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Promoting Human Rights: National Human Rights Commissions in Indonesia and Malaysia

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Promoting Human Rights

Since the 1990s, the number of National Human Rights Institutions (NHRIs) has grown rapidly worldwide. NHRIs are widely believed to be able to contribute to the realisation of human rights, by embedding international norms in domestic structures. This is a task of significant legal, political and social relevance, particularly in countries where human rights norms have been considered alien or in contradiction to dominant values and norms.

Promoting Human Rights: National Human Rights Commissions in Indonesia and Malaysia addresses this issue by a comparative analysis of two NHRIs in Southeast Asia. It traces the development of both organisations since their inception, paying attention to evolving notions of mission and mandate, as well as to their performance and effectiveness in three case studies regarding the freedom of religion, the right to a fair trial and the right to adequate housing. This analysis takes into account the influence of the socio-political context in which these organisations operate. It reveals that the manner in which NHRIs address human rights issues differs between categories of rights, and that the promotion of international human rights standards is often hampered by the contestation of these norms, both within and outside of the organisation.

This study demonstrates that bringing international human rights norms home to national and local levels via NHRIs is not as straightforward as has been hoped by the international community. At the same time, it highlights some of the contributions the NHRIs have made to the realisation of human rights in challenging circumstances. The author therefore argues that NHRIs play a crucial role in making human rights an integral part of both the state and society.

This is a volume in the series of the Meijers Research Institute and Graduate School of Leiden University. The study is a part of the Law School's research programme Securing the Rule of Law in a World of Multilevel Jurisdiction and was conducted at the Van Vollenhoven Institute for Law, Governance, and Development.



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