising the proposed strategies and actions
- ensuring better follow up after the process
- agreeing a follow up protocol between the NHRI and the APF.

These recommendations were accepted by the CAP in 2013. This manual is a revision of the CA manual published in 2011 to incorporate those adaptations into the CA process.



Nepalese children. Photo by Eric Montfort, reproduced under a CC BY-NC-ND 2.0 license.

NATIONAL HUMAN RIGHTS COMMISSION OF NEPAL (NHRCN), JULY 2013

The CA of the NHRCN was the first conducted after the external review of 2012. It commenced implementation of the review recommendations.

- Additional time was spent with the Chairperson and Commissioners.
- A separate focus group discussion was held with female staff to ensure that internal and external gender issues and perspectives were identified.
- The questionnaire was reduced from around 50 capacity issues to 13 core capacity issues, each being allocated a separate page and each having only four questions.
- The core capacity issues were specifically drafted for the NHRCN's situation rather than being taken from a standard matrix of issues.
- The appearance of the questionnaire was simplified and the issues expressed in clear, non-technical language.
- Commissioners and staff were given options to complete the questionnaire online, in softcopy form or in hardcopy form.
- The quantitative data from the questionnaire were analysed and presented in both tables and graphs and explained in the narrative text.
- The size of the report was reduced by about a third.





Chapter 3:

The recommended steps in conducting a capacity assessment for a national human rights institution

PRELIMINARY – ENGAGING WITH THE NHRI

- 1 Conduct an initial exchange with the head of the NHRI to introduce the CA methodology to the NHRI and invite an expression of interest
- 2 Provide the head of the NHRI with a short ‘concept note’ that introduces the CA process in simple terms, including the benefits in undertaking a CA
- 3 If the NHRI is interested, agree on a preparatory visit to brief NHRI leaders and staff more fully and to seek the necessary formal approval

THE PREPARATORY VISIT

- 4 Brief NHRI leaders and staff on the CA objectives and process
- 5 Obtain the formal agreement of the NHRI
- 6 Discuss a draft memorandum of understanding between the NHRI and the APF
- 7 Have the NHRI appoint a senior person as its Liaison Officer with the CA team
- 8 With the Liaison Officer identify documents to be reviewed and outside stakeholders to be interviewed
- 9 With the Liaison Officer prepare an initial draft program for the assessment visit
- 10 With the Liaison Officer determine whether interpretation and translation will be required for the CA
- 11 Brief the UN Country Team, where relevant and appropriate



BETWEEN THE PREPARATORY VISIT AND THE ASSESSMENT VISIT

- 12 Conclude a memorandum of understanding between the NHRI and the APF for the conduct of the CA, setting out the responsibilities of the NHRI, organisations assisting the CA and the CA team
- 13 Appoint members to the CA team
- 14 Obtain and read the relevant documents, supplied by the Liaison Officer
- 15 Finalise the program and schedule for the assessment visit
- 16 Arrange for the Liaison Officer to make appointments for the assessment team to interview the outside stakeholders during the assessment visit
- 17 If necessary, arrange the services of interpreters and translators for the assessment visit



THE ASSESSMENT VISIT

- 18** Conduct separate focus group discussions with NHRI leaders (that is, the Commissioners or Ombudsman), with the senior managers and with the other staff to identify core capacity issues, required future capacities and possible strategies and actions to address capacity gaps
- 19** Interview external stakeholders to obtain their views on the NHRI's capacity, including on coordination, collaboration, and past and planned engagement with the NHRI
- 20** Identify the core capacity issues
- 21** Prepare the questionnaires on the core capacity issues
- 22** Administer the questionnaires to leaders, managers and staff
- 23** Analyse qualitative and quantitative information from the discussion groups and questionnaires
- 24** Develop strategies and actions
- 25** Prepare a 'first (rough) draft' report, with findings and proposed strategies and actions
- 26** Present the 'first (rough) draft' report to NHRI leaders and senior managers, brief them on it and obtain their initial views on its findings and proposed strategies and actions

AFTER THE ASSESSMENT VISIT

- 27** Finalise the 'second (more refined) draft' report and submit it to the NHRI leaders and senior managers for comment
- 28** Following receipt of comments on the 'second (more refined) draft', incorporate comments and finalise the CA report and provide it to the NHRI
- 29** Obtain a formal response to the report from the NHRI, together with a schedule for the implementation of those proposed strategies and actions that the NHRI accepts
- 30** Obtain annual reports from the NHRI on implementation of accepted strategies and actions

3.1. PRELIMINARY – ENGAGING WITH THE NATIONAL HUMAN RIGHTS INSTITUTION

The essential first step is to ensure that the NHRI is fully committed to the CA. This begins by raising the awareness of the NHRI that a CA is the best way to identify its needs for capacity building and to develop strategies and actions to meet those needs. It is discussed with the head of the NHRI, preferably in person but, if that is not possible, then in writing. The NHRI can then make a formal request for a CA.

Upon initial interest, the head of the NHRI should be provided with a short explanatory paper or concept note to explain clearly what is offered and why it is beneficial to the NHRI. A model concept note is attached (Appendix 1). The note should be adapted for the particular situation of the specific NHRI, as appropriate. It should be accompanied by a copy of this manual. The NHRI should be able to understand from the concept note what is proposed and to make an informed decision whether to proceed to the next stage, a preparatory visit. Agreeing to the preparatory visit is an indication of support for the CA. However, formal approval by the NHRI is necessary during the visit, as described in section 3.2.

One issue to be considered and discussed at this early stage is timing. There is no single particular time at which a CA is appropriate but some times are more suitable than others. A CA can be usefully undertaken in conjunction with the strategic planning process, either immediately before or immediately after the plan is developed, with a focus on what capacity the NHRI has and needs to implement the strategic plan.

It can be done in the first months after the appointment of a set of new NHRI leaders – Commissioners or ombudsman – as part of their assessment of the organisation’s strengths and potentials as they plan their program for their term of office. It could be done as part of the development of a major donor funded project, to shape the content of the project and to ensure capacity for its full implementation.

One important consideration in determining timing for a CA is ownership of the CA report within the NHRI leadership team. It may be difficult to secure the necessary when a CA is undertaken by a set of NHRI leaders shortly before their term of office concludes, so that the report is left to new leaders to consider and, if they think fit, implement. As in any planning or review process, it is essential that those commissioning the plan or review are the ones who receive the report and consider the recommendations and take responsibility for implementing them. CAs are far better conducted early in the terms of NHRI leaders than late in their terms.

AUSTRALIAN HUMAN RIGHTS COMMISSION (AHRC), MAY 2012

The AHRC was the first NHRI in a developed country to undertake a CA. The CA process was developed by UNDP as part of its development mandate, to assist its capacity building with institutions in developing countries. It was not consciously seen as applicable or useful to institutions in developed countries, although there was no reason why it should not be. Certainly NHRIs and the APF saw the process as equally useful to NHRIs wherever they might be located. The AHRC did too and requested support in undertaking a CA. The CA was undertaken by APF with participation from OHCHR and, on an exceptional basis, UNDP. UNDP’s mandate does not extend to developed countries but its participation in this CA was funded by the APF (on a one-off basis) in view of the expertise UNDP could bring to the process. By contrast, neither UNDP nor OHCHR was involved in the CA of the New Zealand Human Rights Commission in August 2012.



3.2. THE PREPARATORY VISIT

The preparatory visit enables the CA to be explained to the NHRI’s leaders, senior managers and other staff. They must understand clearly what is involved – the process and the results – and, if the CA is to proceed, they should agree to undertake the exercise on that basis. A preparatory visit of one or two days, about two months before the actual assessment visit, is important for this. If possible the preparatory team should consist of two persons, including the person who will be leader of the CA team should the CA proceed.

3.2.1. Briefing

During the preparatory visit the preparatory team briefs the NHRI’s leaders, senior managers and other staff. It explains the objectives of the CA, the process by which it will be conducted, the time it will take and any other demands it will place on the leaders, managers and staff, and the report they will receive when it is over. It is important to explain that every NHRI leader, manager and all staff will need to make time to meet with the CA team and to fill out the questionnaire but that this is not overly onerous – about 90 minutes for a focus group discussion (two hours if the discussion group has to be conducted with interpretation) and 30 to 60 minutes to complete the CA questionnaire. It is also useful to provide perspectives from NHRIs that have previously undertaken an assessment as to the time required and the ensuing benefits from this investment. The briefing is an opportunity to clarify objectives and process, answer questions and resolve doubts and anxieties.

The important message is that the actual CA is a process undertaken by the NHRI as a whole, for the NHRI, and that it is intended to be of direct and immediate benefit. The briefing should be accompanied by a PowerPoint presentation, a draft of which is attached (Appendix 2).

NHRI leaders should be briefed before staff. It is important to ensure that there are no surprises for them when the CA takes place. They should be familiar with the subject matter of the discussion groups, how key issues will be identified, the nature of the assessment questionnaire and the kinds and number of external stakeholders the CA team would need to meet. They should be briefed on what is expected of them: their full cooperation with the process, the involvement of all staff in discussion groups and completing the questionnaire, the release of the final report to all staff and the serious consideration of the report's proposed strategies and actions to build capacity. They should be assured of their ownership of the final report and the fact that the NHRI decides who outside the organisation will receive it. They should be aware that the CA can produce surprising and even unwelcome results as it provides a vehicle by which the various views of all NHRI leaders and staff are articulated and presented. It should be stressed that the NHRI alone will decide what response to make to the final report but that the leaders should be committed to giving its proposed strategies and actions full and careful consideration. NHRI leaders should understand, however, that one of their responsibilities will be making a formal response to the report and then reporting annually on the implementation of accepted strategies and actions.

The briefing with the NHRI leaders should also canvass possible dates for the CA visit. If the NHRI decides to proceed with the CA, dates should be set provisionally with the preliminary team, subject to later confirmation by the NHRI and the organisations supporting the CA.

3.2.2. The Memorandum of Understanding

During the preparatory visit, on the basis of the briefing and full understanding of what a CA entails, the NHRI should decide whether to proceed with the CA and, if so, it should provide its formal agreement. The preparatory team will provide the NHRI with a draft Memorandum of Understanding (MOU) between the NHRI and the APF, setting out the responsibilities of the NHRI, the organisations assisting the CA and the CA team. The MOU will be agreed between the NHRI and the APF. The preparatory team discusses the draft MOU with the NHRI's leaders and the final document is agreed between them. It can be signed by the NHRI's head on behalf of the NHRI during the preparatory visit or soon afterwards. It will be signed subsequently by the APF director. A model MOU is attached (Appendix 3).

3.2.3. Preparations

Once the NHRI formally agrees to the CA, the preparatory team can start work on preparing for the assessment visit. The NHRI appoints a senior person to be Liaison Officer for the CA team. The Liaison Officer works with the preparatory team during the remainder of the preparatory visit. In particular the preparatory team explains to the Liaison Officer how the CA will proceed and what requirements the CA team will have during the assessment visit.

The Liaison Officer and the preparatory team identify key background documents that the CA team should read and analyse before the assessment visit. Background documents will usually include the NHRI's legal framework, its Standard Operating Procedures and internal rules and regulations, recent annual reports, the current strategic plan, annual work plans, documents on the structure of the NHRI and relevant reports. They can also include external documents, from government ministries and agencies, local NGOs and CSOs, INGOs, academic researchers, APF, UNDP, OHCHR and other national, regional and international actors. A list of documents likely to be included is attached (Appendix 4).

Together the Liaison Officer and the preparatory team also identify outside stakeholders to be interviewed during the assessment visit. They should be people with existing knowledge and experience of the NHRI and its work. They should be drawn from a broad range of interest areas to ensure different perspectives, for example, government, NGOs, international organisations, the judiciary and legal profession, academic centres and the media.

These interviews are not external evaluations of NHRI performance. Rather, they serve as confirmation (or contradiction) of internal perceptions in order to validate or challenge what those inside the NHRI think. The external stakeholders to be interviewed are not selected to be representative of NHRI partners or priority areas but simply to provide informed external perspectives on potentially subjective views within the NHRI. For that reason it is not necessary or desirable to try to interview every stakeholder who might have something to say. On the contrary, the number to be interviewed should be strictly limited, usually no more than eight interviews of about an hour each.

The Liaison Officer and the preparatory team need to discuss the logistics for the assessment visit, as all staff will be given the opportunity to participate. This may require the CA team to travel to regional centres and some staff to travel to meet the team. The preparatory team and the Liaison Officer develop a draft program for the assessment visit. The assessment visit is always tightly scheduled and so the Liaison Officer will need to make arrangements for the program well in advance of the visit. A model program is attached (Appendix 5).

One of the most important issues to be addressed as part of the preparations is whether interpretation and translation will be required during the CA team's assessment visit. The working language of the CA team will be English. Some or all of the NHRI's leaders and staff may be fluent in English or at least be able to communicate adequately in English but others may not be able to do so. The preparatory team and the Liaison Officer should discuss whether interpretation of focus group discussions will be necessary, and if so in how many of the groups, and whether it will be necessary to have the questionnaire translated into the local language and the responses into English. In some countries interpretation and translation into more than one language may be necessary. If interpretation and translation are necessary, the CA team and the liaison officer discuss how they will be arranged, including the identification and engagement of interpreters and translators and budgetary implications.



Woman from Sri Lanka. Photo by Brett Davies, reproduced under a CC BY-NC-SA 2.0 license.

3.2.4. The UN Country Team

During the preparatory visit the preparatory team also makes contact, where relevant and appropriate, with the local UN Country Team (UNCT), generally UNDP and any local office of OHCHR, usually through the UNDP Resident Representative. The team should meet with relevant officials in the UNCT and brief them about the CA project, the schedule for the assessment visit and any assistance the CA team might require from the UNCT. Sometimes the UNCT will take a keen interest in the CA and seek to be involved at a number of key points, including in some meetings with the NHRI's leaders. The CA team should encourage this interest as the UNCT can play important parts in assisting the NHRI in the implementation of the CA report. However, the team will need to make sensitive judgments about the appropriateness of UNCT officials participating in meetings.

3.3. BETWEEN THE PREPARATORY VISIT AND THE ASSESSMENT VISIT

3.3.1. Finalising the Memorandum of Understanding

The MOU between the NHRI and the APF, setting out the responsibilities of the NHRI, the organisations assisting the CA and the CA team, should be concluded as soon as possible after the preparatory visit. It should also set out the dates on which the CA will be undertaken. Usually the MOU will be agreed and signed by the head of the NHRI on behalf of the NHRI during the preparatory visit. The preparatory team then presents the agreed document to the APF director for signature. If necessary, however, the NHRI's head will sign the MOU as soon as possible after the preparatory visit and forward it to the APF director for signature.

3.3.2. The capacity assessment team

Once agreement has been reached that the CA will proceed, the members of the CA team are appointed by and drawn from the sponsoring organisations. In the Asia Pacific region, all CAs of NHRIs to date have been undertaken by APF, UNDP and OHCHR and this has proved to be very effective. UNDP and OHCHR may continue to join APF in this in the future. Each organisation that supports a specific CA appoints a member to that CA team. In addition a senior officer of an NHRI that has already undertaken a CA joins the team, providing valuable experience from both the perspective of an NHRI staff member and as a subject of a CA. Each team member's costs are met by the organisation that appoints her or him and the APF usually meets the costs of the NHRI officer on the team or arranges for those costs to be met.

A CA team of four or five members is usually adequate for most CAs. A team larger than that is likely to become unwieldy to manage and can be perceived as overpowering by the NHRI being assessed. CAs of very large NHRIs, however, may require a slightly larger team because of the need for members of the CA team to work in two or three groups simultaneously to enable them to meet all the staff.

Each member of the CA team should have expertise that is relevant to the CA, either in the nature and work of NHRIs or in the CA process itself. Each member should understand the responsibilities of members of the CA team. A statement of the qualifications required of CA team members and of the responsibilities of CA team members is attached (Appendix 6).

Experience with some CAs to date has shown the difficulties that arise when a member of the CA team is based in the country of the NHRI undertaking the CA. Someone with an existing and continuing professional relationship with the NHRI may find that relationship complicated due to participation in the CA where staff are encouraged to speak openly and confidentially and where the CA report could contain material that the NHRI will find difficult to accept. In addition the NHRI may feel that an in-country team member comes to the CA with pre-conceptions. Possible complications are avoided when all team members come to the task without close existing or continuing relationships in-country with the NHRI.

NHRIs face common challenges in implementing their mandates. While the local circumstances, legal and political environment may differ from country to country, we all face dilemmas about how to best engage with the community on a truly national basis, to reach the most vulnerable and marginalised, to build popular support for better human rights protections and to make a positive difference on politically contentious and divisive issues. And all this with limited resources! Participating as a team member in the CA process was a valuable experience that has meant I have brought new ideas and approaches back from a fellow NHRI to positively impact on our work at the AHRC, while also being able to reciprocate by sharing some of our successes. The process has further strengthened the relationship between our two institutions.

DARREN DICK

Director of Programs, Australian Human Rights Commission
Team member for the New Zealand Human Rights Commission CA 2012



Overall, the CA process itself was a useful exercise in polishing relations with a number of NHRI stakeholders including government and non-government organizations. Involving a representative of an NHRI that underwent CA was useful in exchange of information and experience between NHRIs.

ZOLJARGAL GANTUMUR

Executive Director
National Human Rights Commission of Mongolia

The members of the CA team should be consistent throughout the CA process. Experience with some CAs to date has shown that having members come and go wastes time and makes it difficult to develop consensual approaches and the best strategies and actions. Continuity is ensured when the team members commit to the dates for each step of the process upon their appointment and then, with NHRI confirmation, adhere strictly to those dates. Of course an emergency may arise that necessitates a team member leaving the CA team before the CA assessment visit has been completed. In those circumstances the member should discuss the situation with the team leader, including her or his contribution to the drafting of the CA report, before leaving the team.

3.3.3. Preparations

The Liaison Officer should collect the documents identified in the preparatory visit and provide them to the CA team electronically as soon as possible after the preparatory visit. The assessment visit is intensive, with long hours and little time outside meetings, and so the CA team reads and analyses the documents before the visit as part of its preparation for the visit. The documents provide a basic understanding of the NHRI's mandate, legal framework and authority, and give a sense of the technical and functional capacities the NHRI needs to operate effectively. Team members can make provisional lists of possible core issues to be addressed during the assessment visit based on these documents. (A list of the background documents that should be collected and reviewed can be found at Appendix 4.)

The schedule for the assessment visit should be finalised and confirmed between the Liaison Officer and the CA team leader before the assessment visit. The Liaison Officer takes responsibility for the in-country logistics of the assessment visit, including arranging the schedule of discussion groups with NHRI leaders, managers and staff and the appointments for interviews with the identified external stakeholders (where necessary, with the assistance of the UNDP Country Office). The Liaison Officer should also arrange and confirm in-country accommodation for the team members and internal flights if required to enable the team to participate in discussion groups with all staff.

3.4. THE ASSESSMENT VISIT

The assessment visit is very intensive. It is the focal period of the whole CA. Good preparation can reduce the pressure during the assessment period but the team should expect a very intensive schedule. Typically the assessment visit is conducted over two weeks but in a very large NHRI it may extend to three weeks. During the assessment visit the CA team

- participates in focus group discussions with NHRI leaders, senior managers and other staff, beginning from day one and taking three or four days in a small NHRI and up to ten days in a large NHRI
- participates in a focus group discussion with female staff, where relevant and appropriate, to ensure that internal and external gender issues and perspectives are identified
- conducts interviews with individual NHRI leaders and staff where requested and possible
- conducts interviews with external stakeholders, after the internal groups discussions have been completed
- identifies the core capacity issues that have arisen in the discussion groups
- prepares the questionnaire, for the NHRI leaders and staff to complete, to provide quantitative ratings and qualitative comments on core capacity issues
- collects and analyses the qualitative findings from the discussions and the quantitative data and qualitative comments from the questionnaires to identify capacity needs and gaps
- develops strategies and actions to address the identified capacity gaps
- prepares the first 'rough draft' of the report and presents it to the NHRI leaders and senior managers.

Each of these steps is discussed in further detail here.



Indigenous Australian. Photo by Rusty Stewart, reproduced under a CC BY-NC-ND 2.0 license.

3.4.1. Focus group discussions

The assessment visit begins with the focus group discussions. These discussions seek to identify core capacity issues for the NHRI, required capacities and possible strategies and actions to address capacity gaps. The discussions provide qualitative data for the CA.

All discussion groups proceed on the basis of respect, trust and confidentiality. This should be emphasised when introducing the process to NHRI leaders and staff. The substance of all the discussions is analysed and discussed in the report but the report does not assign specific views to any specific group. The CA team does not report any individual's views or any specific group's views and it does not provide any identifying information about individuals or groups.

The leaders, senior managers and all other staff have the opportunity to participate in these groups to provide their perspectives on the current capacities and capacity needs of the NHRI. The groups are asked to address three questions:

- what does the NHRI do well?
- what does the NHRI need to do better to be more effective in undertaking its mandate?
- what strategies and actions can be taken to build the required additional capacity?

The CA team meets first with the NHRI's leaders – the commissioners or the ombudsman/ombudsperson/ombud. The team reminds them of the purpose, process, anticipated results and schedule of the assessment. The discussion then moves onto the three questions that all groups address. After the leaders' group, the team meets senior managers. The chief executive officer can participate either with the leaders or with the senior managers, depending on the wishes and preferences of the particular leaders and chief executive officer. The options can be discussed with the CA team.

After these senior level meetings with leaders and managers the team begins discussions with groups of staff. The composition of the groups varies according to the situation of the particular NHRI. They may be organised according to the NHRI's departments or sections or according to different categories of staff. They may also be organised according to the preferences of individual staff members, by giving staff the opportunity to nominate the group in which they participate. In this way staff will be with others with whom they feel able to speak freely. Certainly a group should not contain both a manager and staff reporting to that person.

Logistics will normally require that staff from regional offices meet together separately from staff from the central office. It may also be desirable to hold an additional women's discussion group to provide a safe environment in which women staff can discuss issues specifically from their perspectives, including in relation to the NHRI's internal functioning and the implementation of its mandate. In this case female staff should still participate in the general discussion group appropriate to their department or section or function and in addition in the women's discussion group.

There should be around 12 people in each discussion group but certainly no more than 15. Where required, the discussions should be interpreted to ensure that participants and team members all understand what is being said and all are free to speak and say what they wish.

The CA process is participatory and inclusive. All staff of the NHRI should have the opportunity to participate in the group discussions and ideally all should do so. This is necessary for the CA to achieve its principal objective, to provide a comprehensive picture of the capacity needs of the NHRI from all perspectives. Every staff person has personal experiences and perspectives that are important to the CA. Different departments and different categories and levels of position may have different capacity needs. It is important to understand the issues both horizontally and vertically. It is not always possible, for practical reasons, to ensure the participation of everyone. For example, some staff may be ill or on leave or required to attend to an urgent human rights crisis. However, all CAs of NHRIs conducted to date have ensured that all staff members are invited to participate and that arrangements are made to ensure that the team hears the views of every staff member who wants to express them, including by making special provision for those not physically present in the office when the groups meet for the discussions.

Each discussion will take about 90 minutes or about two hours if interpretation is required.

THE AFGHANISTAN INDEPENDENT HUMAN RIGHTS COMMISSION (AIHRC), MAY – JULY 2011

One of the most important elements of the CAP's approach to CAs has been the interaction with all staff members of the institution regardless of level, number of years spent in the institution and function. The first four NHRIs undertaking a CA each had fewer than 150 staff. The AIHRC, on the other hand, had over 600 staff and 14 Regional and Provincial Offices. This presented particular challenges for the CA process. The length of the assessment visit had to be extended to four weeks and the CA team had to be enlarged. Because of the security situation, it was necessary to gather staff in two locations, Kabul and Bamyan, for the CA team to meet them. The team had to split into two, with each sub-team participating in group discussions separately from the other. It was critical to ensure full exchange between the two sub-teams so that nothing was lost or missed from the discussion groups. The CA team consulted over 450 staff members.

The experience in Afghanistan was also unique as it was the first case in which the overall security of the Commission and staff members emerged as a major priority issue. Similar to the previous NHRIs, the assessment also highlighted the dedication of staff and leadership to promote and protect human rights in the country. A staff member from the Jordan National Centre for Human Rights participated in the capacity assessment of the AIHRC.



The reflections and insights that we derived in the course of the capacity assessment come from honest, committed and well-motivated personnel of the NHRC. These showed that they are more than willing to take giant strides to pursue effective and efficient promotion and protection of human rights. My experience as member of the capacity assessment team firmed up my resolve to make more meaningful the responsibilities reposed to me. Just like in the case of the NHRC of Nepal, the Commission on Human Rights of the Philippines faces greater challenges because of the capacity assessment process conducted last year. The national human rights institutions are 'newbies' in the field of public service, hence the staff are still the first and originally inducted batch of service providers. Thus, the capacity assessment that stems from these staff is core to an indispensable process among NHRIs to ensure that they continue to work as one for the universality, interdependence and inter-relatedness of human rights of the entire sphere of humanity.

HOMERO RUSIANA

**Director for Field Operations, the Philippines Commission on Human Rights
Team member for the National Human Rights Commission of Nepal CA 2013**



3.4.2. Interviews with external stakeholders and partners

The interviews with the external stakeholders ask the same three questions. As noted above, the purpose of the external stakeholder interviews is only to validate the findings from the focus group discussions with the NHRI leaders and staff and from the documentation previously provided to the CA team. It is not to obtain a performance evaluation of the NHRI.

3.4.3. Defining the core capacity issues

Following the completion of the focus group discussions, the NHRI's core capacity issues are identified. These issues will be the basis of the questionnaires that provide the quantitative component of the CA process, in addition to providing another opportunity for individual qualitative comments. The CA team prepares a list of the most significant capacity issues to emerge from the discussions and finalises the list collectively, in consultation with the NHRI's Liaison Officer.

The issues identified for the questionnaires should be the most important issues raised in the discussions. The CA team should ensure that the number of issues is strictly limited so that the task of completing the questionnaire is not excessively onerous or time-consuming. Limiting the number of issues also makes analysis of the data more manageable and, where translation is required, it makes that task less difficult. Every issue is the subject of a separate page in the questionnaire and so the number of pages reflects the number of issues. Generally the CA team will identify about 10 to 12 critical capacity issues but the number should never exceed 15. The quantitative information provided by the questionnaires is very important to the CA process and so the team should do everything possible to assist the NHRI leaders and staff to complete the questionnaires by making them as clear and concise as possible and limiting the scope to the most critical capacity issues.

The UNDP CD framework has identified and classified core development issues, technical capacities and functional capacities. These can assist the CA team in identifying the particular NHRI's core capacity issues, acting as a kind of check list for analysis of the contents of the discussions. Under the UNDP framework core development issues and capacities are organised into five areas, adapted to NHRIs:

1. **Internal policy and procedure formulation:** the institutional ability to develop and implement internal policies, procedures and processes to carry out the NHRI's functions and mandate effectively. This includes the existence of a clear mission and strategy, clear business processes, effective staff management, and good use of information and communications technology. This is considered in relation to the NHRI's human, financial and physical resources.
2. **Leadership:** the abilities of the NHRI's leaders (commissioners or ombudsman and senior to middle management) to
 - ensure the independence of the NHRI
 - foster plural representation within NHRI staff
 - strengthen relationships with external stakeholders
 - develop, communicate and guide the NHRI's vision, mission and values, based on the universal standards of human rights
 - create an environment that motivates and supports right holders, including NHRI staff.
3. **Knowledge:** the capacity to put in place and operationalise a long-term staff development strategy aimed at strengthening the individual skills and general understanding of NHRI staff to carry out their mandate effectively and improve their overall functioning. This includes internal standard operating procedures and structures, as well as the national and international human rights framework.
4. **Accountability:** the institutional ability to ensure accountability both of individuals and of the NHRI as a whole in carrying out the mandate of the NHRI in preventing human rights violations and enforcing human rights laws. These capacities include abilities to

- strengthen the national integrity of the NHRI
- increase public participation and build coalitions
- increase access to and use of information
- regularly monitor and evaluate internal projects and programs.

5. **Technical and functional capacities:** the particular individual skill sets of NHRI leaders and staff, including the institutional and individual capacity to perform necessary functions and actions. A capacity to perform a necessary function or action may require a number of skills. Technical capacities will include sufficient background knowledge and a deep understanding of the issues, and functional capacities will include the ability to undertake the specific responsibilities of the individual person's position. Some typical technical and functional capacities required in an NHRI are the capacities to

- assess a situation and define vision and mandate
- formulate policies and strategies
- investigate, handle and manage complaints of human rights violation
- conduct human rights analysis
- inquire into systemic human rights issues
- advocate and provide authoritative human rights advice and guidance, including on the compliance of existing and new laws and of policies and practices with international human rights obligations
- raise human rights awareness raising and promote human rights education
- engage with stakeholders
- monitor, evaluate and report.

The core capacity issues will differ from NHRI to NHRI and so each issue for a particular NHRI will need to be developed and drafted according to the way in which that issue is framed in the discussion groups in that NHRI's CA. Some examples of core capacity issues are provided in Appendix 7 to assist CA teams to identify and formulate these issues.



Children from Gaza. Photo by Omar Chatrivala, reproduced under a CC BY-NC-ND 2.0 license.

NHRIs AND GENDER EQUALITY

NHRIs are essential to ensuring protection of the human rights of women and girls and building an environment for gender equality. The NHRI must reflect this both in its external work and in its internal policies.

Integrating gender elements into the CA process helps the NHRI to translate and instil key gender concepts into its mandate, functions and programs. It provides important opportunities to identify and implement long term strategies to strengthen the way gender issues are approached within the institution. This includes understanding the gender dimensions of all human rights, monitoring the State's implementation of CEDAW and all other human rights treaties and accepted UPR recommendations, and handling complaints by women and concerning women, especially as regards sexual and gender based violence. It also includes working towards an appropriate gender balance among staff at all levels, providing learning opportunities for staff on basic gender concepts, understanding and acting upon the needs of female staff as they carry out their human rights protection and promotion work, and developing technical capacities to conduct gender responsive budgeting. To improve its mandate to protect and promote the human rights of women and girls, the NHRI also requires technical capacities to collect sex disaggregated data.



Guide statements from the UNDP *Capacity Assessment Framework for Gender Mainstreaming* have been incorporated into the CA process for NHRIs to ensure that women's empowerment and gender equality, both within the NHRI and in wider human rights work, are visible and prioritised. The focus on training in the CA process can also encourage NHRIs to take up APF opportunities for training and learning on gender equality and the rights of women and girls, including use of the APF manual for NHRIs: *Promoting and Protecting the Human Rights of Women and Girls*.

The manual is available at www.asiapacificforum.net/support/resources/issues/womens-rights/downloads/resources/promoting-and-protecting-the-rights-of-women-and-girls-a-manual-for-national-human-rights-institutions-apf-2014.

3.4.4. The capacity assessment questionnaire

The CA questionnaire contributes further to the qualitative component of the CA and provides the quantitative component. One page of the questionnaire is prepared for each core capacity issue identified for the NHRI. For each issue respondents are asked to provide

- a rating between zero and five for the current capacity of the NHRI on that issue
- evidence to support that current rating of the NHRI's capacity
- another rating between zero and five for the capacity on that issue that the NHRI must have in five years' time if it is to do its work effectively
- recommendations for action to increase the capacity on that issue from the current capacity to the required capacity.

The two ratings are the quantitative part of the questionnaire. They enable calculation of the perceived current capacity on each capacity issue, aggregated over the NHRI as a whole and also disaggregated on the basis of a specific functional or other characteristic, such as gender, ethnicity, religion, length of service, position and so on.

The opportunities to provide evidence for ratings and to recommend actions to increase capacity are the qualitative parts of the questionnaire. These comments assist respondents to determine their ratings. They also enable respondents to express their views further, after reflection following the discussion groups, and to make comments that they may have felt unable to make in the groups.

It was a very detailed set of worksheets which made us think about our strengths, our potential and where we can do better. The worksheets also made staff feel like their voice is important.

SAMAR TARAWNEH

Officer, National Centre for Human Rights, Jordan

Team member for the National Human Rights Commission of Thailand CA 2011



A model questionnaire, including instructions for its completion, can be found in Appendix 8.

All NHRI leaders and staff are asked to complete a questionnaire. The validity of the results depends on the responses being as universal as possible. The questionnaires are individual, that is, they are completed by each individual personally and reflect that individual's own views. They are also anonymous. Respondents are asked not to indicate their names or provide any identifying information. The content of individual questionnaires is confidential – only the aggregated results are provided in the CA report. After the completed questionnaires are analysed they are not given to the NHRI but are retained and then destroyed by the CA team itself.

NHRI leaders and staff are given an opportunity to be briefed on the questionnaire, including how to complete it, at a meeting. One or two members of the CA team introduce the questionnaire, explain how the issues have been identified, provide guidance on how to complete it and answer any questions. They stress that the questionnaires are individual, anonymous and confidential. They make sure that everyone understands what has to be done before completing the questionnaires.

The questionnaire can be completed in hardcopy form or, where possible, electronically or even online, using an online survey site. Online completion reduces the workload and time in processing results and providing the analysis but it may not be reasonably possible in many countries or in many NHRIs.

The questionnaire can also be filled out in English and the local language for those with insufficient English. Completing the questionnaire in English assists the team to analyse the responses quickly and easily.

The completion of the questionnaire generally takes 30 to 60 minutes.

NEW ZEALAND HUMAN RIGHTS COMMISSION (NZHRC), AUGUST 2012

The CA of the NZHRC was the first in which the questionnaire could be completed online, using the Survey Monkey site. The collation of the results of the questionnaire had proved to be the most time consuming aspect of the CA process. It was especially difficult in larger NHRIs, such as the NHRIs of Afghanistan and the Philippines, each with over 600 staff. The NZHRC was a good NHRI to trial the online approach. It is a relatively small NHRI, it is located in a country with good internet services and English is the common language. The trial went well. The Survey Monkey program collated all the results and even permitted aggregation and disaggregation of data across many categories. Just as importantly, NZHRC staff found that they were able to complete their questionnaires more quickly and more easily than would have been the case if they had been completing hard copy questionnaires.



NATIONAL HUMAN RIGHTS COMMISSION OF NEPAL (NHRCN), JULY 2013

Online completion, again using Survey Monkey, was made available to staff in the NHRCN CA in July 2013, alongside hard copy questionnaires. Staff with good internet access and familiar in using the internet completed the questionnaires online and other staff completed the hard copy version. Here, in both cases, the questionnaires had to be available in both English and Nepali. That was challenging for the online version but the team overcame the difficulty by including both English and Nepali in the one online questionnaire. Leaving the choice of completion mode to the individual respondent enabled each person to decide which format was more convenient. The team still found it quicker and easier to collate the data. So again there was benefit for everyone.



NHRI leaders and staff completing the questionnaire are asked to provide, for each capacity issue, a rating between zero and five for the current capacity of the NHRI on that issue and another rating between zero and five for the capacity on that issue that the NHRI must have in five years' time if it is to do its work effectively. This allows for comparison in the data analysis. Respondents should be encouraged to rate using only whole numbers. The ratings are:

0. no capacity
1. very low capacity
2. only basic or low level capacity
3. medium partially developed capacity
4. well developed level of capacity
5. fully developed relevant capacity.

Take the example of “capacity to implement strategic and activity plans” as a core capacity issue. The rating scale for this issue would be:

Rating	Capacity level	Capacity on core issue
0	no capacity	unable to implement plans
1	very low capacity	implementation of only a few items in the plans
2	only basic or low level capacity	irregular to basic implementation of plans
3	medium partially developed capacity	partial implementation of plans
4	well developed level of capacity	full implementation of plans
5	fully developed relevant capacity	full implementation of plans with active monitoring and evaluation after implementation

If there is time in preparing the questionnaires the CA team might provide indicators specific to the particular issue for each of the ratings of capacity. So, for example, the indicators for “capacity to implement strategic and activity plans” would be those in the table above. Another example is “capacity of NHRI leaders to provide vision and direction for the NHRI” where the specific indicators for each of the ratings of capacity could be:

Rating	Capacity level	Capacity on core issue
0	no capacity	leadership has not played a role in the development, articulation, implementation, and monitoring and evaluation of the NHRI's mandate, functions, strategic plans, programs, policies and projects
1	very low capacity	leadership has reviewed the NHRI's strategic plans, programs, policies and projects
2	only basic or low level capacity	leadership has made some limited contribution to the development, articulation, implementation, and monitoring and evaluation of the NHRI's strategic plans, programs, policies and projects
3	medium partially developed capacity	leadership has made a significant contribution to the development, articulation, implementation, and monitoring and evaluation of the NHRI's strategic plans, programs, policies and projects
4	well developed level of capacity	leadership has made substantial contribution to the development, articulation, implementation, and monitoring and evaluation of the NHRI's strategic plans, programs, policies and projects
5	fully developed relevant capacity	leadership has lead and taken full responsibility for the development, articulation, implementation, and monitoring and evaluation of the NHRI's strategic plans, programs, policies and projects, providing technical expertise to the process

In completing the questionnaire, respondents are asked to provide evidence in support of the ratings they give for current capacity. This evidence assists respondents to base their ratings on objective facts rather than subjective perceptions. It also assists the CA team to understand the ratings given by the respondents and to compare the ratings with the analysis of what was discussed during the focus group discussions, interviews and review of background information.

Where necessary, questionnaires must be translated into the local language to be completed and then the qualitative responses must be translated into English so that the CA team can understand them. Obviously this will have time and cost implications. Whatever language is used, it is important to keep the questionnaire simple and free of jargon.

3.4.5. Analysing the data

The analysis of the data, both qualitative and quantitative, is the critical part of preparation of the CA report. It reflects back to the NHRI leaders and staff the full range of their understandings of the current level of function and effectiveness in the NHRI and their views on what the organisation realistically can and should do to improve over the following five years. In many NHRIs, perhaps most, there is no organisational consensus on weaknesses and challenges faced. As a result there is no organisational commitment to specific strategies and actions for capacity development. The CA report provides this through its intensive data analysis that enables a common understanding by everyone at the NHRI.

Once collected, the qualitative data from the focus group discussions and the questionnaires and the quantitative data from the questionnaires are analysed and crosschecked. Analysis of the qualitative data begins immediately after the focus groups discussions have been completed and forms the basis for refinement of the issues and preparation of the questionnaire.

This process allows the CA team to

- identify the core capacity issues raised in the discussions
- distinguish between capacity issues common across the NHRI and those that are particular to any group, section, category or level of position
- develop proposals to address the challenges.

The CA team can begin the task of writing the qualitative analysis in draft form while the questionnaires are being completed by the leaders and staff.

The quantitative data are the ratings of current and required future capacity given by respondents to the questionnaires for each core capacity issue. Calculating the average ratings for each issue reveals the average rating of current capacity and the average rating of required future capacity for that issue. It shows where the NHRI is strongest and where it is weakest according to the perspectives of the leaders and staff. The difference between the current capacity and the required future capacity is the capacity gap, that is, the additional capacity the leaders and staff consider is required for the NHRI to function effectively and efficiently. CD strategies and actions are needed, particularly where the capacity gap is large, to help the NHRI reach the required future capacity in the timeframe identified.

The data can also reveal ways to help the NHRI prioritise its CD needs: issues in which the capacity gap between 'current' and 'required' is greatest can be the issues where the NHRI chooses to focus first and most intensively. Alternatively, smaller gaps can be identified as potential 'quick wins' for the NHRI.

I found the quantitative data useful in initiating discussions with the executive and all the staff about the different perspectives on the Commission's capacity and performance. It led to productive exchange and increased understanding among staff.

RANDA SINIORA

**Executive Director, Palestine Independent Commission on Human Rights
Team member for the Mongolian National Human Rights Commission CA 2011**



Where the questionnaire is completed online the data can be analysed automatically through the internet program used. Where it is completed in hardcopy form or electronically and submitted by email, then the data will need to be collated through a program such as Excel to enable easy analysis. In any case, the responses to the questionnaire should be able to be analysed, as required and relevant,

for each core capacity issue, comparing the ratings for current and future required capacity and showing the capacity gap, that is, the difference between the two ratings

- by individual, anonymously as the questionnaires contain no identifying information
- by group, for example, by gender, ethnicity, NHRI section or unit, office location, type of position (manager or policy or administration)
- for the NHRI as a whole.

This kind of analysis enables differences of perspective to be identified and understood and highlights specific challenges and priority capacity areas based on the NHRI's organisational structure.

The CA team needs to consider the most appropriate and relevant way to present the results of the data analysis. It will want to provide the NHRI with the best analysis in the most meaningful way. Inevitably the analysis will require narrative discussion, in the text of the CA report. In addition, it should be presented in tables or graphs that draw out the key results, including the key differences in the perspectives of the respondents.

In smaller NHRI the results will usually be presented for the NHRI as a whole. Disaggregating the responses into groups within the NHRI will usually be of limited use as the numbers are so small. It may also risk compromising the anonymity of the responses as, in small NHRIs, staff members are more readily identifiable, even when providing information anonymously. Table 1 is an example of how institution-wide data can be presented in the CA report.

Table 1

Issue	1			2			3			4		
	Current	Future	Gap	Current	Future	Gap	Current	Future	Gap	Current	Future	Gap
OVERALL	3.04	4.03	0.99	2.77	4.02	1.25	2.70	4.03	1.33	3.07	4.16	1.09

Here, the table presents the NHRI-wide averages and indicates the capacity gap for each issue. The respondents have indicated that issue 4 has the highest current capacity and issue 3 the lowest and that those issues also have the highest required future capacities. When the capacity gaps are determined, however, the largest capacity gaps are for issues 2 and 3 and so priority in capacity development would be given to those issues.

In larger NHRIs there is certainly value in disaggregating the results so that the range of perspectives across the institution is apparent and significant differences of perspective brought to light. Larger NHRIs tend to have many different sections and units and often both central and regional offices. There may also be differences of view among staff defined by gender or ethnicity or some other variable. The CA team tests the results by examining them according to these variables. It will analyse the data by a number of potentially key variables to see where the differences are significant and then draw attention to those areas in the report. Table 2 is an example of how the data can be presented to provide both the institution-wide picture and the different perspectives of different groups within the institution – according to ethnicity, office location, position and function.

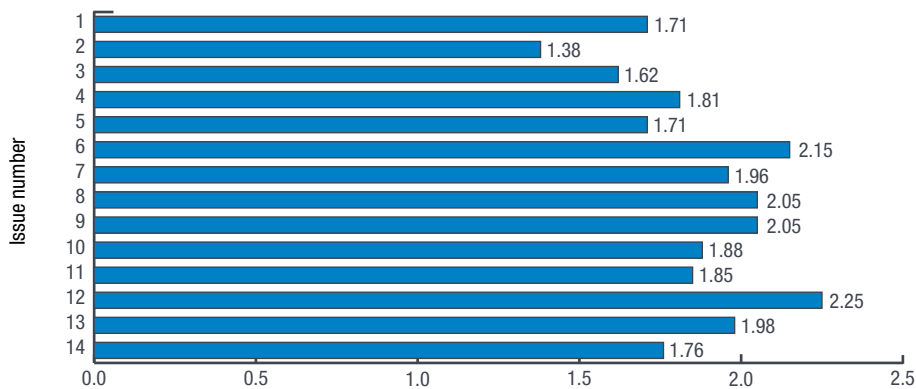
Table 2

Issue	1			2			3			4		
	Current	Future	Gap	Current	Future	Gap	Current	Future	Gap	Current	Future	Gap
OVERALL	3.042	4.03	0.988	2.971	4.156	1.185	2.6	4.05	1.45	3.071	4.169	1.098
Ethnic minority	3.125	3.786	0.661	3.000	4.214	1.214	2.875	4.071	1.196	3.000	4.154	1.154
All others	3.019	3.956	0.937	2.963	4.140	1.177	2.519	4.038	1.520	3.093	4.157	1.064
Central office	3.000	4.029	1.029	3.056	4.219	1.163	2.639	4.152	1.513	3.278	4.294	1.016
East region	3.571	4.143	0.571	2.857	3.857	1.000	2.429	4.143	1.714	2.714	3.857	1.143
West region	2.963	3.611	0.648	2.889	4.160	1.271	2.593	3.960	1.367	2.889	4.083	1.194
Commissioners	3.286	3.895	0.609	3.238	3.882	0.644	2.905	3.684	0.779	3.190	4.100	0.910
Policy staff	2.973	4.143	1.170	2.838	4.086	1.248	2.432	4.086	1.653	3.000	4.088	1.088
Admin staff	2.625	3.750	1.125	2.875	4.500	1.625	2.625	4.500	1.875	3.250	4.625	1.375
Support staff	3.250	4.250	1.000	3.000	4.500	1.500	2.500	4.500	2.000	2.750	4.333	1.583
Complaints	2.667	4.100	1.433	2.833	3.667	0.833	2.417	3.909	1.492	2.917	4.000	1.083
Policy	3.231	3.923	0.692	3.077	3.917	0.840	2.615	3.750	1.135	2.769	4.154	1.385
Legal	3.400	4.214	0.814	3.267	4.286	1.019	2.733	4.071	1.338	3.467	4.286	0.819
Monitoring	2.824	4.000	1.176	2.588	4.353	1.765	2.353	4.176	1.824	2.824	4.125	1.301
Admin & finance	2.400	3.000	0.600	2.800	4.000	1.200	2.800	4.000	1.200	3.400	4.250	0.850
Education	3.750	4.500	0.750	3.750	4.500	0.750	3.500	4.250	0.750	4.000	4.250	0.250

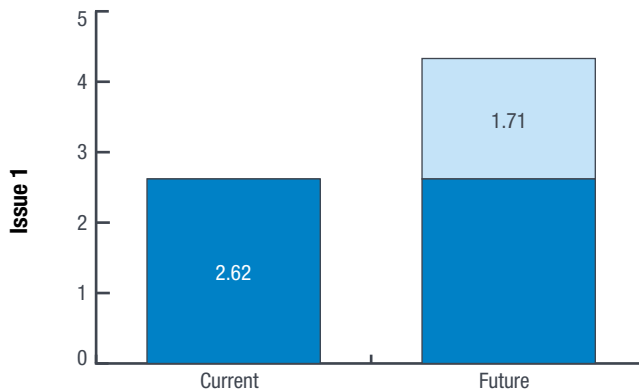
The quantitative data may also be presented in graphical form, showing either NHRI wide results or comparative results across various groups or categories in the NHRI. A graphical form allows easy comparison of

- the capacity gaps for all issues (graph 1)
- the capacity gap for each individual issue (graph 2)
- the spread of responses for current and required future capacity for each issue (graph 3).

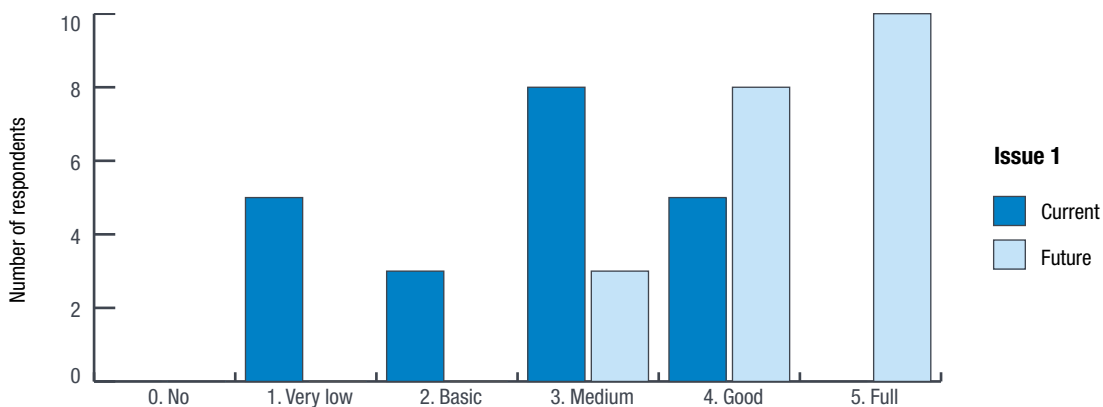
Graph 1: The capacity gaps for all issues



Graph 2: The capacity gap for each individual issue



Graph 3: The spread of responses for current and required future capacity for each issue



In each CA the team determines how much disaggregation is and what categories for disaggregation are appropriate and effective for the particular NHRI in presenting the findings from the quantitative analysis. It also determines which table or graph format is most appropriate and meaningful for the particular NHRI.

3.4.6. Developing strategies and actions in response to gaps

Throughout the CA process, the CA team seeks to identify strategies and actions to address the NHRI's capacity gaps – to build the NHRI's capacity from its current level to the level identified by the leaders and staff for the NHRI to be fully effective in five years' time. The third of the three questions in the focus group discussions asks what strategies and actions the NHRI can take to build the required additional capacity. In the questionnaires, respondents are asked, in relation to each of the core capacity issues, for their recommendations for action to increase the capacity on that issue from the current capacity to the required capacity. The CA team records these recommendations for action in relation to the most significant capacity gaps identified in the group discussions and the questionnaire results. Possible strategies and actions need to be considered in relation to both external and internal contexts of the NHRI.

Every NHRI faces different challenges specific to its social, political and economic context. Strategies for improvement require contextualisation and adaptation. The quantitative and qualitative data analysis of the CA provides sufficient understanding of an NHRI's particular context from which to identify necessary development strategies and actions. For example, an assessment may point out human resource management – specifically, staff performance and accountability – as a particular weakness leading to a number of negative consequences throughout the institution. A response action could be “the development and implementation of a fair, transparent, results based performance appraisal, with specific indicators and targets”.

In developing strategies and actions the CA team considers carefully the whole range of perspectives presented to it in the group discussions and questionnaire results. Every NHRI, large and small, will contain a diversity of perspectives, some known but many not recognised until the CA process makes them apparent. The CA team needs to record and respond to that diversity of perspectives. That may be difficult when, as is often the case, the information gathered from a variety of sources (documents, focus group discussions, external stakeholders, questionnaires and so on) provides conflicting views. The team is not responsible for resolving those conflicts but it must decide where to place priority in developing strategies and actions for capacity development.

The strategies and actions proposed should be

- relevant to the capacity issues identified as priorities
- practical and capable of being implemented
- achievable within the five year timeframe following the CA
- within the NHRI's mandate
- within the NHRI's existing resources or reasonably obtainable additional resources.

Together they should form a comprehensive approach to the capacity gaps and challenges faced by the NHRI as identified by its leaders and staff in the CA. These strategies and actions should range from short-term (six to twelve months) to long-term (up to five years), supported by a clear plan which includes high-priority, medium-term initiatives and immediate or quick-impact activities as the basis for continuous CD of the NHRI. The strategies can be the basis of further collaboration between the NHRI and other organisations, including APF, UNDP and OHCHR.

A detailed discussion of some commonly recommended strategies is provided in Chapter 4 of this report.

THE OFFICE OF THE OMBUDSMAN, SAMOA, FEBRUARY 2014

The Office of the Ombudsman of Samoa was the first Pacific Island NHRI to undertake a CA, one year after becoming the NHRI for Samoa. The CA team, led by the APF, was assisted by OHCHR, UNDP and (for the first time in a CA) the Pacific Ombudsman's Alliance. The CA was carried out at the request of the Ombudsman, who saw the value in such an exercise during the early stages of the NHRI while it was seeking to fulfil its new mandate. The CA team worked closely with the existing staff to assess where additional resources, knowledge and skills were required, making recommendations that three further staff should be sought.

The process also proved to be valuable in strengthening links with external agencies and NGOs. By seeking the views of external interested parties, the CA team gained a perspective on the expectations of the Office that helped to form the recommendations and strengthened relationships with and understanding of the Office.

The final report highlighted the strong reputation of the Office. It recommended four goals:

- 1 to ensure, within the next five years, the development of the Ombudsman's Office as a respected, credible and authoritative national human rights institution actively and effectively protecting and promoting both human rights and good governance;
- 2 to enhance staff qualifications, skills, experience and effectiveness, so that within three years the Office is able to meet fully all elements of its human rights and good governance mandates;
- 3 to extend the Office's outreach to all sections of Samoan society;
- 4 to strengthen the Office's effectiveness through improved structure, procedures and financial and human resources management.

Under each targeted goal, the CA report made specific recommendations. The Office incorporated a number of them into a Cabinet Submission requesting additional staffing and financial resources, leading to a substantially increased Office budget for the following financial year.



Students in Samoa. Photo by Kevin Hadfield/AusAID, reproduced under a CC BY 2.0 license.

3.4.7. Prepare the first draft report and present it to the NHRI

The CA team spends the last days of the assessment visit preparing the first ‘rough draft’ of the report. The first draft report contains:

1. background information on the CA, including
 - 1.1 objectives of the CA
 - 1.2 composition of the team
 - 1.3 CA methodology
 - 1.4 basic information about the NHRI
2. findings of the CA, including
 - 2.1 information from the document review
 - 2.2 information from the stakeholder interviews
 - 2.3 qualitative analysis from the focus group discussions
 - 2.4 quantitative data and analysis from the questionnaires
 - 2.5 capacity challenges and issues identified
3. strategies and actions for improving effectiveness and efficiency in fulfilling the institutional mandate.

The findings section of the report must accurately reflect the perspectives of the NHRI’s leaders, senior managers and staff expressed in the focus group discussions and the questionnaires. These perspectives will be diverse, coming as they do from people at all levels of the organisation and located in all areas. The findings will often include information that is difficult for the NHRI’s leaders to accept. That is especially so in larger NHRIs, that is, those with over 150 staff, and in NHRIs with regional offices. In these institutions staff are dispersed and the leaders will usually not have regular, day to day contact with most of them. Significant differences of perspective inevitably arise and the leaders may be unaware of the nature and extent of the differences until the CA team provides a comprehensive report of the results of the CA. The nature and extent of the differences may come as a surprise to the leaders and may be difficult for the leaders to accept. The CA team needs to prepare for this and assist the NHRI leaders to understand the varying perspectives.

The team allocates analysis and drafting among its members, with the team leader coordinating the work and acting as final editor of the text.

The ‘first rough draft’ is done quickly so that it can be discussed with the NHRI leaders and senior managers before the team finishes the assessment visit. It is inevitably ‘rough’ both in style and content. This poses inherent difficulties in that the team is providing the NHRI’s leaders with a document that the team itself considers a very provisional and very defective draft. However, in spite of the difficulties, providing the ‘first rough draft’ while the team is still in the country enables the leaders and the team to discuss the CA findings and proposed strategies and actions and the envisaged contents of the final report. The CA team should be clear about the document’s status. It should emphasise that the document provided at this stage is very ‘rough’ in style and content and requires much more work before it could be considered a proper draft.

The team provides the ‘first rough draft’ of the report to the leaders and senior managers and then the next day meets with them, either together or in separate groups (one for the leaders and the other for the senior managers) to go through the contents of the draft and discuss it. Providing the draft the day before the meeting gives the leaders and senior managers the opportunity to read it and think about it before the discussion. It enables the discussion to be more useful in allowing considered feedback to the team. However, the team does not expect that the leaders and senior managers will have had time to consider all the issues in the ‘first rough draft’ fully and to make a formal response to it. The team should seek initial individual reactions only.

The team's meeting with NHRI leaders on the final day of the assessment visit should not be rushed. If possible, at least half a day should be allocated to these discussions. The leaders should be asked to set aside half the day so that the discussion can be as full and as detailed as possible. The team introduces the 'first rough draft', presenting the analysis of the qualitative and quantitative information and explaining the strategies and actions proposed in response to the capacity gaps. If possible, it uses a PowerPoint presentation to enable the principal points to be made clearly. Leaders and senior managers are provided with opportunities to ask questions and clarify issues arising from the draft and the briefing. They are invited to make initial responses to the findings and proposals. The team should take the leaders and senior managers through the proposed strategies and actions one by one and discuss them with them. The team will want to ensure that, before it completes the assessment visit, it appreciates the likely responses from the NHRI leaders to the proposals so that it can develop them further or adjust them in response to the leaders' views.

At the final meeting the CA team also explains the process after the visit and the anticipated timetable. A timetable for this work should be agreed between the NHRI and the team.

3.5. AFTER THE ASSESSMENT VISIT

Typically the work remaining to be done after the visit and the time taken for it are

- the team develops the report from the 'first rough draft' to a 'second, more refined draft' and seeks the NHRI's formal comments on this second draft: within 14 days of the completion of the visit
- the NHRI leaders consider the 'second, more refined draft' and prepare a formal response, with comments on individual sections and on proposed strategies and actions: within 21 days of receipt of that draft
- the team receives and considers the NHRI's formal response, finalises the report and submits it formally to the NHRI: within 14 days of receiving the NHRI's comments on the 'second draft'
- the NHRI makes a formal response to the final report: within 28 days of receiving the final report.

Consideration should be given again to any need for translation. It may be necessary, or at least desirable, to translate the final report so that it is available to all staff, including administrative and support staff, and perhaps to the broader public. It may also be necessary to translate the 'second, more refined draft' so that it can be given the careful consideration it requires by the NHRI leaders and senior managers. It may also be necessary to translate the NHRI's formal response to the 'second draft', if it is not written in English. The work plan and timetable will need to take account of any translation requirements.

I am happy to note that many of the CA recommendations were taken on board by the Human Rights Commission of Sri Lanka, in preparation of our Project's annual work plan (AWP) as well as their own AWP (which included our project AWP this year). I should say that the HRCSL CA provided a good opportunity to bring out burning issues, of which some have been addressed and a few planned to be and unfortunately some very sensitive issues have not yet been addressed.

THANUJA NAVARATNE

National Project Coordinator

UNDP, UN Joint Human Rights Programme – Human Rights Commission component



Promptly after the assessment visit the CA team refines the ‘first rough draft’ report into a ‘second, more refined draft’ and forwards it formally to the NHRI’s leaders and senior managers for their consideration and comment. After receiving the comments, the team finalises the report. The team should attempt to incorporate the comments received into the final report but it cannot and must not misrepresent the views expressed by those who participated in the CA. All views should be accurately represented in the report. If a particular view in the draft report is disputed but the CA team remains satisfied that it accurately represents a perspective expressed during the CA, then the two views should be presented in the final report, the original view and the contrary view, rather than the original view simply being dismissed and deleted. When the report is finalised the CA team formally presents it to the NHRI and requests an official response, including an implementation plan, within the agreed timetable.

The NHRI is not expected to commit itself in advance to accepting and implementing whatever the CA report proposes. Indeed, were it to make an advance commitment, it would be compromising its independence because it would be delegating decision making about its work to outsiders. The NHRI must have and retain complete independence and complete control over its work, as required by the Paris Principles. The advance commitments that the NHRI makes in relation to the CA are the commitments

- to give serious and careful consideration to the report’s findings and proposals
- to make the report available in full to all staff
- to respond formally to the report, indicating which proposed strategies and actions it accepts and will implement and with what timetable, which proposed strategies and actions it does not accept and why, and including an implementation plan for accepted strategies and actions (see Appendix 9 for a template for an implementation plan)
- to report annually to the APF on the implementation of agreed strategies and actions.

These commitments are contained in the MOU between the NHRI and the APF, entered before the CA began.

The experience of facilitating the CA for SUHAKAM was a very positive experience for the UNDP Country Office ... The structured methodology and approach was also successful in focusing the vast amount of in-depth thematic experiences and knowledge that was brought to the exercise by the various team members and stakeholders.

JAMES CHACKO
Assistant Resident Representative and Head of Programmes
UNDP Malaysia



After the final report is completed, submitted and formally responded to, the CA is over but the process of CD continues.

The APF, UNDP and OHCHR retain their commitment to supporting the NHRI. They explore with the NHRI ways in which they can be of assistance in implementing the CA’s strategies and actions and building capacity, as well as by offering and providing technical assistance and monitoring implementation. UNDP APRC in particular, through regular contact with the UNDP Country Office, is often able to assist and monitor implementation and the activities of the NHRI generally. It can also assist in identifying other national, regional and international organisations that might have skills or resources to support implementation.

The NHRI retains its commitment to reporting on its implementation of the agreed strategies and actions arising from the CA. Under the MOU for the CA, it commits to reporting on implementation annually to the APF. A reporting template is in Appendix 10.

We have seen changes since the capacity assessment was conducted – our staff are also happy.

MOOMINA WAHEED
Director, Corporate Affairs Department
Human Rights Commission of the Maldives



Travelling in the Maldives. Photo by Nattu, reproduced under a CC BY 2.0 license.



Chapter 4:

From capacity challenges to strategies and actions

The findings from the CA provide the starting point for formulating a CD response for the NHRI. They lead to the proposed strategies and actions to address the core capacity issues. Generally, the core capacity issues identified in the CA are related and inter-dependent. A CD response will be more effective if it combines actions for improvement across more than one of the issues. So, one strategy or action may address several capacity issues, building on existing strengths and on additional ones over time. For example, developing and implementing a performance appraisal scheme for all staff will address capacity issues in relation to management ability, staff accountability, human resource development and the performance of general functions and specific tasks. The CD strategies and actions, therefore, should respond to the core capacity issues generally and not attempt to be a one for one match, with each capacity issue having a single exclusive response.

A CA report to an individual NHRI is confidential to that NHRI (its leaders, senior managers and staff), unless it decides to release it publicly. This manual, therefore, does not provide examples of specific strategies and actions in reports to particular NHRIs. However, it can provide examples of the kinds of strategies and actions frequently proposed so that NHRI leaders and staff can be aware of the common kinds of strategies and actions for improvement that can arise from a CA.

THE NATIONAL HUMAN RIGHTS COMMISSION OF MONGOLIA (NHRCM), AUGUST 2011

At the time of the CA in August 2011 the NHRCM was by far the smallest NHRI in the Asia Pacific region. It had three full time commissioners and 16 staff and an annual budget of USD 225,000. The next smallest NHRI in the region had almost three times the resources. Mongolia is an extremely large country with a small, very sparsely distributed population and very poor transportation. Nonetheless, in only ten years the NHRCM had become well established and well known. It was particularly effective in addressing the treatment of persons in detention, particularly the elimination of torture.

The NHRCM's greatest capacity challenge was to reach out to people across the vast expanse of Mongolia. To do this it required a very significant increase in both financial and human resources and effective strategies to be present for people across the country. The CA report also highlighted the need for increased attention to new and emerging human rights issues, such as economic and social rights in the context of the mining boom, rights of LGBT people and the NHRC's responsibilities under the *Gender Equality Act*.

The CA report and recommendations served immediately as the basis for developing a new strategic plan for the NHRCM from 2012 to 2014.

The recommendations of the CA, especially those related to insufficient funding in comparison with the staffing and funding of other NHRIs, supported the NHRCM's own advocacy for increased funding. The State grants to the NHRCM for 2013 and then 2014 increased substantially. Most significantly the NHRCM successfully used the CA report and other relevant recommendations from international human rights bodies to obtain resources for the establishment of full-time NHRCM officers in all 21 *aimags* (provinces) of Mongolia.



Following the CA the UNDP Country Office developed a project with the NHRM to support the implementation of the CA recommendations. The CA report was helpful for UNDP as its findings informed the development of the project without the need for UNDP to carry out a separate needs assessment for the project purpose only. The NHRM was also able to mobilise support and funding from various other donors, including UNICEF, the Organization for Security and Cooperation in Europe, the Government of New Zealand and others. The UNDP project played a positive role, contributing to increased donors' trust in the NHRM. The project greatly increased access to local communities in remote areas and supported engagement with local NGOs, especially those at sub-national level, to carry out research and human rights education activities.

4.1. STRENGTHENING INDEPENDENCE AND LEGITIMACY

An important element of the CA approach is to understand the broad legal, political and social environment in which the NHRI operates. CAs for NHRIs require a thorough examination of the NHRI's independence and legitimacy, starting with the NHRI's constitutional or legislative framework and its capacity to interpret and implement its law. This area also concerns procedures for the appointment of NHRI leaders (the commissioners or ombudsman) and for the provision of the NHRI's annual budget. It includes how the NHRI is seen by the broader community and the community support it receives for its work.

Inadequate legislation constitutes a significant capacity challenge for an NHRI. The CA must consider how the NHRI can do its work as effectively as possible in spite of any legislative deficiencies and also what, if anything, the NHRI itself can do to encourage the enactment of better and stronger legislation. The CA report is directed to the NHRI and so should not propose strategies and actions that are beyond the power of the NHRI. For example, an NHRI cannot make laws or amend laws and so the CA report should not propose that the NHRI legislate! However, the report can propose any actions the NHRI can take to recommend, encourage and promote strengthening the legislation. Strategies and actions may include those that the NHRI

- review and, where necessary, seek to have the Parliament amend the NHRI's legislation
- propose changes to government administrative policies and procedures concerning the NHRI
- adopt a more expansive interpretation of the existing legislative provisions.

In the last case, the CA can propose that the NHRI examine its legislative mandate more closely and, through interpretation, adopt realistic but creative ways to overcome perceived deficiencies within the context of the existing law. In doing this the NHRI is assisted by the fundamental interpretative principle in human rights law, that rights and mechanisms for their protection should be interpreted expansively and limitations on rights and on protective mechanisms should be interpreted narrowly.

CD strategies and actions can also aim to strengthen the NHRI's independence and powers through building greater and more strategic community support by

- awareness raising about the NHRI's own functions and powers
- better human rights knowledge inside and outside the NHRI
- expanding the NHRI's public accessibility, including at the local levels
- broadening the scope of the NHRI's work and including all categories of human rights.

In examining the NHRI's independence and legitimacy, the CA will also consider the comments and recommendations of the ICC Sub-committee on Accreditation relating to the NHRI. Those comments and recommendations may assist the development of strategies and actions to strengthen the NHRI's capacity.

4.2. STRENGTHENING THE NHRI's INSTITUTIONAL ARRANGEMENTS (INTERNAL POLICIES, PROCESSES AND PLANS)

The existence and efficient implementation of internal structures, policies, processes and plans – including the overall appropriateness of the organisational structure – pose challenges for most institutions. Institutional arrangements have emerged as a critical core capacity issue in many CAs. Strategies and actions to review the NHRI's organisational structure, internal policies, processes, strategic and annual work plans, and standard operating procedures are common in CA reports.

Some of the following strategies and actions have been recommended:

- clarify the operational procedures and rules by which the NHRI works and ensure that all staff are fully aware of rules and operating procedures applying to them and the whole organisation and are trained in their implementation
- adopt formal procedures and rules for the operation of the NHRI itself, including in relation to
 - internal policy development and decision making processes
 - responsibilities, procedures and scope of work of the NHRI's sections and units, working groups, committees, and other groups, based on the NHRI's structure, including clear terms of references
- develop procedures manuals in key areas to promote more effective and more efficient work, including on
 - complaint handling, including a database to increase case management, accountability and transparency in the handling of complaints
 - external relations
 - media relations
 - public inquiries
 - human rights education and awareness raising
- develop and implement office, unit and division level work plans to ensure office, unit and division level contributions to the implementation of the strategic plan and key results for the year
- provide clear indicators and measures for evaluation and accountability in the strategic plan and annual activity plans
- develop and disseminate good procedural manuals, standardising and streamlining operations, and make them publicly available
- provide databases that are informative and easy to use on the NHRI's website as a means of increasing transparency and making the NHRI's work accessible for the public
- provide structures for good communications within the NHRI and across its offices, units and divisions to ensure regular coordination, for example, by planning and implementing regular meetings of staff, both within units and generally, and the establishment of cross-unit committees and working groups.

4.3. STRENGTHENING LEADERSHIP AND MANAGEMENT FUNCTIONS

Leadership is a function and responsibility shared by all those who have decision making and supervisory authority within the NHRI. Depending on the NHRI, it may include the commission members or ombudsman, the executive director (or secretary-general) and directors and senior managers. The development of NHRI leadership capacities is a critical component to the full and effective functioning of an NHRI.

Under the issue of leadership, strategies and actions that have been relevant to many NHRI include

- improve the NHRI's management systems by employing a structured approach to management, including clarification of roles and responsibilities of those in leadership positions and the development and adoption of clear operational procedures and rules
- delegate to managers the authority they require to manage the affairs of the NHRI in accordance with their roles and responsibilities while ensuring accountability to their supervisors
- provide opportunity and time for leaders and all staff to meet to exchange information and views, receive feedback on the progress of the NHRI's initiatives, and develop proposals on the overall objectives, priorities and strategies of the NHRI, its performance and its challenges
- provide leadership development in accordance with leadership areas appropriate to that position through training courses, learning events, study tours and other activities relating to some of the following areas:
 - strategic planning, particularly engaging stakeholders in policy formulation and setting up organisational and operational work plans for implementing, managing, and monitoring progress in strategic plans
 - results-based management and change management, particularly with regard to building coalitions, alliances and finding/targeting champions
 - ethics and integrity
 - team building, negotiation and consensus building
 - international human rights law, the international human rights system, contemporary human rights issues and strategic planning.



A traditionally dressed man from Timor Leste. UN Photo by Martine Perret.

4.4. STRENGTHENING HUMAN RESOURCE MANAGEMENT

For any organisation, human resource capacities are

- individual expertise, skills and experience – technical and functional capacities – relevant to the position
- institutional personnel policies and procedures, including recruitment and promotional procedures, incentive systems, performance management, training and development plans and programs, and team relations.

The NHRI CAs to date have highlighted the need to strengthen and implement mechanisms that allow for a fair, transparent and merit-based human resource management system that motivates and supports staff to carry out their functions. Proposed strategies and actions on human resource management have included

- ensure an appropriate staff structure with adequate numbers of qualified and professional staff
- adopt a staffing structure that ensures proper lines of supervision and accountability and offers opportunities to staff for internal promotion and career development
- provide for each position within the structure a clear job description, the competencies required for the position on the basis of that job description, and selection criteria for appointment to the position
- develop, as a matter of urgency where it does not exist, a personnel policy and a standard set of terms and conditions, including formal salary scales and ranges, for all staff
- identify the staff training and development required for the NHRI as a whole, to ensure that the NHRI has the necessary range of knowledge, skills and abilities to implement its mandate and its strategic plan, and allocate an appropriate annual budget for staff development
- require that each staff member has an individual, personal training and development plan to identify and address the NHRI's needs and priorities
- implement an annual cycle of individual staff performance appraisal to be conducted by each staff member's immediate supervisor and the individual staff member
- introduce a scheme of staff incentives (financial and non-monetary) to encourage excellent performance, and provide through a fair, transparent and performance based procedure in a system of regular performance appraisal of all staff.

4.5. STRENGTHENING KNOWLEDGE AND KNOWLEDGE MANAGEMENT

NHRIs require staff with expertise and experience in international human rights law, the domestic human rights situation, and ways to increase the promotion and protection of human rights. Increasing this expertise among the staff and making use of the expertise are important challenges for NHRIs in building their capacity. CAs of NHRIs have always identified this as a CD priority. CD strategies and actions have also been recommended to build technical and functional capacities and skill sets of the staff. For technical capacities, these include

- recognising human rights issues that are objectively significant, without regard to political sensitivity
- analysis and regular monitoring of the activities of the government in relation to compliance with international and national human rights standards
- evidence and fact based research and data collection, with analysis for reliability and relevance to human rights issues
- knowledge of international human rights law, with a good analysis of the relevant domestic law
- transparent and efficient complaints handling and database management.

For functional human rights capacities, the response strategies recommended to some NHRIs concern

- strengthen internal planning, management, budgeting, and implementation
- develop programs for Training of Trainers including the development of training manuals, methodologies and materials to ensure consistently high standards of training, and the introduction of a system for evaluation and follow up of every training course delivered through participant questionnaires at the conclusion of each course and 12 months after each course
- provide language skills training in English, to better understand the processes and procedures of the international human rights system, and in local languages, to become more responsive to the needs of local groups.

In relation to strengthening the knowledge of staff, setting up a properly running and adequate information technology infrastructure within the NHRI has also been an important response strategy to ensure that the NHRI is making the most use of existing information and communications platforms and portals, as well as streamlining electronic processes to handle data and information. The following strategies and actions have arisen in NHRI CAs:

- upgrade existing portals and communication platforms for internal and external communication purposes: internally, staff need updates on management decisions, as well as databases for internal documents such as reports and complaints; externally, the public (and NHRI staff) need to be able to access information on human rights in the international sphere and at the national level including new laws, relevant statistics, treaty body reports, reports from international human rights mechanisms, among others
- ensure that the NHRI's website is regularly updated with reports and activities and is regularly reviewed to ensure its accessibility and usefulness
- introduce new software to enable electronic management of key NHRI functions to the fullest extent possible, including complaint handling, inspection scheduling and reporting, down to staff movements and administrative and financial processes.

4.6. STRENGTHENING PARTNERSHIPS AND EXTERNAL RELATIONS

While the CA assessments have shown the extensive human rights awareness raising work conducted by the NHRIs, human rights advocacy towards government ministries, the parliament, and the judiciary has emerged as an area needing more focus. In response, the following strategies have been presented:

- ensure NHRI participation in meetings with key personnel in the relevant government ministries and agencies
- hold regular meetings with key committees and individual members of the parliament
- identify and engage stakeholders outside the government who have influence on governmental decision making, including faith based and religious groups where relevant.

Engagement with civil society organisations (CSOs), non-governmental organisations (NGOs), the media, and human rights defenders has also emerged as an area in which greater focus might yield better overall results for the NHRI. Proposed strategies and actions have included:

- build closer and more collaborative links with CSOs and NGOs, including through regular public dialogues on specific issues and broad general annual consultations
- create opportunities for more regular exchange between government and civil society by convening regular tripartite meetings (NHRI, government and NGOs) to exchange views on critical human rights issues
- increase work and collaboration with international human rights mechanisms, particularly the Special Procedures and Universal Periodic Review mechanisms of the UN Human Rights Council and the treaty monitoring bodies, where NHRIs have particularly important roles to play

- participate in national, regional and international human rights events and meetings to learn about emerging international views and practices that would benefit NHRIs.

Under the partnerships strategy, the NHRI should develop more strategic engagement with the media, possibly including regular dialogues with the media as part of a NHRI-media partnership for human rights. The engagement with the media should be directed to

- increasing the media's understanding of international human rights law and standards
- bringing to public attention human rights situations of concern in the country
- promoting the NHRI's views, reports and recommendations and building support generally for its work.

The New Zealand Human Rights Commission undertook a capacity assessment in August 2012. This was run as a project within the Commission's a self-initiated strategic review to ensure that we deliver greater human rights outcomes. The capacity assessment gave everyone in the Commission the opportunity to contribute their views. There was a high level of participation which was a reflection of the quality of the process. The analysis provided by the assessment team was invaluable in assessing capacity gaps, and the recommendations have all been accepted and taken forward in the review outcomes.

JOANNA COLLINGE
Executive Director
New Zealand Human Rights Commission



Man from Malaysia. Photo by Nick Holland, reproduced under a CC BY 2.0 license.



Chapter 5:

Conclusion – the benefits of capacity assessments to national human rights institutions

NHRIs that have undertaken CAs have said that they benefit greatly from the process. They have ranked their participation in the CA process:

relevance	very high
effectiveness	high
efficiency	high
impact	very high.

They have listed the benefits of participation in a CA:

- better understanding of current organisational and programming capacities
- rigorous assessment of capacity needs
- sound strategies and clear priorities for capacity building
- more effective and evidence-based strategic planning
- better understanding of the link between internal processes and externally oriented activities
- better identification of the similarities and differences in perceptions of capacities and functioning across different units and levels of the NHRI
- a focus on leadership and management, precipitating a review of decision making processes and on internal relationships
- a new focus on training programmes
- the development or review of standard operating procedures, manuals and guidelines
- changes in human resources policies, including revisiting and clarifying roles and responsibilities
- a strong analytical report that can assist in securing the support needed to implement the strategies
- a baseline assessment of capacity that can be used to measure improvement and achievement over time
- an additional means to improve its effectiveness
- training for key NHRI personnel in CA and CD
- the opportunity to lead CD for other NHRIs in the Asia Pacific region
- a firm basis for international cooperation to assist NHRIs when they undertake institutional strengthening through CD.

The CA was invaluable for this Office for a number of reasons. Firstly it helped us to understand our own shortcomings in being able to fulfil our human rights mandate and to devise a strategy to address these. Secondly, the CA report was a wonderful advocacy tool in helping us to secure much needed additional resources for the Office. Finally, the process focused the Office on exactly how the human rights mandate should be fulfilled, educated staff and external parties on its new functions, and pointed us in the right direction to become an 'A' accredited NHRI.

MAIAVA LULAI TOMA
Ombudsman of Samoa



Appendix 1:

Model concept note on capacity assessment for NHRIs

ASIA PACIFIC FORUM OF NATIONAL HUMAN RIGHTS INSTITUTIONS CAPACITY ASSESSMENT FOR NATIONAL HUMAN RIGHTS INSTITUTIONS IN THE ASIA PACIFIC

Proposed Capacity Assessment of the [National Human Rights Institution] of [country]

Introduction

Between 2008 and 2014 the Asia Pacific Forum of National Human Rights Institutions (APF), the United Nations Development Programme Asia-Pacific Regional Centre in Bangkok (UNDP APRC) and the National Institutions and Regional Mechanisms Section (NIRMS) of the Office of the High Commissioner for Human Rights (OHCHR) undertook a project to support the institutional capacity development of National Human Rights Institutions (NHRIs) in the Asia Pacific region through capacity assessments (CAs). During that period they facilitated CAs in 16 NHRIs in the region. APF is now continuing that work as part of its role to strengthen its member NHRIs.

CAs assist NHRIs to generate an understanding of their capacity strengths and needs and to develop strategies to fill capacity gaps. They are one of the first steps of the capacity development process. They use a self-assessment process, facilitated by a team, to identify capacity strengths and needs of the individual NHRI and to develop capacity development strategies and actions to address those needs. In close consultation with the NHRI, the CA team produces an analytical report of the self-assessment, measuring required future capacities of the NHRI against its current capacities and proposing capacity development strategies and actions. This report is presented to the NHRI in draft form for discussion and joint finalisation.

The benefits for NHRIs in developing and implementing capacity development strategies that result from CAs are immense. The approach is a systematic approach to the capacity assets and needs of the NHRI. It fosters engagement of all NHRI members and staff and key external stakeholders, often across sectors. It leads to capacity development initiatives that are strategic, longer term and integrated, rather than ad hoc and fragmented.

Since 2008 the following APF members have undertaken a CA:

- Human Rights Commission of Malaysia (SUHAKAM) 2008–9
- Human Rights Commission of the Maldives 2009
- Jordan National Centre for Human Rights 2010
- National Human Rights Commission of Thailand 2010
- Palestinian Independent Human Rights Commission 2011
- Afghanistan Independent Human Rights Commission 2011
- Mongolian Human Rights Commission 2011
- Sri Lankan Human Rights Commission 2012
- Australian Human Rights Commission 2012

- New Zealand Human Rights Commission 2012
- Philippines Commission on Human Rights 2012
- Nepal National Human Rights Commission 2013
- Bangladesh National Human Rights Commission 2013
- Ombudsman's Office of Samoa 2014
- National Human Rights Commission of Oman 2014
- National Commission on Human Rights of Indonesia (Komnas HAM) 2014.

Project overview

Objective

To develop strategies to address the most important capacity needs of the [National Human Rights Institution] of [country].

Approach

- To enable the NHRI to assess its current capacities against the capacities it requires to implement its mandate and its strategic plan
- To identify the capacity gaps, or deficits, that are the most important and most urgent to be addressed
- To develop strategies and actions to address the identified capacity gaps in a long-term manner.

Participants

The process is a self-assessment approach in which

- all NHRI leaders, managers and staff are the most important participants
- a small number of key external stakeholders are also invited to contribute their perspectives
- a CA team facilitates the process, in consultation with an NHRI liaison person.

Methodology

Information is collected through

- individual and group discussions with the NHRI leaders, managers and staff
- completion of an analytical questionnaire by NHRI leaders, managers and staff
- background material shared by the NHRI
- individual and group interviews with key external stakeholders.

Product

An analytical report of

- the self-assessment, with both qualitative and quantitative components, and
- proposed strategies and actions to address identified priority needs for capacity development, prepared jointly by the NHRI and the CA team.

Result

A capacity development program for the NHRI to implement the strategies and actions, with support if required from the APF and others.

Project implementation

The project will be implemented by the CA team, appointed by the APF, in close consultation with the NHRI's Liaison Officer. The team will request the appointment of the Liaison Officer when the project proposal is approved by the NHRI. Implementation involves five principal stages.

1. Preparation

The NHRI and the CA team prepare for the CA. The NHRI is briefed on the process and decides whether to proceed. If it decides to undertake the CA, a Memorandum of Understanding is entered between the APF and the NHRI. If possible a preliminary visit is made by two or three people on behalf of the CA team for the briefing and the preparation.

The membership of the CA team is finalised. The NHRI appoints its Liaison Officer to work with the CA team. Together they identify the key documents and the small number of external stakeholders to assist the CA. The external stakeholders should be people who know the NHRI and its work well and can comment from experience and knowledge on the NHRI's capacities. They can be drawn from government, civil society, the judiciary, academia and any other area of relevance. The CA team and the Liaison Officer also agree on the logistics – when the CA will take place, how the focus discussion groups will be organised, whether interpretation and translation will be required and so on.

2. Capacity assessment by NHRI leaders and staff

All NHRI leaders, senior managers and staff are given the opportunity to participate in small discussion groups to express their views on

- what the NHRI does well (present capacity)
- what the NHRI needs to do better (required capacity)
- what can be done to increase the capacity from the present level to the required level.

These discussion groups enable exchange among participants and identify the key capacity issues for the NHRI. The issues can concern the current and required capacities in relation to

- the external environment in which NHRI works
- organisational issues for NHRI
- NHRI members and staff.

Issues might include:

- *institutional development*: mission and strategy, business processes, human resource management, information and communications technology
- *institutional management*: ability to foster independence of the NHRI, ensure plural representation and strengthen relationships with external stakeholders, develop, communicate and give direction on vision, mission and values based on the universal standards of human rights, and create an environment that motivates and support right holders including NHRI staff
- *knowledge*: training and education of NHRI staff and rights holders
- *mutual accountability*: capacity to ensure accountability through prevention and enforcement, strengthen national integrity of the NHRI, increase public participation and build collations; increase mobilisation, access to and use of information, work with the international community including the ICC and the APF.

The discussions also enable all leaders, managers and staff to contribute their own ideas on how to build the NHRI's capacity to do its work more effectively.

After the conclusion of the group discussions NHRI leaders, managers and staff undertake their individual assessments of the NHRI's current capacities and required capacities, using a simple questionnaire on the core capacity issues identified in the discussion groups. By providing their ratings for present and required capacities, they reveal the capacity gaps in the organisation and the extent of the gap to be met. The data produced by the questionnaire is both qualitative (what kinds of gaps? how important are they?) and quantitative (how many people see this as a gap? what is the extent of the gap that they see? what can be done to address the gaps?).

The questionnaires are completed individually and anonymously.

3. Interviews with key external stakeholders

A small number of key external stakeholders are also interviewed, individually or in groups, by the CA team to provide an external perspective on the capacities of the NHRI. These interviews are directed towards an external validation of the internal perspectives on the NHRI's capacities, current and required. The persons interviewed will not be given or asked to complete the questionnaire but participate in a short interview to provide their overall perceptions and comments. The information collected during the interviews will be shared with the NHRI.

4. Data analysis and development of strategies

Following the completion of the discussion groups and questionnaires by NHRI leaders and staff and the interviews with external stakeholders, the CA team collates and analyses the data and other information. It begins to develop possible strategies and actions to address the most important capacity gaps identified. The strategies and actions should be practical and able to be implemented. They should address the most important capacity gaps within a comprehensive framework that reflects the needs and priorities of the NHRI as a whole.

5. The report

The CA culminates in a report that analyses the information provided by NHRI leaders, managers and staff, identifies the capacity gaps, indicates priorities, and offers strategies and actions to address the gaps. The CA team will produce a draft report for presentation to and discussion with the NHRI leaders and senior managers at the end of the visit. The draft is discussed at some length between the NHRI leaders and the team so that the recommended strategies and actions are understood, prioritised and agreed. It will then be finalised and presented to the NHRI. It will include an implementation plan.

The report is a report to the NHRI. The CA team members and their organisations will have a copy of the report. Otherwise any distribution of the report is in the hands of the NHRI. The NHRI should distribute the report to all staff, as agreed in the Memorandum of Understanding. It may also decide to make it public or to give it limited distribution as desirable. APF and the CA team hope that it receives wide distribution, as that is the best way to use it to broaden the understanding of and support for the NHRI and its work and to ensure implementation of the report's strategies, but that is a matter for the NHRI alone. It can be decided after the final report is received.

Implementation of the strategies and actions

The production of the report is not the principal objective of the CA project. The principal objective is strengthening the capacity of the NHRI to do what it wants and needs to do, including through implementation of the report's proposed strategies and actions. That is why the report contains an implementation plan. The APF will be available after the CA to support the NHRI in its endeavours to implement the strategies. The UNDP Country Office can play an important role at this stage. The report will also encourage other UN agencies and organisations to plan future targeted assistance tailored to the needs of the NHRI.

Benefits to the NHRI

NHRIs that have undertaken CAs have said that they benefit greatly from the process. They have ranked their participation in the CA process:

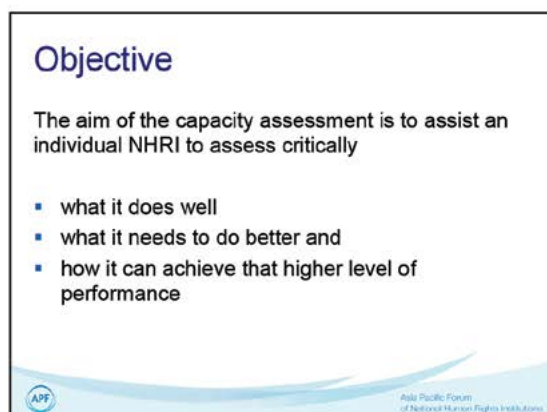
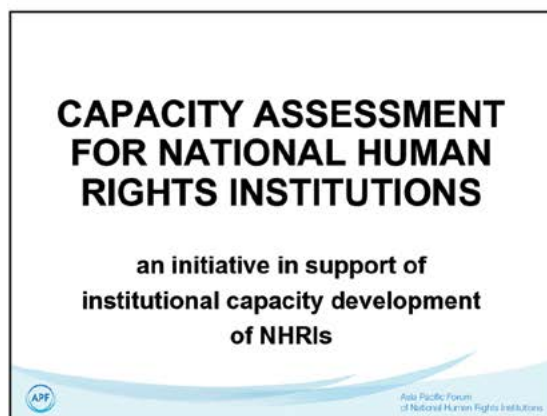
relevance	very high
effectiveness	high
efficiency	high
impact	very high.

They have listed the benefits of participation in a CA:

- better understanding of current organisational and programming capacities
- rigorous assessment of capacity needs
- sound strategies and clear priorities for capacity building
- more effective and evidence-based strategic planning
- better understanding of the link between internal processes and externally oriented activities
- better identification of the similarities and differences in perceptions of capacities and functioning across different units and levels of the NHRI
- a focus on leadership and management, precipitating a review of decision making processes and on internal relationships
- a new focus on training programmes
- the development or review of standard operating procedures, manuals and guidelines
- changes in human resources policies, including revisiting and clarifying roles and responsibilities
- a strong analytical report that can assist in securing the support needed to implement the strategies
- a baseline assessment of capacity that can be used to measure improvement and achievement over time
- an additional means to improve its effectiveness
- training for key NHRI personnel in CA and CD
- the opportunity to lead CD for other NHRIs in the Asia Pacific region.

Appendix 2:

PowerPoint presentation on capacity assessments



Key aspects and outcomes

- Self assessment based on NHRI's mandate
- Facilitated by NHRI's partners and peers
- Participatory
- Inclusive
- Enhances organisational awareness
- Enhances implementation of strategic plan
- Enhances the provision of future technical assistance


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The capacity assessment process

- Forward looking process
- CA is not a performance evaluation!
- Internal examination, not external
- Highlights strengths
- Identifies where additional capacity is required
- Proposes strategies and actions to address capacity gaps

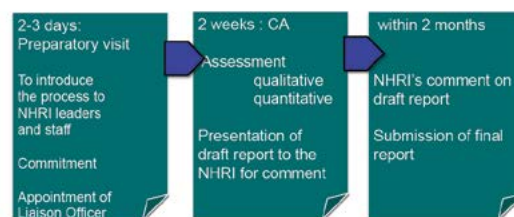

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Participants in each assessment

NHRI leaders and staff	qualitative and quantitative assessment
Key external stakeholders	external feedback
The CA team	facilitate the assessment
Senior officer of NHRI involved in previous CA	peer to peer exchange


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Timetable


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Methodology

1. Background material shared by NHRI and analysed prior to the mission
2. Individual and group discussions with NHRI members and staff and identification of key capacity issues
3. Individual and group interviews with key external stakeholders
4. Development and completion of questionnaire on identified key capacity issues by NHRI members and staff



Asia Pacific Forum of National Human Rights Institutions

The two essential components of capacity assessment

- Qualitative component: discussion groups involving NHRI leaders and all staff, focusing on three key questions:
 - What is the NHRI doing well?
 - What does it need to do better?
 - How can this better performance be achieved?
- Quantitative component: questionnaires on capacity ratings for each key issue identified in the discussion groups
 - Present capacity rating
 - Required future capacity rating



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Implementation and follow up

- final report is joint report of the NHRI and the CA team
- only the NHRI can decide whether to release the report and, if so, to whom – but all staff of the NHRI should receive a copy
- NHRI committed to make a formal response to the report, with an implementation plan for those strategies and actions accepted
- NHRI committed to report annually on implementation



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NHRIs that have conducted CAs

2008	Malaysia	2013	Nepal
2009	Maldives		Bangladesh
	Jordan	2014	Samoa
2010	Palestine		Oman
	Thailand		Indonesia
2011	Afghanistan		
	Mongolia		
2012	Sri Lanka		
	Australia		
	New Zealand		
	Philippines		



Asia Pacific Forum of National Human Rights Institutions

Appendix 3:

Model Memorandum of Understanding between the NHRI and the APF for the conduct of a capacity assessment

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is made between *[insert name of the NHRI]* and the Asia Pacific Forum of National Human Rights Institutions (APF) to provide for the conduct of a capacity assessment (CA) of the *[NHRI]*.

Recitals

- A. In 2008 the APF, together with the United Nations Development Programme (UNDP) and the Office of the High Commissioner for Human Rights (OHCHR), commenced a project to provide CAs for APF members. Between 2008 and 2014 the project was responsible for the conduct of CAs for 16 APF members. CAs are conducted according to the procedure set out in a manual for CAs published by the APF with the support of the UNDP Asia-Pacific Regional Centre (APRC).
- B. The APF has provided the *[NHRI]* with a Concept Note to enable the *[NHRI]* to consider whether to request assistance for the conduct of a CA.
- C. The *[NHRI]* has requested assistance and the APF has agreed to provide assistance in the conduct of a CA.
- D. The APF and the *[NHRI]* have agreed to enter this MOU as the basis for the conduct of the CA.

Agreement

1. The *[NHRI]* agrees to conduct a CA and the APF agrees to assist the *[NHRI]* in the conduct of the CA, generally in accordance with the procedure set out in the latest edition of the CA manual.
2. **The APF agrees to**
 - a. consult and agree with the *[NHRI]* on the timetable for undertaking the CA
 - b. provide a CA team, at least two of whose members are appointed by the APF (including from the staff of APF members) and, if possible, one of whose members is appointed by each of UNDP and the OHCHR
 - c. ensure that members of the CA team
 - i. are not based in *[insert name of the country of the NHRI]*
 - ii. are independent in participating in the CA
 - iii. come to the CA open to learning about the *[NHRI]*, willing to listen and to question, and able to conduct the CA in a fully professional manner
 - iv. have expertise that is relevant to the CA, either in the nature and work of NHRIs or in the CA process itself
 - v. understand the responsibilities of members of the CA team

- d. direct the CA team to assist in the conduct of the CA generally in accordance with the procedure set out in the latest edition of the CA manual, subject to such modifications as the context and circumstances of the [NHRI] may require
- e. meet the travel, accommodation and sustenance costs of the CA team either itself or with the assistance of other organisations or donors
- f. provide the [NHRI] with a final report of the CA, prepared by the CA team in consultation with the [NHRI], that accurately reflects and analyses the diversity of views and perspectives provided during the CA by the [NHRI's] leaders and staff
- g. consult with the [NHRI] on the implementation of such proposed actions from the CA report as the [NHRI] may accept and wish to implement, including consulting on what assistance the [NHRI] may require with implementation
- h. keep the final report of the CA strictly confidential, releasing it outside the CA team and the APF only with the specific consent of the [NHRI].

3. The [NHRI] agrees to

- a. consult and agree with the APF on the timetable for undertaking the CA
- b. work closely with the CA team on the conduct of the CA generally in accordance with the procedures set out in the latest edition of the CA manual, subject to such modifications as the context and circumstances of the [NHRI] may require
- c. nominate a liaison officer or group to work closely with the CA team in the conduct of the CA
- d. provide the CA team with such documents and other information it might require for the purposes of the CA
- e. enable its staff to participate in the CA's discussion groups and to complete the CA questionnaires as and when required, generally in accordance with the procedures set out in the latest edition of the CA manual
- f. cover its own costs of its participation in the CA, including any costs of interpretation and translation and travel for its leaders and staff if required
- g. comment on drafts of the report, including providing formal comments on the 'second draft' immediately prior to its being finalised
- h. give serious consideration to the final report's proposals for action to build capacity and provide a formal response to those proposals to the APF, indicating which proposed strategies and actions it accepts and will implement and with what timetable, which proposed strategies and actions it does not accept and why, and including an implementation plan for accepted strategies and actions
- i. provide the full final report to the senior managers and other staff of the [NHRI], place at least a comprehensive summary of the report on its website and consider the public release of the full report
- j. report annually to the APF on implementation of those proposals for action that are accepted by the [NHRI].

Signatories

SIGNED by [head of the NHRI] [Director of the APF]

DATED

Appendix 4:

List of documents to review

Legislation

- Constitutional provisions on NHRI
- Constitutional human rights provisions
- NHRI's Act
- internal rules and regulations

NHRI reports

- Examples of NHRI reports and submissions, for example to Treaty Monitoring Bodies, to the Universal Periodic Review, to the Parliament
- Examples of NHRI reports on human rights situations and investigations

Operational and evaluation reports

- last three annual reports
- external evaluation reports
- Organisational and staffing documents
- Strategic Plan
- Annual work or activity plans for last two years
- Budget for current year
- Organisational charts
- Staff list
- Staff turnover figures
- Tables of staffing allocations across offices and teams
- NHRI internal operating procedures and guidelines documents
- Packages/brochures on the NHRI published by NHRI
- Materials used for staff development
 - induction Information materials
 - training materials

ICC accreditation

- NHRI's most recent statement of compliance
- last ICC report and recommendations on NHRI

Appendix 5:

Model program for the assessment visit

Day 1

- briefing of NHRI leaders, senior managers and all staff
- focus group discussion with NHRI leaders (90 to 120 minutes)
- focus group discussion with senior managers (90 to 120 minutes)

Days 2 to 5 (or as required depending on number of staff and whether there are regional offices)

Focus group discussion with staff (90 to 120 minutes each)

Day 5

- focus group discussion with staff completed (90 to 120 minutes each)
- interviews with external stakeholders (60 to 90 minutes each)

Days 6 and 7 (weekend)

- CA team identifies core capacity issues based on discussions
- CA team prepares CA questionnaire on core capacity issues
- CA team commences drafting the focus group discussions section of the report

Day 8

All NHRI leaders and staff complete questionnaires

Days 9 and 10

- CA team analyses data from questionnaires
- CA team prepares 'first rough draft' of the report

Day 11

- CA team completes 'first rough draft' of report
- CA team forwards 'first rough draft of the report to NHRI leaders and senior managers

Day 12

Discussion of 'first rough draft' between NHRI leaders and managers and CA team (at least 3 hours)

Appendix 6:

Composition and responsibilities of the capacity assessment team

Terms of reference for capacity assessment team members

1. The principal responsibility of all Capacity Assessment (CA) team members is to assist the *[insert the name of the NHRI]* in the conduct of the CA generally in accordance with the procedure set out in the latest edition of the CA manual, subject to such modifications as the context and circumstances of the *[NHRI]* may require.
2. Each team member is selected on the basis that she or he
 - a. is and will commit to being independent in participating in the CA and seen to be independent
 - b. comes to the CA open to learning about the *[NHRI]*, willing to listen and to question, and able to conduct the CA in a fully professional manner
 - c. has expertise that is relevant to the CA, either in the nature and work of NHRIs or in the CA process itself
 - d. understands the responsibilities of members of the CA team
 - e. is not based in the country of the NHRI undertaking the CA
 - f. is able and committed to participate fully in the CA, from preparation for it until completion of the report
 - g. will adhere throughout the CA to the relevant Code of Conduct of his or her organisation.
3. In preparation for the CA all team members will read and understand the documentation provided by the *[NHRI]* for the purpose of the CA.
4. All team members will travel to the country of the *[NHRI]* to arrive in time to be able to participate from the beginning of the CA. All team members will remain with the team until the conclusion of the CA visit, participating as required in events and activities associated with the CA.
5. All team members will keep the team leader fully informed of any difficulty they might encounter that impedes their full participation in the CA, including illness, accident and any competing professional or employment demand on their time and attention.
6. All team members will participate in the CA discussion groups, listening carefully to the view and perspectives expressed by *[NHRI]* leaders and staff, asking questions to clarify issues as required.
7. All team members will contribute to the identification of the core capacity issues that will be the subject of the CA questionnaire.
8. All team members will assist in the drafting of the report, taking responsibility for the initial drafting of sections of the 'first rough draft' of the report as assigned to them by the team leader. One team member will be assigned to handle the quantitative results of the questionnaire and to produce quantitative tables and graphs as required.
9. All team members will consider and comment on the drafts of the report as they are developed, including later drafts sent to them by the team leader for comment.

Appendix 7:

Some examples of core capacity issues

Law and institutional basis

- The NHRI's law enables it to function as a fully effective NHRI in accordance with the Paris Principles
- The NHRI has the capacity to articulate and act upon the broad mandate, functions and powers given it in its law
- The NHRI's leadership (commission members, chief executive officer, directors and managers) have the capacity to provide vision, strategy and direction for the NHRI
- The NHRI has the capacity to develop and implement a strategic plan and annual work plans
- The NHRI has the capacity to reach marginalised groups and all regions of its country
- The NHRI has the capacity to represent inclusively the breadth of its society within the commissioners and staff and to reach out and be accessible to the most vulnerable and marginalised people in its country
- The NHRC has the capacity to understand and address gender and women's human rights issues both in its strategies and programs for the promotion and protection of human rights and in its own internal policies, procedures and staff management

Programs

- The NHRI has the capacity to investigate and resolve complaints of human rights violation according to clear procedures
- The NHRI has the capacity to ensure good investigation and monitoring for compliance with human rights obligations, through appropriate procedures and guidelines, a good database, operational autonomy to undertake investigations as it sees necessary, and analysis and reporting on findings
- The NHRI has the capacity to conduct effective periodic and surprise inspections of prisons and places of detention for compliance with human rights obligations
- The NHRI has the capacity to undertake research and policy development and write reports that are based on law and evidence and convincing in advocacy
- The NHRI has the capacity to undertake programs of human rights education, training and awareness raising, including for both those with human rights obligations and those at risk of human rights violation
- The NHRI has the capacity to develop and use curricula, manuals and resources for human rights education and training
- The NHRI has the capacity to follow up and advocate effectively for the implementation of its recommendations on individual cases and on systemic human rights situations and issues

Communications and cooperation

- The NHRI has the capacity to ensure communication, coordination and collaboration across and among all its units and offices, through participation in planning, transparency in decision making, good information flows and program implementation
- The NHRI has the capacity to ensure communication, coordination and collaboration with external stakeholders, including government, the judiciary, other national commissions, civil society and international partners

Management and resources

- The NHRI has the capacity to develop and implement rules and procedures for making key decisions and for overall management of the staff
- The NHRI's leadership has the capacity to ensure the necessary resources (staff and finances) to enable the NHRI to fulfil its mandate
- The NHRI has the capacity to utilise fully the individual expertise of its members in building a strong NHRI
- The NHRI has the capacity to develop and implement a staff management system, including an appropriate staff structure, recruitment, promotion, motivation, remuneration and terms and conditions of employment, training and development, and performance appraisal
- The NHRI has the capacity to develop and implement a staff training needs appraisal and a staff training and development plan for the institution as a whole and for each individual staff member
- The NHRI has the capacity to ensure financial autonomy and accountability by establishing its own rules and procedures for expenditure, including salaries and allowances
- The NHRI has the capacity to develop and implement rules and procedures for administration and finance
- The NHRI has the capacity to ensure accountability of staff to managers and to the Commission and of the Commission to the parliament and the community for the performance of NHRI and individual responsibilities
- The NHRI has the capacity to evaluate its impact on improving the promotion and protection of human rights in its country

Appendix 8:

Sample capacity assessment questionnaire

This questionnaire is confidential and anonymous

Please complete and return by *[insert date]*

INSTRUCTIONS

Capacity development is defined as ‘the process through which individuals, organizations and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time’. Supporting this process requires identifying what key capacities already exist and what additional capacities may be needed to reach these objectives. This is the purpose of a capacity assessment. A capacity assessment provides a comprehensive perspective on the capacities critical to achieving development objectives. It is an analysis of required capacities against existing capacities and offers a systematic way of gathering data and information on capacity assets and needs.

This questionnaire follows up on the discussion groups with NHRI leaders and staff members as part of the CA process. The issues in it have been identified from the information given to us and the issues raised during the discussion groups. They are identified as the key capacity development issues for the NHRI. They have been analysed within the UNDP capacity development framework, with its five areas of institutional capacity:

- law, policies, procedures and processes
- leadership
- human resources and knowledge
- financial resources
- accountability.

WHAT THE QUESTIONNAIRE ASKS

There are *[insert number]* core capacity issues covered in the questionnaire and there are four questions for each issue. Two of the questions ask you to provide a rating or marking. The same questions are asked in relation to each issue.

1. What score, between 0 and 5, reflects your assessment of the capacity the Commission **has now** in the particular area of work (how well it is doing in those areas)?
2. What is **the basis, with evidence**, of the rating you have given?
3. What score, between 0 and 5, reflects your assessment of the capacity the Commission **is required to have** in five years’ time (how much the Commission should have improved in the next five years)?
4. What are your **specific recommendations** for changes and improvements to reach that higher level of capacity?

The ratings that are applied are

0. no capacity
1. very low capacity
2. only basic or low level capacity

3. medium partially developed capacity (for example, irregular to basic implementation of plans)
4. well developed level of capacity (for example, partial to full implementation of plans)
5. fully developed relevant capacity (for example, active monitoring and evaluation after implementation).

DIRECTIONS FOR COMPLETING AND RETURNING THE QUESTIONNAIRE

- Each Commission and staff member is to complete this questionnaire individually. Individuals have the option of filling an online survey form (survey monkey) **OR** an MS Word (soft) form **OR** a print (hard) form. Please complete only one form.
- Do **NOT** write your name on the questionnaire as returns are confidential and anonymous.
- Please provide some information about yourself and your present circumstances to enable a statistical analysis of the results across the NHRI as a whole.
- If you do not feel able to provide a response to a specific question, leave it blank.
- The questionnaire is available in English and *[insert language]* You may choose to write your responses in either of the languages. However, wherever possible, it is preferred that responses are given in English to minimise the need for translation.

1. Online survey (Survey Monkey)

- The questionnaire can be completed and submitted directly online through Survey Monkey. Simply go to [www.surveymonkey.com/s/\[complete web address\]](http://www.surveymonkey.com/s/[complete web address]).
- Because Survey Monkey enables the fastest collation of the results, we encourage as many of you as possible to complete the questionnaire through this means.
- The first page of the online survey provides general instructions on the questionnaire.
- Select your assessment ranking and provide the description in the box provided. The response box can be expanded by dragging from the bottom left corner.
- Use the button at the end of the page to navigate through the questionnaire.
- Navigation buttons can be used to go back and review previous responses, if you so wish.
- Please provide responses to all questions if possible. However, if you do not feel able to provide a response to a specific question, leave it blank and move on to the next question.

2. Soft copy questionnaire

- The questionnaire can be completed as a soft copy and returned electronically by email to *[insert email address]* no later than *[insert date]*
- A soft copy of the questionnaire is attached to this email for that purpose. It is available in English and *[insert language]* and can be completed in either language. However, wherever possible, it is preferred that responses are given in English to minimise the need for translation.
- The MS Word questionnaire has some checkbox options, for which the respondents are required to enter their responses/values. Please follow the instructions to select ranking values.

<p><i>What score, between 0 and 5, reflects your assessment of the capacity the Commission has now in the particular area of work (how well it is doing in those areas)?</i></p> <p> <input type="checkbox"/> 0. No capacity <input type="checkbox"/> 1. Very low capacity <input type="checkbox"/> 2. only basic or low level capacity <input type="checkbox"/> 3. Medium partially developed capacity <input type="checkbox"/> 4. Well-developed level of capacity <input type="checkbox"/> 5. Fully developed relevant capacity </p>	
<p>What is the basis, with evidence, of the rating you have given?</p>	

For example to input your choice for capacity rating, put the cursor on the box next to your value choice and double click. A text box called “check box form field options” will pop up. Please select “Checked” option and press OK.

<p><i>What score, between 0 and 5, reflects your assessment of the capacity the Commission has now in the particular area of work (how well it is doing in those areas)?</i></p> <p> <input type="checkbox"/> 0. No capacity <input type="checkbox"/> 1. Very low capacity <input type="checkbox"/> 2. only basic or low level capacity <input type="checkbox"/> 3. Medium partially developed capacity <input type="checkbox"/> 4. Well-developed level of capacity <input type="checkbox"/> 5. Fully developed relevant capacity </p>	
<p>What is the basis, with evidence, of the rating you have given?</p>	

Check Box Form Field Options

Check box size

☒ Auto
☐ Exactly: 10 pt

Default value

☐ Not checked
☒ Checked

Run macro on

Entry: Exit:

Field settings

Bookmark:

☒ Check box enabled
☐ Calculate on exit

Now, your choice should look like this (please note it is only an example).

<p><i>What score, between 0 and 5, reflects your assessment of the capacity the Commission has now in the particular area of work (how well it is doing in those areas)?</i></p> <p> <input type="checkbox"/> 0. No capacity <input type="checkbox"/> 1. Very low capacity <input checked="" type="checkbox"/> 2. only basic or low level capacity <input type="checkbox"/> 3. Medium partially developed capacity <input type="checkbox"/> 4. Well-developed level of capacity <input type="checkbox"/> 5. Fully developed relevant capacity </p>	
<p>What is the basis, with evidence, of the rating you have given?</p>	

3. Hardcopy questionnaire

- The questionnaire can be completed and returned in hard copy form.
- Either print out the attachment and complete that or else obtain a hard copy from *[insert name]*.
- If you complete a hard copy form, please return it in a sealed envelope, without your name on the form or the envelope, to *[insert name]* no later than *[insert date]*.
- If you are in a regional/representative office, please contact *[insert name]* and fax the completed questionnaire anonymously to him/her for the team. Ask him/her to stand by the fax machine while you are faxing it so that it is not misplaced when it arrives in central office.

PERSONAL PROFILE

To enable the results of the survey to be broken down to allow comparisons among the various groups within the NHRC and the various offices of the NHRC, you are asked to provide some information about yourself. Please tick one box or, if appropriate, more than one box.

Note: Boxes that are irrelevant to the particular NHRI are deleted from the questionnaire.

Gender <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	Age bracket <input type="checkbox"/> Under 30 <input type="checkbox"/> 30 to 50 <input type="checkbox"/> Over 50
Ancestry/ethnicity <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Religion <input type="checkbox"/> Buddhist <input type="checkbox"/> Christian <input type="checkbox"/> Hindu <input type="checkbox"/> Muslim <input type="checkbox"/> Other <input type="checkbox"/> None
Disability <input type="checkbox"/> Yes <input type="checkbox"/> No	Highest educational qualification <input type="checkbox"/> High school certificate <input type="checkbox"/> Technical qualification <input type="checkbox"/> University graduate <input type="checkbox"/> University post-graduate
Length of service <input type="checkbox"/> Under 1 year <input type="checkbox"/> 1 to 3 years <input type="checkbox"/> 3 to 7 years <input type="checkbox"/> Over 7 years	Employment status <input type="checkbox"/> Permanent <input type="checkbox"/> Contract

Position

- ☐ Commissioner
- ☐ Manager
- ☐ Legal, research or policy staff member
- ☐ Research or policy assistant
- ☐ Administration or finance support
- ☐ Office support

Office location

- ☐ Central
- ☐ Regional/subregional

THIS QUESTIONNAIRE IS CONFIDENTIAL AND ANONYMOUS

Note: One page is provided for each core capacity issue.

Issue 1:

The NHRI's law enables it to function as a fully effective NHRI in accordance with the Paris Principles.

What score, between 0 and 5, reflects your assessment of the capacity the NHRI has now in the particular area of work (how well it is doing in those areas)?

- ☐ 0. No capacity
- ☐ 1. Very low capacity
- ☐ 2. only basic or low level capacity
- ☐ 3. Medium partially developed capacity
- ☐ 4. Well-developed level of capacity
- ☐ 5. Fully developed relevant capacity

What is the basis, with evidence, of the rating you have given?

What score, between 0 and 5, reflects your assessment of the capacity the NHRI is required to have in 5 years' time (how much the NHRI should have improved in the next 5 years)?

- ☐ 0. No capacity
- ☐ 1. Very low capacity
- ☐ 2. only basic or low level capacity
- ☐ 3. Medium partially developed capacity
- ☐ 4. Well-developed level of capacity
- ☐ 5. Fully developed relevant capacity

What are your specific recommendations for changes and improvements to reach that higher level of capacity?

Appendix 9: Template for NHRI implementation plan

Strategy 1: *[insert name]*

No.	Action	Responsibility for implementation	Remarks	Timeline	Progress
1.					
2.					
3.					

Strategy 2: *[insert name]*

No.	Action	Responsibility for implementation	Remarks	Timeline	Progress
1.					
2.					
3.					

Appendix 10:

Template for NHRI annual report on implementation

Strategy 1: *[insert name]*

No.	Action	Responsibility for implementation	Remarks	Implementation schedule	Implementation progress
1.					
2.					
3.					

Strategy 2: *[insert name]*

No.	Action	Responsibility for implementation	Remarks	Implementation schedule	Implementation progress
1.					
2.					
3.					



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