GLOBAL ALLIANCE OF NATIONAL HUMAN RIGHTS INSTITUTIONS

RULES OF PROCEDURE FOR THE GANHRI SUB-COMMITTEE ON ACCREDITATION

[amended version adopted on 28 November 2024]

1. Interpretation

In this document:

- **GANHRI** means the Global Alliance of National Human Rights Institutions.
- **GANHRI Bureau** means the committee of management established under Article 43 of the GANHRI Statute.
- **GANHRI Chairperson** means the person elected pursuant to Article 34 of the GANHRI Statute.
- **GANHRI Statute** means the Statute of the Global Alliance of National Human Rights Institutions.
- **NHRI** means a National Human Rights Institution as defined in Article 1 of the GANHRI Statute.
- **OHCHR** means the Office of the High Commissioner for Human Rights.
- **Regional Networks** mean the networks defined in Article 1 of the GANHRI Statute.
- **SCA** means the Sub-Committee on Accreditation as described in Article 1 of the GANHRI Statute.
- **SCA Chairperson** means the person elected according to art. 3.2 of these Rules of Procedure
- **Secretariat** means the relevant unit in OHCHR that is designated responsibility for National Human Rights Institutions.

2. Mandate

2.1 Accreditation

In accordance with the GANHRI Statute, the SCA has been established to review and analyse applications for accreditation from NHRIs.
The SCA makes recommendations to the GANHRI Bureau, which has the authority to make final decisions on accreditation.

2.2 General Observations

The SCA may develop General Observations to explain the meaning and practical application of the Paris Principles.
General Observations should:

- promote a clear understanding of the Paris Principles and their application to decisions on accreditation, re-accreditation or special review;

- assist NHRIs in developing their own practices and procedures in compliance with the Paris Principles; and

- facilitate NHRI advocacy with their domestic governments to address issues relating to Paris Principles compliance.

Where an NHRI falls substantially short of the standards articulated in the General Observations, the SCA may determine that the NHRI is not or is no longer compliant with the Paris Principles.
General Observations must be approved by the GANHRI Bureau.

3 Composition

3.1 Members

For the purpose of ensuring a fair balance of regional representation on the SCA, it shall be composed of one (1) NHRI accredited with 'A' status from each of the four (4) Regional Networks recognized in Article 31 of the GANHRI Statute. Members may be accompanied by a support person.

Members are appointed by Regional Networks for a renewable term of at least three (3) years.

Regional Networks shall also appoint an alternate member to participate where a member is unavailable to attend a session, is under review during a session, has identified a conflict of interest pursuant to section 4.7 of these Rules, or is under notice of intention to downgrade its status pursuant to section 4.8 of these Rules. The replacement by the alternate member is for the whole SCA session.

Members are nominated by Regional Networks and participate as impartial, objective and independent experts. They must make decisions based on an objective assessment of an applicant's compliance with the Paris Principles and the General Observations, and without consideration of national or regional interests.

Any SCA member-elect or alternate member can attend one SCA session as an observer in order to learn about the procedures in practice in advance of serving on the SCA. On the basis of a reasoned request and upon approval of the members of the SCA, this observation period may be extended as appropriate.

3.2 SCA Chairperson

SCA members shall select a member to serve as Chairperson for a one (1) year term, renewable twice.
The SCA Chairperson shall:

- authorise the agenda for sessions;
- preside over meetings;
- consult with members on issues arising between sessions;
- report to the GANHRI Bureau and General Meetings; and
- authorise all communications from the SCA, whether issued by the Secretariat or the Chair. The Secretariat shall assume responsibility for regular communications.

The Chair shall rotate between each of the four (4) Regional Networks recognized in Article 31 of the GANHRI Statute. If an SCA member declines to accept the role of SCA Chairperson, or is no longer able to continue in this role, the Chair shall pass to the member from the region next in rotation. The order of rotation is Africa, Asia Pacific Americas, and Europe.

4 Meeting Requirements

4.1 Frequency

The SCA meets twice a year in Geneva.

4.2 Additional meetings

With the agreement of the GANHRI Chairperson and SCA members, the SCA Chairperson may convene additional meetings.

4.3 Posting of participants

All members shall, at the latest thirty (30) days before the beginning of a session, provide the GANHRI Secretariat, in writing, with the names and titles of those individuals that will be

attending the session. This information will be posted by the Secretariat on the website of the SCA at the latest twenty-eight (28) days before the beginning of the session. **Quorum**

Four (4) members constitute a quorum, except in the circumstance outlined in the following paragraphs.condi
A member may remove themselves from deliberations where they have a real or perceived conflict of interest pursuant to section 4.7 of these Rules. In this case, a quorum shall be three (3) members, unless an alternate member appointed by the Regional Network participates in the SCA session.
Where a member is, in exceptional circumstances, unable to attend whole or part of the session and no alternate member is attending, a quorum shall be three (3) members.

4.5 Voting

Each member shall have one (1) vote.
SCA decisions should be taken by consensus wherever possible. Where consensus is not possible, decisions may be made by a vote in favour of three (3) members. Where a vote is tied and further deliberation is unlikely to result in a decision, the SCA Chairperson will have a casting vote.

Decisions on an accreditation recommendation to the GANHRI Bureau are the sole responsibility of members of the SCA.

4.6 Confidentiality

All participants at SCA meetings are required to respect the confidentiality of the proceedings.

4.7 Conflicts of interest

A member is expected to remove themselves from deliberation where they have a real or perceived conflict of interest.
Where an NHRI under review feels that a member has a real or perceived conflict of interest, they shall inform the Secretariat of this in writing at latest twenty-one (21) days before the SCA session. The Secretariat shall forward the correspondence to the GANHRI Chairperson.

The final decision on whether a real or perceived conflict of interest exists shall rest with the GANHRI Bureau. It shall decide at the latest seven (7) days before the SCA session.

A member may not attend the entirety of the session where the accreditation of their NHRI will be considered. In such cases, the alternate member appointed by the Regional Network shall attend the entire session.

4.8 Member under notice of intention to downgrade status

The SCA member whose institution is under notice of intention to downgrade its status pursuant to Article 18.1 of the GANHRI Statute may not attend SCA sessions or meetings during that one year period. In such cases, the alternate member appointed by the respective Regional Network shall attend the SCA sessions or meetings.

5 Secretariat and Observers

5.1 OHCHR

OHCHR shall be a permanent observer to the SCA and shall serve as its Secretariat.

In its capacity as Secretariat, OHCHR shall support the SCA's work, serve as a focal point for all communications, prepare a summary of all accreditation applications, and maintain records as appropriate on behalf of the GANHRI Chairperson.

The OHCHR shall be present during the decision-making process to attest to the compliance of the accreditation process with these Rules of Procedure, which contributes to its transparency, fairness and rigor.

Members of the Secretariat have the right to speak during all phases of the deliberations at the call and invitation of the SCA Chairperson. They should not advocate for a particular accreditation classification.

5.2 Regional Networks

A representative from each of the Regional Network secretariats may attend the SCA as a permanent observer.

Representatives attend on such terms and conditions as are determined by members of the SCA. They do not have a right to vote.
The attendance of Regional Networks in intended to:

- assist SCA members in understanding any relevant regional context; and

- improve their understanding of the accreditation process to assist them in helping their members to participate in that process.

Representatives of Regional Networks have the right to speak at the invitation of the SCA Chairperson

Regional Networks should not advocate for a particular accreditation classification.

5.3 GANHRI Head Office

A staff member of the GANHRI Head Office, designated by the GANHRI Chairperson, may attend the SCA as a permanent observer.

The designated GANHRI staff member attends on such terms and conditions as are determined by members of the SCA. He/She does not have a right to vote.

The attendance of the designated GANHRI staff member is intended to:

- assist SCA members in understanding any relevant international context;
- improve his/her understanding of the accreditation process to assist him/her in helping members to participate in that process.

Representatives of GANHRI Head Office have the right to speak at the invitation of the SCA Chairperson

The designated GANHRI staff member should not advocate for a particular accreditation classification.

6 Applying for Accreditation

6.1 Submission of information

An NHRI applying for accreditation or re-accreditation shall submit a 'Statement of Compliance with the Paris Principles' and such supporting documentation as may be prescribed by the SCA

The Statement of Compliance template is the core component of an accreditation application and must be completed in full.

In addition to the Statement of Compliance, an applicant shall include:

- a copy of the legislation or other instrument by which it is established and empowered in its official or published format;
- an outline of its organizational structure, including staff complement;
- its annual budget; and
- a copy of its most recent annual report or equivalent document in its official or published format.

In addition to the documentation outlined above, applicants for re-accreditation should provide information to show how they have addressed recommendations made by the SCA in the previous accreditation review.

Applicants should provide documentation in its official or published form (for example, published laws and published annual reports) and not secondary analytical documents.

Where an annual or other report is not available in one of the four (4) GANHRI languages, an applicant must provide a summary of the report and a certified translation of the sections of the report on which the applicant seeks to rely in their Statement of Compliance.

Original materials should be submitted to support or substantiate assertions made in the Statement of Compliance so that these assertions can be validated or confirmed by the SCA. No assertion will be accepted without material to support it.

Documents must be submitted in English, French or Spanish in both hard copy and electronic form.

6.2 Failure to submit full documentation

Failure to submit the required documentation will result in the rejection of the application. In addition to the mandatory documents specified in section 6.1 of these Rules, applicants are expected to provide all documents relevant to their application. Failure to do so may affect the recommendation on the accreditation status of the NHRI as the SCA will make assessments on the basis of the documentation provided.

6.3 Applications by more than one NHRI in a UN Member State

Should more than one NHRI from a UN Member State seek accreditation by the GANHRI, the conditions precedent for consideration of the application are the following:

i. Written consent of the Government of the UN Member State.

ii. Written agreement between all concerned national human rights institutions on the rights and duties as a GANHRI member including the exercise of the one voting and the one speaking right. This agreement shall also include arrangements for participation in the international human rights system, including the Human Rights Council and the Treaty Bodies.

6.4 Questions about standing

Where a question arises as to whether:

i. an institution is an NHRI, or

ii. an institution in transition will be considered a new institution or a continuation of the previously-accredited institution, the matter will be put to the SCA for determination at the beginning of its next session.

6.5 Deadlines for submission

The Secretariat shall invite an NHRI which is being accredited, re-accredited or which is under Special Review, to provide its application and supporting documents to the GANHRI Secretariat by the following dates:

- for NHRIs being reviewed at the SCA's first session of a given calendar year, on or before **August 1** of the preceding calendar year; and

- for NHRIs being considered at the SCA's second session of a given calendar year, on or before **April 1** of that calendar year.

At the invitation of the Secretariat, applications and supporting documentation shall be provided to the GANHRI Secretariat by the following dates:

- for NHRIs being reviewed at the SCA's first session of a given calendar year, on or before **October 1** of the preceding calendar year; and

- for NHRIs being considered at the SCA's second session of a given calendar year, on or before **June 1** of that calendar year.

The dates for the relevant SCA session will be set for no earlier than four (4) months from the deadline for receipt of relevant information and documentation.

In exceptional circumstances, the Secretariat may decide to alter these dates after having consulted with members and observers.

It is the responsibility of the applicant to ensure that correspondence and application materials have been received by the GANHRI Secretariat.

6.6 Failure to comply with deadlines

Applications and documents submitted after the deadline will only be examined during a subsequent session unless the SCA Chairperson, in consultation with the GANHRI Secretariat, determines otherwise.

Provided at least six (6) months notice has been given to the NHRI, if an NHRI fails to submit an application for re-accreditation within the required time, its accreditation status may be suspended or may lapse in accordance with Article 19 of the GANHRI Statute.

6.7 Submissions from third parties

A third party may submit information relevant to the accreditation status of an NHRI.

Third party submissions must be received by the Secretariat on or before the first day of the month preceding the month of the session.

The dates for the relevant SCA session will be published on the SCA website respectively on 1st August of the preceding calendar year for the first session of a giving calendar year and on 1st April of that calendar year for the SCA second session.

In exceptional circumstances, the Secretariat may decide to alter these dates after having consulted with members and observers.

All third party submissionsshould be in a written format complying with the SCA guidelines for third parties' submissions.

Information submitted by third parties will be provided to the concerned NHRI for comment and responses. However, the SCA in consultation with the Secretariat decides to withhold the name of submitting entity or other information as a preventive measure in response to credible reports of risks, threats, intimidation or reprisals.

6.8 Circulation of applications to members

All documents relating to an accreditation application will be provided to SCA members in advance of the SCA session.

7 Summary of Applications and Related Information

The Secretariat will provide a summary of all information relevant to the accreditation of the applicant, including the applicant's documentation and other information contained in the reports, recommendations or observations of international human rights mechanisms.

The summary will be provided to the applicant in advance of its distribution to SCA members. Applicants will have one (1) week to review and correct any factual errors in the summary.

The summary and any corrections from the applicant will be provided to SCA members prior to the SCA session.

8 Assessing Applications

8.1 General

The SCA assesses an applicant's compliance with the Paris Principles in both law and practice. In doing so, it considers whether:

- the applicant's legal base is compliant with the Paris Principles; and
- an applicant's actions demonstrate that it is effectively fulfilling its mandate to promote and protect human rights.

To undertake this assessment, the SCA shall review:

- the NHRI's enabling legislation and any other relevant laws, rules or regulations;
- any relevant policies and procedures;
- the NHRI's organizational structure, including staff complement and annual budget;
- a current annual report and other reports;
- the concluding recommendations / observations of international human rights mechanisms, including the Universal Periodic Review, UN Treaty Bodies and Special Procedures;
- credible third party reports, including from civil society; and
- other relevant documentation, as required.

8.2 Form of assessment

For reasons of equity, administrative efficiency and cost effectiveness, the SCA assesses accreditation applications based on written applications and a teleconference interview only.

8.3 Consideration of issues raised in previous accreditation reviews

In considering an application for re-accreditation, the SCA will also assess what action an NHRI has taken to address concerns raised at the NHRI's previous accreditation review.

If there is insufficient evidence to show that an NHRI has taken reasonable steps to address past concerns, or has failed to offer a reasonable explanation why previous concerns have not been addressed, the SCA may, depending on the seriousness of the issues previously raised, interpret such lack of progress as an indication of non-compliance with the Paris Principles.

8.4 Applications from NHRIs in volatile contexts

The context in which an NHRI operates may be so volatile that the NHRI cannot be reasonably expected to be in full conformity with all the provisions of the Paris Principles. When formulating its recommendation on the accreditation status in such cases, the Sub-Committee will give due consideration to factors such as:

- political instability;

- conflict or unrest;
- lack of state infrastructure, including excessive dependency on donor funding; and
- the NHRI's execution of its mandate in practice.

8.5 Policy guidance from the GANHRI Bureau

When, in the view of the SCA, the accreditation of a particular applicant cannot be determined fairly or reasonably without further examination of an issue for which no policy has been articulated, it shall refer that matter directly to the GANHRI Bureau for guidance.

An ultimate decision as to accreditation can only be taken once the GANHRI Bureau provides that guidance.

9 Recommendations on Accreditation

On completing a review of an application for accreditation or re-accreditation, the SCA shall make a recommendation to the GANHRI Bureau. In coming to a final decision on accreditation, the GANHRI Bureau considers the SCA recommendation in accordance with the process set out in Article 12 of the GANHRI Statute.

10 Accreditation Classifications

The accreditation classifications are:

A: Fully compliant with the Paris Principles; and

B: Partially compliant with the Paris Principles.

11 Decision to Initiate a Special Review

In accordance with Article 16.2 of the GANHRI Statute, the SCA has the authority to initiate a review of the accreditation status of an NHRI where it is of the view that the circumstances of the NHRI have changed in such a way as to affect its ongoing compliance with the Paris Principles.

A decision of the SCA to initiate a special review is not a recommendation to the GANHRI Bureau and is not subject to challenge. Upon completion of a review undertaken in accordance

with Article 16.2, the SCA shall make a recommendation to the GANHRI Bureau on the accreditation status of the NHRI.

12 Deferral of an Application for Accreditation

12.1 Decision by the SCA

The SCA may decide to defer an application for accreditation or re-accreditation rather than make a decision on status.

A decision of the SCA to defer an application is not a recommendation to the GANHRI Bureau and is not subject to challenge.

12.2 Request by an applicant

An applicant may request the deferral of its re-accreditation review by writing to the SCA Chairperson and providing reasons justifying the proposed deferral.

The SCA Chairperson may grant a deferral only if written justifications for the deferral have been provided and these are, in the SCA Chairperson's view, compelling and exceptional / reasonable in the circumstances.

The SCA may recommend suspension of the accreditation status of an NHRI if an application for re-accreditation is not received in accordance with Article 19 of the GANHRI Statute.

The SCA may recommend the lapsing of the accreditation status of an NHRI if an application for re-accreditation is not received within one (1) year of a suspension, in accordance with Article 20 of the GANHRI Statute.

13 Additional Roles for Members

Each member shall present a report to the annual meeting of their Regional Network. This report shall include, as appropriate, information about accreditation, including a description of the process, requirements and timelines, as well as previous accreditation reports, developments in General Observations and other trends.

14 Additional Procedures

The SCA, in consultation with the Secretariat, may establish such additional procedures as are deemed necessary and relevant for its work.

15 Status of this Document

The English version of this document is the original and shall prevail to the extent of any inconsistency.

Signed by:

GANHRI Chairperson
Beate Rudolf

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