

Furthermore, the SCA notes the HRCM has assumed the role of the National Preventive Mechanism under Optional Protocol to the Convention Against Torture (OPCAT) and notes the good work already undertaken, particularly in relation to monitoring places of imprisonment and detention.

The SCA raises the following concerns:

3. The founding legislation continues to provide that all members of the Commission must be Muslim. In accordance with earlier recommendations, the SCA reiterates the need for the removal of this clause in order to comply with the requirements of the Paris Principles, referring in particular to Paris Principle B.1 and General Observation 2.1 “Ensuring pluralism”, and noting that the existing requirement discriminates against other religious minorities. The SCA notes the concern expressed by the Special Rapporteur on the Freedom of Religion or Belief on the legislation limiting the eligibility for certain public posts to Muslims, including the Human Rights Commission Act and by the Citizenship Law, which stipulates that only Muslims can apply for Maldivian citizenship. (2007-A/HRC/4/21/Add.3)
4. The HRCM may be interpreting its mandate in a manner inconsistent with international human rights law, particularly with regard to recognised protection against all forms of cruel, inhuman or degrading treatment or punishment. The HRCM is encouraged to advocate in support of all fundamental rights and freedoms.

The SCA makes the following observation:

5. While the HRCM previously received additional funding to undertake the NPM role, no such funding has been made available in the current year. The SCA highlights the need for institutions nominated as a NPM to be equipped with adequate resources in order to ensure the gradual and progressive realization of the improvement of the organization’s operations and the fulfilment of its mandate. The SCA refers the HRCM to General Observation 2.6 “Adequate Funding” and to the Sub-Committee on the Prevention of Torture’s Preliminary Guidelines for the NPMs, the latter of which states that adequate resources should be provided for work associated with this role.

The SCA encourages the HRCM to continue its endeavours in pursuing legislative amendments and requests that it re-submit its accreditation application when the concerns outlined above have been addressed.

3.2. Algeria: Commission Nationale Consultative de Promotion et de Protection des Droits de l’Homme (CNCPPDH)

Recommendation: The SCA recommends, pursuant to Article 16.3 of the ICC Statute, that consideration of CNCPPDH be **deferred** to its next session.

The SCA notes with great appreciation the work undertaken by the CNCPPDH in pursuing amendments to its enabling legislation to strengthen its compliance with the Paris Principles.

However, the SCA notes that the revision of the founding law did not sufficiently address a range of issues fundamental to compliance with the Paris Principles. The SCA therefore raises the following concerns:

1. The Commission is required to report to the President of the Republic, rather than to the Parliament. The Commission's reports are neither widely circulated, discussed nor considered by governmental bodies or parliament. The SCA refers to General Observation 1.6 "Recommendations by NHRIs" and refers to the concerns of the Human Rights Committee (CCPR/C/DZA/CO/3) and Committee Against Torture (CAT/C/DZA/CO/3) about the accessibility of information on the work of the Commission.
2. While the legislation establishes a selection committee to consider the appointment of members, the final selection and the appointment of members still remains with the President of the Republic. The amended legislation fails to establish a clear, transparent and participatory selection process, and does not establish clear and objective grounds for the dismissal of members as is required by the Paris Principles. The SCA refers to General Observations 2.1 and 2.2, respectively "Ensuring pluralism" and "Selection and appointment of the governing body". It also refers to General Observation 2.9 "Guarantee of tenure for members of governing bodies".
3. There is no legislative provision regarding the recruitment of staff. The CNCPPDH failed to provide sufficient information on its human resources, including staffing levels and secondments. The SCA refers to General Observations 2.4 "Staff by secondment" and 2.7 "Staff of an NHRI".
4. The need for the CNCPPDH to receive adequate funding to allow it to effectively perform its functions. The SCA refers the CNCPPDH to General Observation 2.6 "Adequate Funding".

The SCA also notes:

5. That all the CNCPPDH members are part-time. It refers to General Observation 2.8 "Full-time members".
6. The critical importance for NHRIs to maintain close cooperation with civil society in order to effectively fulfil their mandate, and calls upon the CNCPPDH to improve its relations with such organizations. It refers to General Observation 1.5 "Cooperation with other human rights institutions".

In the revision of its legislation, the SCA encourages the CNCPPDH to continue its engagement with relevant national authorities in order to have the above-mentioned issues addressed, and to seek the advice and assistance of OHCHR and the regional coordinating committee (Network of African NHRIs).

3.3. Cameroon: National Commission on Human Rights and Freedoms (NCHRF)

Recommendation: The SCA recommends that the NCHRF be accredited with **A status**.

The SCA notes with appreciation:

1. The action undertaken by the NCHRF in pursuing legislative amendments to address concerns regarding compliance with the Paris Principles. It notes that this has led to the
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