

# U.N.-recognised Global Alliance of National Human Rights Institutions keeps NHRC waiting over 'political meddling'

Action comes months after Indian human rights watchers wrote to GANHRI about the NHRC's lack of independence, pluralism, diversity and accountability

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The National Human Rights Commission building in New Delhi. Photo: Twitter/@NCWIndia

For the second time in a decade, the U.N.-recognised **Global Alliance of National Human Rights Institutions (GANHRI)** **deferred the accreditation of National Human Rights Commission, India (NHRC-India)** citing objections like political interference in appointments, involving the police in probes into human rights violations, and poor cooperation with civil society.

As reported, the GANHRI's letter to the NHRC also cited lack of diversity in staff and leadership, and insufficient action to protect marginalised groups, as reasons for the deferment of the accreditation.

This came two months after seven human rights watchers/institutions wrote to GANHRI objecting to NHRC India's 'A' rank. They also raised concerns regarding the commission's lack of independence, pluralism, diversity and accountability that are contrary to the U.N.'s principles on the status of national institutions (the '**Paris Principles**').

"The NHRC has repeatedly failed to deliver its mandate, in particular to protect the rights of people from marginalized communities, religious minorities, and human rights defenders," **the letter** said.

The United Nations' Paris Principles, adopted in 1993 by the U.N. General Assembly, provide the international benchmarks against which National Human Rights Institutions (NHRI) can be accredited.

The Paris Principles set out six main criteria that NHRIs are required to meet. These are: mandate and competence; autonomy from government; independence guaranteed by a statute or Constitution; pluralism; adequate resources; and adequate powers of investigation.

The GANHRI consists of sixteen, 'A' status NHRIs, four from each region, namely, the Americas, Europe, Africa, and the Asia-Pacific. 'A' status accreditation also grants participation in the work and decision-making of the GANHRI, as well as the work of the Human Rights Council and other U.N. mechanisms.

The NHRC-India has been set up under the Protection of Human Rights Act passed by Parliament in 1993. It has been accredited as an 'A' Status NHRI since the beginning of the accreditation process for NHRIs in 1999, which it retained in 2006, 2011, and in 2017 also after a deferment.

The letter, written by Amnesty International, CSW, Front Line Defenders, Human Rights Watch International Commission of Jurists, International Federation for Human Rights (FIDH), and the World Organisation Against Torture (OMCT) to GANHRI, maintained that since 2017, instead of following through on the assurances that the NHRC has given to the GANHRI, the functioning of the commission has further regressed, undermining its independence and adherence to the Paris Principles.

Responding to *The Hindu*, the NHRC-India said that the GANHRI, through the **Sub-Committee on Accreditation (SCA)** is responsible for reviewing and accrediting NHRIs in compliance with the Paris Principles every five years. As part of this process, the review of the NHRC-India was due in March 2023 for its reaccreditation, which has been deferred for a year, meaning thereby no final decision has been taken as yet.

The NHRC said that the deferment is an action of the SCA and not a recommendation on the accreditation status of the NHRC-India. It added that throughout the deferred period, the NHRC-India retains its 'A' Status and associated privileges, including voting and participation rights in the meetings of GANHRI and Asia Pacific Forum (APF).

India's top human right's body added that the process of reaccreditation has not concluded and the SCA has recommended advocating with the government and Parliamentarians for certain legislative amendments to improve compliance with the Paris Principles.

"The SCA was satisfied with the replies of NHRC, India on most of issues. It would further submit its response to the SCA shortly as part of the ongoing process," the NHRC stated, adding that there is time to send a response.



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