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UN-linked body defers NHRC-India accreditation for second year in a row

The decision could now affect India's ability to vote at the Human Rights Council and some UNGA bodies

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File image.

In a setback for India's human rights record, the Geneva-based, United Nations-linked Global Alliance of National Human Rights Institutions (GANHRI) deferred the accreditation of the National Human Rights Commission-India (NHRC) for the second year in a row. The decision, which could now affect India's ability to vote at the Human

Rights Council and some UNGA bodies, was taken during the meeting of the Sub-Committee on Accreditation (SCA) on May 1, that included representatives from New Zealand, South Africa, Honduras and Greece.

While the committee's latest report is still awaited, its previous report had cited a number of reasons for recommending the deferral, including the lack of transparency in appointing members to the NHRC, the appointment of police officers to oversee human rights investigations, and the lack of gender and minority representation on the member panel.

The accreditation deferral decision has been conveyed to the NHRC, sources confirmed to *The Hindu*, indicating that some of the demands made by the international peer review report were difficult to undertake during the election process in India.

"GANHRI wanted us to make some structural changes and incorporate a few suggestions given by them. The same was not possible at this time due to the ongoing general elections," an official, who asked not to be identified, said confirming the decision. Officials said the deferral was likely to be reviewed later this year, during meetings in September, or again in May next year. The NHRC's "A-status" has only been deferred once before, in 2016, but it was restored in 2017. This is the first time India's status has been suspended for two years in a row, in 2023 and in 2024.

The NHRC was 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 the deferment.

The 'A' status was deferred this time after civil society organisations and human rights activists wrote to the global body, expressing concerns about India's record.

'Conflict of interest'

According to six-point submission by the SCA in March 2023, the NHRC has failed to create conditions required to be "able to operate independent of government interference". In the submission, the committee had slammed India for the involvement of police officers in its investigative process, calling it a "conflict of interest". The report had also cited lack of diversity in staff and leadership and insufficient action to protect

marginalised groups, as reasons for the deferment of the accreditation. According to sources, the same reasons continued for the second year as the reason for the India losing its 'A' status.

The GANHRI also cited the "lack of pluralism" in the composition of the NHRC which has just one woman in its top body right now, Vijaya Bharathi Sayani, apart from its "ex-officio" chief that is the National Commission for Women. While the Chairperson of the National Commission for Minorities Iqbal Singh Lalpura is also an ex-officio member, the GANHRI had pointed out that the composition of the committee should reflect the "diversity of the society" it operated in, indicating the lack of any member representing India's largest minority religions.

Officials in the body pointed out that Rajeev Jain "qualifies as a minority", as he belongs to the Jain community. Mr Jain's tenure is ending this month while the tenure of Justice (ret'd.) Arun Mishra, the current chairperson of NHRC-India, is ending next month. It remains to be seen how soon the government, which due to be formed in early June after elections will move to fill the positions.

GANHRI is a body of 120 members, of which 88 countries have "A" status accreditation, while 32 have "B" status".

(With inputs from Suhasini Haidar)