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**DAILY EDITORIAL
ANALYSIS**

TOPIC

**NHRC's International Accreditation
is Under Review**

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NHRC'S INTERNATIONAL ACCREDITATION IS UNDER REVIEW

In Context

- The 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.

About Accreditation Agency

- The GANHRI unites 120 National Human Rights Institutions globally and is responsible for **reviewing and accrediting NHRIs** in compliance with the **Paris Principles** adopted in 1993.
- The review process is conducted by the **Sub-Committee for Accreditation (SCA)** every five years.
- The SCA, as well as the U.N. Human Rights Office of the High Commissioner (OHCHR), the U.N. Development Programme (UNDP), international and regional organisations, and civil society members, collectively review the **NHRIs' performance**.
- The rating happens on a scale of **A and B**; 'A' implies a body is fully compliant with the Paris Principles, whereas B signals "partial compliance."

Do you know ?

- The **Paris Principles function** as a treatise for National Human Rights Institutions (NHRIs) globally, ensuring they meet minimum standards to be deemed credible. The six principles provide an anchor for NHRIs, requiring them to maintain autonomy and transparency in decision making, composition, processes and structure.
 - ◆ Per the Paris Principles, the NHRIs should have
 - "broad constitutional and/or legislative mandates that cover all human rights;
 - independence;
 - an array of express human rights promotion and protection responsibilities;
 - a pluralist representation;
 - adequate funding;
 - and responsibilities to cooperate, consult and interact with UN bodies, regional organizations, other NHRIs, other statutory bodies responsible for human rights promotion and protection, and human rights NGOs."

India's record of accreditation with GANHRI

- 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.
- This is the first time India's status has been suspended for two years in a row, in 2023 and in 2024.

Reasons for deferred the accreditation

- Lack of diversity in the composition of the NHRC.
- An opaque appointment process for members of the NHRC.
- Inadequate cooperation with civil society organizations.
- The involvement of police personnel in investigations, which could lead to conflicts of interest.
- The NHRC's inability to effectively respond to escalating human rights violations.
- These concerns have led to the deferral of the NHRC's accreditation for the second consecutive year.

Impacts

- **NHRIs with 'A' status** can participate in the UN Human Rights Council, its subsidiary bodies, and some UNGA bodies and mechanisms.

- ◆ They are also eligible for full membership of GANHRI, which includes the right to vote and hold governance positions.
- **NHRIs accredited with 'B' status** can participate in GANHRI meetings, but cannot vote nor hold governance positions.
- The review and the potential downgrade of the NHRC's status are significant as they reflect on India's commitment to upholding human rights standards and the effectiveness of its primary human rights institution.
- The decision could now affect India's ability to vote at the Human Rights Council and some UNGA bodies.

National Human Rights Commission, India

- It has been set up by an Act of Parliament under the Protection of Human Rights Act, 1993 for the protection and promotion of human rights.
- **The functions of the Commission** : enquiry into complaints of violation of human rights or negligence in the prevention of such violation by a public servant,
 - ◆ studies treaties and international instruments on human rights and makes recommendations for their effective implementation to the Government.
 - ◆ responsible for spreading human rights awareness amongst the masses and encouraging the efforts of all stakeholders in the field of human rights literacy not only at the national level but at international level too.
 - ◆ NHRC is a unique institution because it is one of the few National Human Rights Institutes (NHRIs) in the world whose **Chairperson is the former Chief Justice of the country.**

Issues linked to NHRC

- **Political Interference:** There have been allegations of political interference in the appointments within the NHRC, which could compromise its independence and neutrality.
- **Representation and Diversity** : The NHRC has been criticized for the lack of gender and minority representation in its composition, which is essential for addressing a wide range of human rights issues.
- **Cooperation with Civil Society:** The NHRC has been noted to have poor cooperation with civil society organizations, which play a crucial role in human rights advocacy and monitoring.
- **Handling of Human Rights Violations:** There are concerns about the NHRC's handling of cases involving serious human rights violations such as custodial deaths, police torture, and fake encounters.

Conclusion and Way Forward

- The NHRC continues to be a guardian of human rights in India, navigating through challenges and striving for the betterment of human rights practices.
- Its role is crucial in upholding the values enshrined in the Indian Constitution and in fostering a culture of respect for human rights across the nation.
- But addressing the existing concerns is crucial for the NHRC to function as an effective and independent body that upholds human rights standards and practices
 - ◆ The NHRC needs to enhance public awareness about human rights and improve accessibility for individuals to report violations

Mains Practice Question

- Q.** How free and fair is India's National Human Rights Commission? Discuss the challenges faced by the NHRC in upholding human rights standards in India. How can the NHRC address these challenges effectively?

