

**INTERNATIONAL COORDINATING COMMITTEE
OF NATIONAL INSTITUTIONS FOR
THE PROMOTION AND PROTECTION OF HUMAN RIGHTS**
17th Session, Geneva, 12 April 2006

Report and Recommendations of the Sub-Committee on Accreditation¹

BACKGROUND

1. In accordance with the Rules of Procedure of the International Coordinating Committee of National Institutions for the Protection and Promotion of Human Rights (ICC), the Sub-Committee on Accreditation (the Sub-Committee) has the mandate to consider and review applications for accreditation received by the National Institutions Unit of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its capacity as the ICC Secretariat, and to make recommendations to the ICC members with regard to the compliance of applicant institutions with the Paris Principles.
2. Representatives of the national institutions of Canada (Chair), Denmark, Fiji and Nigeria, as members of the Sub-Committee and as representatives of their respective regions, convened on 10 and 11 April 2006. The OHCHR participated as a permanent observer and in its capacity as ICC Secretariat.
3. Pursuant to article 3 (c) of the ICC Rules of Procedure, the Sub-Committee considered applications of institutions of Armenia, Burkina Faso, Egypt, El Salvador, Jordan, Namibia, Nicaragua, Northern Ireland, Norway, Puerto Rico and United Kingdom of Great Britain and Northern Ireland. Pursuant to article 3 (g) of the ICC Rules of Procedure, the Sub-Committee considered the accreditation status of the national institutions of Madagascar, Nepal and Niger.
4. In accordance with the Paris Principles and the ICC Rules of Procedure, the different classifications for accreditation used by the Committee are:
 - A: Compliance with the Paris Principles;
 - A(R): Accreditation with reserve – granted where insufficient documentation is submitted to confer A status;
 - B: Observer Status - Not fully in compliance with the Paris Principles or insufficient information provided to make a determination;
 - C: Non-compliant with the Paris Principles.

¹ Adopted by the members of the International Coordinating Committee on 12 April 2006.

5. After considering all applications, the Sub-Committee presents this report for consideration of the members of the ICC at its seventeenth session. The report provides the recommendations of the Sub-Committee.
6. The Sub-Committee received an unprecedented number of applications for review. It was successful in considering them all. In the interests of time and efficiency, the Sub-Committee has decided to make its report to the ICC in a format which focuses exclusively on its final recommendations.
7. During the first day of deliberations, the Sub-Committee received oral representations on behalf of the national institutions of Nepal, Niger, and Egypt. The Sub-Committee was of the view that institutions being reconsidered under article 3 (g) of the ICC Rules should have the opportunity to make oral representations. The Sub-Committee would like to thank those interveners for attending and providing further contextual information with respect to the applications of these institutions. The Sub-Committee considered whether the practice of direct oral presentations is one that would continue to be encouraged and/or permitted. On balance, the Sub-Committee has decided that, given the pressures of time and the growing number of applications, this practice is not sustainable. It is believed that the right to be consulted, as contemplated by the ICC Rules article 3 (d) and (e) is fully complied with by the opportunity to make written submissions.
8. The Sub-Committee would also like to acknowledge the high degree of support and professionalism of the staff of the ICC Secretariat which was greatly appreciated.
9. In accordance with the ICC Rules of Procedure, the Sub-Committee encourages all accredited national institutions to advise the ICC at the first available opportunity of any change in their circumstances that would impair their ability to meet the standards and obligations of the Paris Principles.
10. The decisions on the applications are as follows:

RECOMMENDATIONS

ARMENIA

Human Rights Defender

Recommendation: The Sub-Committee recommends accreditation status A (R) at this time and recommends that the Human Rights Defender provide additional information regarding how the requirement of pluralism is ensured through the expert council and provide additional information describing the scope and nature of its role in promoting human rights.

BURKINA FASO

Commission Nationale des Droits Humains

Recommendation: The Sub-Committee recommends that the current accreditation status B remain unchanged on the basis that no further documentation was provided

upon which a different decision could be made. It is further recommended that a letter be sent to the Commission Nationale encouraging discussion with the African Regional Representatives of the ICC regarding further development of the institution.

EGYPT

National Council for Human Rights

Recommendation: The Sub-Committee recommends accreditation status B at this time and further recommends that the National Council provide detailed assurances of its independence from the government specifically with respect to the ability of the President to convene the National Council; the role of the Committee of Five; and the relationship of the national institution to the government in international activities.

EL SALVADOR

Procuraduria para la Defensa de los Derechos Humanos

Recommendation: The Sub-Committee recommends accreditation status A and encourages the Procuraduria to consult with civil society during the appointment process of deputies.

JORDAN

National Centre for Human Rights

Recommendation: The Sub-Committee recommends accreditation status B at this time and further recommends that: the temporary law establishing the National Centre be made permanent; that further information be provided with respect to the funding of the NCHR; that further information and clarification be provided which addresses the question of the application of this legislation to non-citizens; and that further clarification be provided that the appointments procedure will ensure pluralism.

MADAGASCAR

National Human Rights Commission

Pursuant to article 3 (g) of the ICC Rules of Procedure, the ICC Chair requested that the accreditation status of Madagascar be reviewed.

Recommendation: The Sub-Committee recommends that the accreditation status of the Commission Nationale des Droits de l'Homme (CNDH) be withdrawn on the basis that there is no evidence that the institution continues to exist. It is further recommended that, should this recommendation be adopted, it should be revisited if appropriate evidence was brought forward within sixty days that the Commission does indeed exist.

NAMIBIA

Office of the Ombudsman

Recommendation: The Sub-Committee recommends accreditation status A and encourages the Office of the Ombudsman to complete its plans to establish a Human Rights Advisory Committee.

NEPAL

National Human Rights Commission

Pursuant to article 3 (g) of the ICC Rules of Procedure, the ICC Chair requested that the accreditation status of Nepal be reviewed.

Recommendation: The Sub-Committee recommends that the current accreditation status of A be reviewed at the next meeting of the Sub-Committee and that the Nepal Human Rights Commission provide documentation to demonstrate its continued

compliance with the Paris Principles, specifically with respect to the appointment process related to the Secretary General.

NICARAGUA

Procuraduría para la Defensa de los Derechos Humanos

Recommendation: The Sub-Committee recommends accreditation status A and encourages the Procuraduría to advise the ICC should there be concerns in the future with respect to its funding.

NIGER

Commission Nationale des Droits de l'Homme et des Libertés Fondamentales

Pursuant to article 3 (g) of the ICC Rules of Procedure, the ICC Chair requested that the accreditation status of Niger be reviewed.

Recommendation: The Sub-Committee recommends that the current accreditation status of A remain unchanged and encourages the Commission Nationale to seek ways of assisting in resolving the dispute with respect to filling two remaining membership positions.

NORTHERN IRELAND (UK)

Human Rights Commission

Recommendation: The Sub-Committee recommends that the merits of this application not be considered at this time pending clarification by the Human Rights Commission and the relevant governmental authorities of its status as a national institution.

NORWAY

Centre for Human Rights

Recommendation: The Sub-Committee recommends accreditation status A and encourages the Centre to advise the ICC should there be concerns in the future with respect to its funding.

PUERTO RICO

Oficina del Procurador del Ciudadano del Estado Libre Asociado

Recommendation: The Sub-Committee recommends that the merits of this application not be considered at this time pending clarification by the Oficina del Procurador and the relevant governmental authorities of its status as a national institution.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Disability Rights Commission

Recommendation: The Sub-Committee recommends that the merits of this application not be considered at this time pending clarification by the Disability Rights Commission and the relevant governmental authorities of its status as a national institution.