

BASICS OF GOVERNANCE OF THE ASIAN LEGAL RESOURCE CENTRE LIMITED (ALRC)



ASIAN LEGAL RESOURCE CENTRE

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INTRODUCTION

The Asian Legal Resource Centre (ALRC) through this document is laying down the rules relating to its governance. Most of the rules written down here have been practiced by the organization over the years, even though there was no written document indicating what is being practiced. We have been advised, and we think that it is good advice, to put these matters in writing so that any person who comes to deal with the organization may have a clear idea of the ALRC structure of management and ensuring accountability.

This Basics of Governance is a continuation of the AHRC Handbook – Guidelines for working strategies and methodologies approved by the Board of Directors (BoD), which was published as a volume of our bimonthly publication, *Ethics in Action*.

For more details about the matters that have been discussed in this Basics of Governance of the ALRC, the above named AHRC Handbook would be a useful reference. Besides that, issues of *article 2*, a quarterly magazine published by the ALRC from the year 2000 to 2017, would provide a large body of information explaining how the ALRC has worked out its work programmes in terms of its Vision, Mission and Goals (VMG).

THE VISION & MISSION OF THE ALRC

The Asian Human Rights Commission/Asian Legal Resource Centre works towards the **radical rethinking and fundamental redesigning of justice institutions in Asia**, so that the institutions transform into effective instruments of human rights protection and guarantors of democracy.

The Founders of the AHRC/ALRC had a broad vision of upholding human rights in Asia, which were expressed in abstract terms. Over the years, the AHRC/ALRC has redefined its vision to reflect its experience based on extensive engagement in human rights activism in Asia.

To achieve the vision of radical rethinking and fundamental redesigning of justice institutions in Asia – in order that the institutions can provide relief and redress to victims of human rights violations as per the common Article 2 of the International Conventions – the AHRC/ALRC is engaged in the following work:

1. Identifying defects of Asian justice institutions, i.e. police, prosecution, and judiciary, and making recommendations in light of universal human rights norms;
2. Building and equipping large advocacy groups to enable consistent work for desired changes, assisting these groups to articulate demands for change, and disseminating ideas widely;
3. Creating global awareness and support for institutional transformation in Asia;
4. Engaging in advocacy in specific cases of human rights violations and protecting human rights defenders;
5. Assembling a people's narrative of human rights violations particularly from the point of view of equality before the law and fair trial;
6. Intervening in cases of torture, and all negations of fair trial principles, like extrajudicial executions, disappearances, and other forms of inequality before law and discrimination, including those that emanate from gender, religion, and caste-based discrimination;
7. Using the UNCAT to highlight fundamental defects of justice institutions;
8. Building a wide network of partnerships and contacts and assisting civil society and victims of human rights abuses, in order to achieve the aforementioned work in light of the vision.

THE GOALS OF ALRC

To create within the least developed countries of Asia awareness that achievement of human rights is linked to improvement of the Rule of Law, which in turn is linked to the improvement of justice namely, “police investigation systems, defects of prosecuting systems and the defects of judiciary as whole”.

1. In all these matters, the experiences of developed countries are in contrast with developments in least developed countries.
2. For the purpose of providing a proper education on the workings (in fact non working) of institutions relating to implementation of human rights, conduct ground research with as many details as possible to expose the existing situation and its failures.
3. On the basis of tangible information on the ground reality, develop programmes that are capable of causing a public debate on these issues, as both the matter of education as well as matter of advocacy, for change.
4. On this perspective, theory of change, relating to democracy, rule of law and human rights in the least developed countries in Asia must necessarily involve going through critique and reforms of the institutions of justice as mentioned above.
5. By the very nature of the task, it could succeed only with the participation of a larger section of people, and NGOs like ALRC could only provide certain guidelines and undertake certain activities, but actual realization will depend very much on different types of social groups actively participating in achieving this change.
6. For this purpose, what the ALRC needs to create is not more and more information, but more and more conversation. Of course, information and conversation are linked, but they are not the same. Improvement of conversation for change involves individuals and groups finding their own ways to generate the pressures needed for the political and social leadership in the country to take these matters seriously. If the matters relating to the proposed changes can be ignored, it means an effective work has not been carried out to highlight these matters so that it will gradually find political expression, and also expression among the social leadership in each country.
7. The progress of this work in different countries will be uneven. In some countries, there are more favorable conditions for such demands for change, while in some other countries; repression can be so overwhelming that the progress will be slow. The work programme of the ALRC must take these into considerations and find ways to counteract more difficult situations, while at the same time protecting its activists and partners.
8. Protection of victims and active partners is an essential aspect of this work programme. Any shocking experiences of killings or other ways of harming the active elements serve to reinforce the fears and the intimidation of the general mass of people. Over the years, the ALRC has developed many strategies for protection of victims, active partners, and their family members from assaults.
9. By the very nature of the work, the kind of change that is proposed can take place only on a long-term basis. Sometimes, if a particular repressing regime lasts long, it affects the work of the organization. At such times, the aim should be to work quietly and consistently in order to prepare the activists and partners for better time, so that when the opportunity arises for pushing for change, they should not be found unprepared. The opportunities not properly utilized and harnessed due to lack of preparation is one of the major causes for retarding desired changes from taking place.

10. ALRC should convince the partners and activists of the fundamentally indispensable quality of this task of preparation and help to keep up the morale during more bleak times.

ALRC should convince the donors about the necessity of this work. Many donors coming from more developed countries find it difficult to understand that the basic institutions of justice in least developed countries in places like Asia still remain in an extremely backward situation. The narratives of the situation of the justice institutions in the least developed countries told by activists and some intellectuals are treated as exaggerations. This mental framework prevents the funding agencies from undertaking to help in this kind of work on change of institutions.

Added to this, local activists and intellectuals who are able to articulate problems relating to justice and its inseparable links from protection and promotion of human rights are still very few. The traditional mode of teaching human rights in the abstract or doing a particular task in isolation of the wider task and implications is the ordinary experience in Asia. Winning such elements by illustrating the link between particular tasks and the larger issues should be a part of the work programme of the ALRC.

In each country where work is being done, there needs to be constant reviews with the participation of partners, and leaders of organizations to become part of the family of the ALRC so as to be more effective and relevant.

In writing of narrative reports, both of ALRC as well as its partners, reviews of their work and assessment of future tasks should be encouraged.

Note: Kindly see AHRC's handbook Guidelines for working strategies and methodologies which is available in the internet in the following link: <http://www.humanrights.asia/wp-content/uploads/2017/09/Principles-Guiding-AHRC-Programmes.pdf>

SHARING OF VMG WITH THE PARTNERS

ALRC works with many partner organizations and individual persons as partners throughout several countries in Asia.

One of the tasks of the ALRC's management is to share with its partners the VMGs, as well as the progress that have been made with regard to the VMGs. This is done during regional meetings, at which various partners are present, and in local country meetings that are held for particular countries.

The VMGs are also shared through pamphlets and even books, in which the history of the evolution of the VMG of the organization, and their gradual formulation and progress over the years are documented.

ALRC also shares the VMG through regular publications of the magazine *article2*¹. This magazine demonstrates the manner in which the VMGs of the organization are implemented, and has been published as a quarterly magazine regularly from the year 2000 up-to 2017. At the moment, due to financial constraints, the publication has been suspended.

The various volumes and issues of this magazine is quite illustrative of the manner in which the organization works on a daily basis, and constitutes a resource material for the manner in which the organizations' VMG is put into effect. The magazine is shared with about a 1000 persons around the globe, and is also available on the Internet.

The VMG of ALRC is also shared on a daily basis with around 10,000 email addresses mainly from Asian countries where the organization publishes urgent appeals, as a service arising from the VMG, and other statements that illustrates the manner in which the ALRC approaches the protection and promotion of human rights, which is the core element of its VMG.

¹ <http://alrc.asia/article2/>

ALRC AND THE COMMUNITY

ALRC is fully aware that the success of its VMG's implementation lies within the communities in which it works. ALRC emphasizes on a participatory approach with the community for its work, and this approach is called the "Folk School Methodology".

What is meant by the Folk School approach is a historically practiced methodology first beginning in Denmark under the leadership of Nikolaj Frederik Severin Grundtvig (founded in 1856), and spread throughout the whole of Denmark. It is observed that this movement contributed to greater democratization of the country. Later it spread to other countries and even the United States under leadership of Mike Hutton², a white man who contributed a great deal to the development of the resistance of the Black Afro-Americans at a time when they were so humiliatingly and deeply oppressed. The introduction of the folk school methodology to all work and discussions is one of the unique contributions ALRC has made in the Asian context. (Demoralization and hope – a comparative study of N.F.S Grundtvig of Denmark and Dr. B.R. Ambedkar who created the Dalit movement of the untouchables.)

The development of all practical activities of the ALRC is done on the basis of experiences with the victims of various human rights abuses. The violence they suffer, their attempts to get justice, why prevailing justice systems fail to protect and to provide redress to them are carefully studied and again re-transferred to the community from where the victims come, so that they could better grasp how the conditions under which they live has come about. Reflections are encouraged from the community as how to deal with this situation. This methodology has been called by the ALRC as "From micro to the macro". Kindly see for illustrations the following books and publications – **The Narrative of Justice System in Sri Lanka as illustrated by the narratives given by torture victims**³- This book which consists of 736 pages, summarizes 400 actual torture cases on which ALRC has worked with partners and victims from Sri Lanka. **The Handbook on Torture in Pakistan** published by the ALRC with its partners in Pakistan. **Problem facing Cambodia's Legal System**, an ALRC publication based on experiences in working in Cambodia, **Article 2**, a quarterly magazine published from the year 2000: **Torture – An Asian and global perspectives**, again a magazine initiated by the ALRC. And numerous other publications and reports of meetings.

The ultimate purpose of ALRC's work is to make individuals and communities take up the cause of protection and promotion of human rights by themselves.

Regular services are provided through an effective means of regular communication by ALRC for anyone who is interested in sharing their experiences with others regarding human rights issues. Just Asia is a regular 15 minutes weekly TV program, which provides victims and others from around Asia a platform to communicate their problems.

² Founded in 1932, Highlander held workshops and training sessions during the Civil Rights Movement that helped lay the groundwork for the Montgomery bus boycott and the founding of the Student Nonviolent Coordinating Committee, according to a history on the Highlander website. The state of Tennessee revoked Highlander's charter in 1961 and it then reopened as the Highlander Research and Education Center.

³ <http://www.humanrights.asia/resources/books/asia-narrative-of-justice-in-sri-lanka/>

The firm conviction that it is in the proper identification of problems that the solution lies, is at the heart of the approach that the ALRC takes to work with the community, and without which such identification is impossible.

ALRC'S WORK & UTILIZATION OF MODERN COMMUNICATION FACILITIES

1. ALRC as an organization, which if it wants to achieve its goals should influence public opinion, should take an active interest in utilizing of email, internet, social media and other such facilities to ensure more people are reached by these means.
2. Since 1994, priority has been given to this aspect, and ALRC has a wide network of contacts through emails and websites; an average of 10,000 emails can be sent to recipients daily through this network. Normally, the communications we send are picked up by other media, thus having a replicating effect. Sometimes some communications have reached more than 1 million people by such means.
3. Turning the culture of silence into a talking culture within which various forms of violence and injustice are talked about loudly, is one of the aims of the ALRC. So far this has been one of the most effective part of ALRC's work. This needs to be improved for the purpose of greater effectiveness.

GOVERNANCE

In terms of the Memorandum and Articles of Association of the ALRC, the highest authority of the organization is the Board of Directors, which has the task of being the final authority in leading the organization as well as all matters relating to property and accountability of the organization.

The Board is also responsible for the management of all public funds received for the purpose of the use of the work of the organization.

FINANCIAL MANAGEMENT

1. The Board of Directors will be the final authority on all financial matters relating to the organization in terms of the Memorandum and Articles of Association of the ALRC.
2. The Board of Directors will be responsible as the final authority on matters relating to accountability and management of finances.
3. All Board members are expected to sign the Auditors report to accept responsibility for this report and to be fully aware of the financial situation of the organization.
4. The Board of Directors should be made informed by the management of any changes proposed to the funding agencies on any changes relating to the agreements signed between the organization and a particular funding agency.
5. The Board of Directors also has the Right to Examine any document relating to the finances of the organization.
6. The BoD has the responsibility to examine any complaints made about the financial matters of the organization, whenever such complaints have been made, and there appear to be valid grounds to examine such complaints.
7. The BoD has the responsibility and power to take disciplinary action on matters relating to any financial misdemeanor.

THE BOARD'S ROLE IN POLICY MAKING

1. On the basis of assessment of the work of ALRC, the Board makes and reviews such work for the purpose of helping the organization to improve its contributions to its target groups.
2. For this purpose, the Board meetings are conducted only with the required forum.
3. When the Directors who are based in Hong Kong are delegated to do functions by the Board to intervene in the organization's affairs, such members shall communicate their observations and decisions through emails or faxes to other members of the Board.
4. Any Board member, at any time, is invited to express any dissent he or she may have to the Chairperson who in turn will let the other board members know of such views.
5. It is a requirement of the Auditor that all Board members should sign the finalized Audited Reports, so that they are aware of all matters relating to finances within the organization.

The Board is accountable to the following persons or organizations:

1. To the beneficiary groups that are the reasons for the existence of the organization.

2. To the government in terms of proper observance of laws and regulations that are related to the organization.

What does accountability involve?

It involves a complete openness regarding all matters on which decisions are made and the reasons thereof.

Such accountability particularly involves financial accountability, performance accountability, and accountability to improve.

AGREEMENTS WITH FUNDING AGENCIES

1. All financial dealings will conform to the agreements made with the funding agencies, the details of which are found in the particular agreement signed with each funding agency.
2. If there arises any valid reason for making a change or amendment to any agreement, any such proposal should first receive the approval of the BoD.
3. Thereafter the proposed change should be communicated to the relevant funding agency for their approval.
4. If for any reason, the approval is denied by the funding agency, the agreement should remain in its original form and the proposed change should not be implemented.
5. If there is a need for any further negotiations with the funding agency, such negotiations should be done through the BoD, which may if it thinks fit, take up the matter with the funding agency.
6. The documents relating to renewal of contract should be submitted on time by the management so that it will be convenient for all parties to attend to the renewal.

APPROVAL OF BOARD FOR ALL EXPENDITURE

1. All expenditures relating to the work of the organization should receive the prior approval of the Board.
2. When signing of cheques for expenditures, the vouchers signed by the management and draft of cheques to be issued should be presented for the approval of the Board, who may assign some particular members who are available for carrying out of this duty.
3. According to the presently approved arrangement by the BoD, two members of the Board present in Hong Kong would be the official signatories.
4. The Board may approve the Chief Executive of the organization's management and one management staff person to sign such cheques in the event that one of the two Board members mentioned above is not available, such as being abroad.

5. In any case, where cheques are signed and one of the two board members is not present, at least one board member should sign the cheques together with another management staff mentioned in paragraph 4 above.
6. Copies of all documents related to expenditure should be preserved together with the receipts issued by the recipients of such payments so that they would be available for the Auditors to pursue.
7. The time period for the preservation of all such documents should be done in compliance with the particular agreement with a specific funding agency. These days the requirement of the funding agencies is for the preservation of such documents for 10 years.

While the law of Hong Kong requires such preservation for 7 years, the actual amount of time should be decided by the terms of the particular agreement.

AUDIT REPORTS

1. The Audited Reports should be prepared in time so that deadlines set by a particular funding agency can be honored.
2. The Auditor should have unhindered access to all documents so that they can do their work; in particular all the documents related to financial matter, including all the receipts.
3. The partners should be constantly reminded to send all receipts and other proof of activities that have been carried out so that it would be convenient for all concerned to review or investigate such matters with clarity.
4. Education of partners on this issue is the duty of the management.

NARRATIVE REPORTS

1. The narrative reports should be written in order to properly explain the activities that have been undertaken and carried out with the financial assistance of the funding agencies.
2. The submission of the narrative report should be sent together with the Audited Reports.
3. Narrative reports also should be prepared in accordance with the signed agreements.

PURCHASE OF GOODS

1. The ALRC is not an organization that is heavily involved in the purchase of materials.
2. However, when purchased material exceeds EURO 400, quotations must be sought from 3 possible service providers.
3. Particular areas for concern for ALRC includes the Printing of Books, occasional purchase of equipment such as computers, rental of premises for holding international

meetings where foreigners participate, and the hiring or purchase of some equipment such as Xerox machines and the like. On all these matters, the rule relating to obtaining quotations from at least 3 service providers should be followed before making choices on the particular product or service of a particular company.

BANKING

1. All donations from funding agencies and others should be properly documented, and the money should be processed through bank accounts of the ALRC.
2. A separate bank account should be opened for each funding agency that provides more than US\$ 25,000 annually.
3. For all persons or organizations that provide less than US\$ 25,000 annually, one separate account should be maintained.
4. All banking details should be preserved for reference by the Auditors and where necessary by funding agencies as well as the BoD.
5. Where there is any special deposit or withdrawal, the Administrative Staff should submit details thereof in writing. The Executive Director should refer the matter to the Chairperson of the Board for specific advice and approval.
6. All the papers submitted for approval should be preserved for future reference.

HOW TO USE ACCOUNTABILITY TOOLS

1. Bank account records – The organization opens and maintains a bank account under its name. The bank account records will show all deposits and withdrawals.
2. Cash receipts and cash disbursements books – money that goes in and out should be tracked using cash receipts and cash disbursement books.

STAFF RECRUITMENT

The recruitment for staff positions will be done in the following manner.

1. The decision for recruitment will be first of all approved by the BoD acting through its Chairperson.
2. Once the recruitment is approved, it will be advertised by utilization of social media such Facebook, Twitter and ALRC website.
3. Qualifying for staff post, a thorough assessment is made about the proposed candidates' understanding and commitment to ALRC's VMG.
4. Questionnaires will be designed which the applying candidates need to fill on the following matters:
 - The candidate's reasons for wanting to be involved in human rights related work as engaged in the ALRC.
 - The candidate's knowledge about the theory of human rights.
 - Candidate's view on problems of implementing human rights in the least developed countries in Asia.
 - The candidate's familiarity with one or more of the least developed countries in Asia, and the problems faced in implementation of human rights in such countries.
 - The candidate's experience in working on human rights issues.
 - Candidate's academic qualifications.
 - Candidate's previous employments and contact persons who can confidentially provide an assessment about the candidate's suitability about the post.

When this information and other similar information are gathered, this will be submitted to the Board, who will select suitable candidates for interviews.

Such interviews may be conducted by direct presence or by Skype or other modes of communication.

All the basic information about those who are finally listed for selection would be made available also to the staff members and the partners, and anyone who is able to give information on the candidate would be welcome to do so.

To avoid some mistakes made regarding recruitments in the past, following matters need to be attended to before any selection.

- Candidate's physical and mental health – If a person with a significant mental ailment is recruited to work as a staff member, it may lead to many unnecessary conflicts and also creation of problems which they are themselves unable to prevent.
- Where a person has suffered serious physical and mental abuse, which amounts to torture and ill-treatment, the policy of helping such a person to deal with that situation should not be used as an excuse for granting staff positions, unless the professional capacity to deal with staff position is not compromised thereby. Thus, the policy of helping persons on compassionate grounds should not be equated to any recruitment which lacks the necessary professional capacity and competence.
- A thorough background check must be made before recruitment to a staff position.

This maybe done by talking to previous employers, or our partners who are working in particular country where the staff member comes from or seeking the opinion of some persons of integrity and good reputation on the staff members background.

In this regard again, the fact that the least developed part of Asia where we mostly work, the fact that there are enormous hardships for human rights activists should not prevent the ALRC from making an objective judgment of professional commitment, competence and capacity.

RECRUITMENT OF ADMINISTRATIVE & TECHNICAL STAFF

1. In such recruitments, in depth knowledge about human rights and other similar matters mentioned regarding staff members need not be considered as primary.
2. Professional integrity, competence and willingness to work in an organization that has limited career perspective, should be among some of the considerations in selection of such persons.
3. The professional knowledge about the particular field of work, say for example, Bookkeeping or the work of administration or the use of IT and the like, must be given priority among the consideration for selection.
4. Like the staff position, the vacancies for Administrative or Technical position should also be properly advertised so that there will be access to more persons from whom more confident persons can be selected.

STAFF TRAVEL FOR OFFICIAL PURPOSES

1. Any staff member who will be traveling outside Hong Kong for official purposes needs to fill a form in which information relating to the travel and the cost that may be incurred should be entered into. A copy of the prevailing form **is attached to the end of this section on travel.**
2. All staff including the management or even Board members who may travel for official purposes should ensure that the hotel accommodation should be around the average cost within the given country where they will stay for the travel. For example, the staff members who travel to Geneva to attend as observers for the UN meetings will make arrangements to stay in Guest Rooms that are available for NGOs attending UN meetings. The cost of such rooms is much below the room rents in Geneva. Similarly all those who travel should resort to the same kind of accommodation which are decent enough but of lower cost.
3. Where the Administrative Staff who receive the filled travel forms finds that the particular cost given in the form is above the normal average range as mentioned above, will bring the matter to relevant staff member first, and try to make changes. If the staff member does not agree, the Administrative Staff will bring the matter to the notice of the Executive Director who will talk to the relevant staff member and get them to agree to average range of accommodation cost.
4. The Administrative Staff will maintain the filled Travel Forms, copies of Itineraries for travel and copies of Tickets.
5. On return from travel, the Boarding Pass should be handed over by the relevant staff members to the Administrative Staff who will preserve them together with other documents relating to each particular travel.
6. ALRC does not grant any Per-Diems for travel purposes or for anything else.
7. The ALRC only covers actually incurred cost for accommodation and food, and any other expenses, and the Administrative Staff will review all reports relating to Travel to ensure that a uniform code of conduct is pursued by everyone in a similar manner for travel purposes.
8. The ALRC does not encourage travels merely for the sake of attending events unless the ALRC is called upon to play a role in such meetings, and this role is considered important by the ALRC for furthering of its VMGs.

ALRC discourages the practice attempted by some staff members in the past, who manage to get an invitation and a ticket from some outside source, and on that basis demand the right to travel as no cost is attributed to the ALRC. However, ALRC permits only those travels which are related to furthering its objectives, and this will be maintained on a strict basis.

Travel required visas - Letters for obtaining visas will be issued only with the approval of the Executive Director.

Where there is any dispute on these matters between management and the staff, the matter can be referred to the Chairperson of the BoD, and he will make the final decision on the matter.

There had never been any privileged positions given to anyone including management on incurring costs regarding travel. Uniformed code of conduct is practiced in all matters relating to travel by anyone within the organization.

DISCIPLINE IN THE ORGANIZATION

SEXUAL HARASSMENT

Sexual Harassment & Discrimination Complaints' Committee:

From 28 February 2014, the office has a: Sexual Harassment & Discrimination Complaints' Committee.

*1. **Mandate:** The Committee will hear complaints of sexual harassment (irrespective of gender) and or that of all forms of discrimination at workplace. The Committee shall hear complaints, with cause-of-actions that arises after the formal setting up of the committee that is from 28 February 2014.*

*2. **Members:** (i) Ms. Kishali Pinto, Member, Board of Directors - over Skype and email; (ii) Dr. Rajat Mitra; (iii) Ms. Louise Sun; (iv) Ms. Josefina Bergsten; and (v) Mr. Bijo Francis.*

*3. **Term:** The term of office of the Committee is for a period of one year from 28 February 2014.*

*4. **Complaint and hearing process:** Anyone wanting to approach the committee with a complaint should contact Louise and/or Josefina, who will forward the complaint to the rest of the members. Upon receipt of the complaint, the Committee shall hear the complaint in-camera, and the parties to the complaint shall be provided equal opportunities for hearing.*

*5. **Recommendations of the Committee:** The Committee's recommendations shall be made to the Chairperson of the Board and to the Executive Director. In case a complaint is against any of the members of the Committee, such member shall abstain from hearing on that complaint.*

Further development of the rules relating to inquires into sexual harassment

1. A person complaining about sexual harassment need not divulge his or her name.
2. However, adequate information should be provided to enable the possibility of conduct of an inquiry. **Attached herewith is the letter by the Board of Directors relating to this requirement issued in 2018.**

PRELIMINARY INVESTIGATION

1. The Board through a committee appointed for this purpose in which there should be also women representatives should go over whatever material that is available on complaint on sexual harassment.
2. If the preliminary examination provides that there is ground as a prima facie (on the face of it) case, the committee will refer it back to the Chairperson of the ALRC to appoint an independent inquirer or a group of inquirers to conduct an inquiry impartially and with complete independence to conduct such inquiry.
3. Such inquiries should not only be fair, but also should be seen as fair and transparent.
4. The Board should obtain a report of the inquiry from the Head of the Inquiry Team and where clarifications are needed should ask for such clarifications from the Head of the Inquiry Team.
5. The Board should implement the recommendations of the Inquiring team in order to ensure strict accountability.
6. Going by the past experiences, particular problem arises when accusations are made by a third party who has a grievance against the ALRC for such reasons as dismissal from their jobs on the basis of valid reasons or those who are aggrieved by a failure to obtain the positions they aspire.

7. In this kind of third party complaint, often published by way of internet, social media publications, do not give adequate details about any actual incidents of sexual harassment. When the details are so completely absent, it is not possible for anyone to conduct any inquiry.

Sexual harassment and financial misdeeds are two most of the common allegations for blackmailing against the organization. Therefore, ALRC should take care to deal with such allegations as early as possible and let the funding agencies know the actual position regarding the alleged incidents.

A great damage has been done to the ALRC by the dissemination of false information to the funding agencies, with the deliberate intent of depriving such organizations from obtaining funds for their work, and instead allowing the accusers to apply for such funds. Therefore, it is the duty of organizations like the ALRC and other human rights organizations to educate the funding agencies about the most dangerous practices that rivals and other dissatisfied persons from least developed countries adopt in writing of completely false allegations without any basis and facts. There are such cultural habits which the persons who are living in these least developed countries are fully aware, but those from more developed countries may be more prone to appreciate. Organizations like the ALRC and other human rights organizations should seek from funding agencies opportunities to explain this kind of local practices that are geared towards destruction of organizations engaged in serious work and those who have had impeccable records.

WEBSITES

1. ALRC maintains several websites over a period of nearly 25 years. These websites are:
 - <http://www.humanrights.asia/>
 - alrc.asia
 - alrc.asia/justasia
 - <http://alrc.asia/foodjustice/>
 - <http://alrc.asia/article2/>
 - <http://alrc.asia/hrschool/>
 - <http://www.disappearances.org/>
 - <http://torturemag.org/>
 - <http://prevent-torture.net/>
2. These websites contain valuable materials for anyone who has an interest in gaining some understanding of the human rights issues prevailing in the least developed countries in the Asian region.
3. These websites need to be carefully preserved and constantly updated.
4. Judging by the Google statistics, quite a large number of persons are watching the materials published in these websites.
5. Adequate funding should be found in order to preserve and maintain these websites.

ALRC PUBLICATION

1. ALRC has a reputation for publications which few other organizations have in the region.
2. Regular periodical published are Article 2 <http://alrc.asia/article2/>
3. Torture – Asian and Global Perspective found at <http://torturemag.org/>
4. Ethics in Action found at <http://www.humanrights.asia/journals-magazines/eia/>
5. Besides these, quite a large number of books in English and some of the local languages have been published and they too are part of the valuable information on human rights perspectives.
6. These publications should be preserved and advertised so as more persons can utilize such materials.
7. AHRC Urgent Appeals⁴ is a great treasure revealing details of human rights abusers of many countries in Asia. The details of violations are recorded therein.
8. Regular statements of ALRC published through its internet facilities also is an important education tools.

ALRC has a capacity to send out its information to at least 10,000 email addresses in the world. These email addresses are normally classified in terms of separate countries so that some communications can be sent if required only for a particular country, or it could be sent region wise for whole of Asia or globally.

Very often what we produce by way of urgent appeals and statements are usually reproduced in other internet and print facilities. There are several instances at which one single story or statement gets distributed through other media with more than 1 million viewers.

These publications as well as Just Asia, a weekly TV programme and many video productions provide valuable information for the education of the people.

There is a rather heavy overload of publications that provide for education of the people and for their regular engagements with the authorities for improvement of things. There had been references to these publications in the reports of the UN Special Rapporteurs, in the UPR processes with the Human Rights Councils, in human rights reports of the United States, United Kingdom and the like.

These publications also provide opportunities for radio and television interviews on important matters for example at the moment on Rohingyas or extrajudicial killings in countries like Bangladesh and others.

⁴ <http://www.humanrights.asia/latest-news/urgent-appeals/#expand>

INTERN HOUSE

1. ALRC maintains an intern house for those who come for internships at the organization.
2. Internships are provided particularly for those who are from least developed countries from Asia, but where it is possible even Europeans and American interns have attended this internship programme.
3. Internships usually last from 3 to 6 months; and provide an exposure to activists from less developed countries to the Rule of Law system in Hong Kong. Hong Kong's Independent Commission against Corruption is something of a marvel for many of the interns who come from least developed countries.
4. These exposures help to displace despair and to generate hope.

MONITORING & EVALUATION

1. Monitoring and evaluation are important aspects of efficiency and usefulness for an organisation like the ALRC.
2. Regular evaluations by external evaluators have been conducted, and all the reports of such evaluations are in our possession.
3. Usually external evaluators are chosen in consultation with the funding agencies concerned.
4. All attempts are made to implement the recommendations of such external evaluations, although some aspects have been hindered due to unavailability of funds, as the ALRC operates from one of the most expensive places in Asia, Hong Kong.
5. However, we look into all recommendations in a positive spirit and the recommendations as necessity for development of the organization, and we try to raise the funds necessary in order to make the necessary changes.
6. Monitoring is done through exercises on a daily basis.
7. We keep in contact with our partners through emails, Skype and other modern methods of technology.
8. Before we had the financial problems arising from last year's event, we had one person at the Headquarters in Hong Kong for each country we work in.
9. Such local officers based at the Headquarters keep in touch with the local partners daily and report the matters arising to the Executive Director as well as the staff at the staff meetings.
10. However, in the process of monitoring, many new demands come in particularly for the protection of human rights defenders. Unfortunately during the recent times, our funding has not been adequate to deal with many of these demands which come from very genuine reasons. The ALRC is struggling to solve this problem adequately.
11. Besides daily contacts, we have sub-regional and regional meetings which are attended by the leaders of our partner organizations.
12. Such meetings have been a valuable occasion for ALRC to learn more about the work of partners and to decide on which ways that we can help our partners.
13. Besides this, we have local training programmes on a regular basis. Here not only our partners, but newcomers who wish to participate in our work come in. This helps in the expansion of the organization. Besides all such monitoring, there is also monitoring of local political, social and cultural situations, which is the basis on which proposed changes could be achieved. We keep contact with many persons in each country to be able to make assessment of developments that are taking place in the countries or lack of such developments.

Our annual reports are written on the basis of such larger assessments. In the annual report, a chapter is given for each country.

However, due to financial constraints, within the last few years, we were not able to produce the kind of annual reports we used to produce in the past.

CONCLUSION

1. ALRC is aware that an efficient organization can be created only by a way of efficient and transparent management.
2. In the past, many attempts have been made to create such an environment and for almost 35 years, no funding agencies (except for the unfortunate incident that happened last year) has raised any issue about its integrity and credibility. In fact, evaluation reports which are done regularly have repeatedly found the financial management system is being strictly maintained.
3. However, times have come for further improvements. The modern technological facilities provide opportunities for improved management. Some funding agencies have also requested that there should be some changes in organization structures and practices. ALRC takes all this in a positive spirit and with gratitude.
4. In the months to come, provided we could harness adequate funding, we would affect these changes within the organization and the structure of the ALRC.

ACRONYMS / SHORT DEFINITIONS

- ALRC – Asian Legal Resource Centre Limited, registered as a company under the Hong Kong law
- AHRC – Asian Human Rights Commission Limited, registered as a company under the Hong Kong law
- CS – Charitable status for the organization in Hong Kong. ALRC enjoys charitable status which exempts the organization from taxation. It is implied that the ALRC will engage only in activities that are allowed to be done under the definition of charitable status in Hong Kong. AHRC does not enjoy charitable status and is free to engage in advocacy which is not for organization's enjoying charitable status.
- ECOSOC Status – Observer status in the Economic, Social and Cultural Council of the United Nations. ALRC enjoys the ECOSOC status. By this, ALRC has the right to participate in United Nations meetings, and to make written and oral submissions to Human Rights Committee and other treaty bodies such as Committee against Torture (CAT), Committee on the Elimination of Discrimination against Women (CEDAW) and the like.
- UN Human Rights Committee – This is a body established under the protocol to for making petitions by individuals or organizations against decisions of the governments which are deemed to be violations of individual rights.
- ICCPR – International Covenant on Civil and Political Rights
- ICESCR - International Covenant on Economic, Social and Cultural Rights
- GO – Governmental organizations particularly dealing with human rights
- National Institutions – Which means organizations established under the Paris Principles which defined at the first International Workshop on National Institutions for the Promotion and Protection of Human Rights held in Paris on 7–9 October 1991.
- Principles relating to arrest and detention – This refers to internationally established principles for protection of arrestees and detainees – it covers the laws relating to bail and release and forbids holding of free trail prisoners outside such international norms.
- Enforced Disappearances – Abduction, holding a person outside authorized places of detention and often killings of such persons and disposal of bodies. The international law on these matters are governed by the International Convention against Enforced Disappearance
- Torture – all acts falling within the definition of torture and cruel and inhuman treatment within the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (commonly known as the United Nations Convention against Torture (UNCAT)).
- Asian Charter – This refers to Asian Charter on Human Rights (Our common humanity which was a document adopted after very wide consultations in 1998. It is an initiative AHRC/ALRC supported also by the May 18 Memorial Foundation of South Korea.
- Declaration on Right to Justice – An initiative of ALRC/AHRC together with the May 18 Memorial Foundation referred above. It covers the need for justice reforms meaning police, prosecution, and judiciary as a necessary component of implementation of human rights.