GLOBAL ALLIANCE OF NATIONAL HUMAN RIGHTS INSTITUTIONS (GANHRI)

Report and Recommendations of the 46th Session of the Sub-Committee on Accreditation (SCA)

Geneva, 20-30 October 2025

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SUMMARY OF RECOMMENDATIONS

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1.1 Chad : Commission nationale de droits de l'homme (CNDH) **Recommendation:** The SCA recommends that the CNDH be accredited with **"B"** status
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2.2 Chile: Instituto Nacional de Derechos Humanos (INDH) **Recommendation:** The SCA recommends that the INDH be re-accredited with **"A"** status
2.3 Côte d'Ivoire : Conseil national des droits de l'homme (CNDH) **Recommendation:** The SCA recommends that the CNDH be re-accredited with **"A"** status
2.4 Croatia: Ombudsman of the Republic of Croatia (ORC) **Recommendation:** The SCA recommends that the ORC be re-accredited with **"A"** status
2.5 Egypt: National Council for Human Rights (NCHR) **Recommendation:** The SCA recommends that the NCHR maintains its **"A"** status
2.6 Latvia: Ombudsman of the Republic of Latvia (The Ombudsman) **Recommendation:** The SCA recommends that the Ombudsman be re-accredited with **"A"** status
2.7 Mauritania: Commission nationale des droits de l'homme (CNDH) **Recommendation:** The SCA recommends that the CNDH be re-accredited with **"A"** status
2.8 Panama: Defensoría del Pueblo (DPP) **Recommendation:** The SCA recommends that the Defensoria del Pueblo be re-accredited with **"A"** status
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3.1 Bolivarian Republic of Venezuela: Defensoría del Pueblo (DPV) **Recommendation: The SCA recommends that the DPV status be removed**
3.2 Korea: National Human Rights Commission (NHRCK) **Recommendation**: The SCA recommends that the NHRCK maintain its **"A"** status
4. Special Review (Art. 16.2 of the GANHRI Statute)
4.1 Mauritius: National Human Rights Commission of Mauritius (NHRC) **Decision:** The SCA decides to initiate a **special review** of NHRC at its 47th session in 2026
4.2 Perú: Defensoría del Pueblo (DPP) **Decision:** The SCA decides to initiate a **special review** of DPP at its 47th session in 2026
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5.1 Iraq: The Iraqi High Commission for Human Rights (IHCHR)
Recommendation: The SCA recommends that the IHCHR be downgraded to **"B"** status

Report, Recommendations, and Decision of the 46th Session of the SCA, 20-30 October 2025

BACKGROUND

1.1 In accordance with the Statute[1] of the Global Alliance of National Human Rights Institutions (GANHRI), the Sub-Committee on Accreditation (SCA) has the mandate to consider and review applications for accreditation, re-accreditation and special or other reviews received by the National Institutions and Regional Mechanisms Section (NIRMS) of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its capacity as the SCA Secretariat, and to make recommendations to the GANHRI Bureau with regard to the compliance of applicant institutions with the Paris Principles[2] . The SCA assesses compliance with the Paris Principles in law and in practice.

1.2 In accordance with the RoP, the SCA is composed of one NHRI representative from each region. The current SCA members are the NHRIs of Honduras for the Americas (Chair), New Zealand for Asia-Pacific, Kenya for Africa, and Norway, as the alternate member for Europe, as the NHRI of Croatia (the current member) is under review during this 46th SCA Session.

1.3 In keeping with Human rights Council Resolution A/HRC/RES/57/23 and the SCA Rules of Procedures as amended in 2025 by the GANHRI Bureau, the SCA held its 46th session with the SCA Secretariat facilitating the participation of NHRIs under review and members of the SCA as well as providing interpretation and translation services in the official GANHRI languages.

1.4 The SCA, therefore, convened from 20-30 October 2025 for its 46th session and conducted interviews with NHRIs in person. NIRMS participated in its capacity as GANHRI and SCA Secretariat. In accordance with the RoP, regional networks of NHRIs were invited to attend as observers. The SCA welcomed the participation of representatives from the Secretariats of the Asia-Pacific Forum (APF), European Network of National Human Rights Institutions (ENNHRI), Network of African National Human Rights Institutions (NANHRI) and La *Red de Instituciones Nacionales de Derechos Humanos del Continente Americano* (RINDHCA). In accordance with the RoP, the SCA also welcomed the participation of the GANHRI Head Office.

1.5 Pursuant to Article 10 of the Statute, the SCA considered an application for accreditation from an institution in the Principality of Liechtenstein and accredited the NHRI of Chad.

[1] Available at https://www.ohchr.org/sites/default/files/documents/countries/nhri/ganhri/EN_GANHRI_Statute_adopted_15032023.pdf

[2] Available at https://documents-dds-ny.un.org/doc/UNDOC/GEN/N94/116/24/PDF/N9411624.pdf?OpenElement

1.6 Pursuant to article 15 of the Statute, the SCA considered applications for re-accreditation from the NHRIs of Bulgaria, Chile, Côte d'Ivoire, Croatia, Latvia, Mauritania and Panama. The SCA also concluded the reaccreditation of the NHRI of Egypt.

1.7 Pursuant to Article 16.2 of the Statute, the SCA reviewed certain issues regarding the NHRIs of the Bolivarian Republic of Venezuela and the Republic of Korea.

1.8 Pursuant to article 16.2 of the Statute, the SCA reviewed information regarding potential change in circumstances relative to the compliance of five NHRIs, with the Paris Principles and decided to initiate a special review of the NHRIs of Mauritius and Peru.

1.9 The SCA considers information from civil society and corresponding NHRIs responses as part of its assessment. At its 46th session, the SCA received 42 third party submission related to 12 NHRIs. However, only 34 submissions were accepted in keeping with the SCA guidance on third party submissions. The accepted submissions were shared with the concerned NHRIs for their response, in line with the confidentiality requirements.

1.10 Pursuant to Article 18.1 of the Statute, the SCA recommended the removal of the accreditation status of the NHRI of the Bolivarian Republic of Venezuela.

1.11 Pursuant to Article 18.2 of the Statute, the SCA recommended the downgrade of the accreditation status of the NHRI of Iraq and recommended that the accreditation status of the NHRI of Egypt be maintained following the demonstration of its continued compliance with the Paris Principles.

1.12 In accordance with the Paris Principles and the SCA RoP, the SCA may classify an institution as not being an NHRI or determine whether an NHRI is fully compliant with the Paris Principles **(A)** or partially compliant with the Paris Principles **(B)**.

1.13 Where the SCA has recommended that an NHRI be accredited with anything other than A status, it has divided its recommendations between those that it "notes with deep concern", those it "notes with concern" and those that it "notes". The issues that have been noted "with concern" or "deep concern" constitute the primary reasons for which the NHRI has not been accredited with A status.

1.14 The SCA wishes to highlight its expectations that all NHRIs will take the necessary steps to pursue continuous efforts at improvement and to enhance effectiveness and independence, in line with the Paris Principles and the recommendations made by the SCA. Failure to do so may result in a finding that an NHRI is no longer operating in compliance with the Paris Principles.

1.15 The SCA encourages all NHRI to actively engage with OHCHR, GANHRI, relevant regional networks, other NHRIs, as well as other relevant stakeholders at international, regional and national levels, in order to continue to strengthen their institutional

framework and working methods as mentioned in the UN Secretary General's Report on the accreditation process.

1.16 Pursuant to Article 12 of the Statute[3], where the SCA comes to an accreditation recommendation, it shall be deemed accepted by the GANHRI Bureau unless it is successfully challenged by the applicant NHRI in accordance with prescribed process.

1.17 At each session the SCA conducts interview with NHRIs under review and may also consult and seek further information where necessary.

1.18 Pursuant to Article 18.2 of the Statute, any decision that would serve to downgrade or remove accreditation status from an NHRI can only be taken after the NHRI is informed of this intention and is given the opportunity to provide in writing, within one year of receipt of such notice, the written evidence deemed necessary to establish its continued conformity to the Paris Principles. Upon failure of the NHRI to do so, its status will be downgraded or removed, where applicable.

1.19 The SCA may receive information raising concern that the circumstances of a NHRI have changed in a way that affects its compliance with the Paris Principles, and the SCA may then initiate a Special Review of that NHRI's accreditation status.

1.20 Pursuant to Article 16.4 of the Statute, any review of the accreditation classification of a NHRI must be finalized within 18 months.

1.21 The SCA acknowledges the high degree of support and professionalism of the GANHRI Secretariat (OHCHR-NIRMS).

1.22 The SCA shared the summaries prepared by the Secretariat with the concerned NHRIs before the consideration of their applications and gave one week to provide any comments on them. The summaries are prepared in English and unofficially translated into French and Spanish, due to UN budgetary constraints.

1.23 Once the recommendations of the SCA are adopted by the GANHRI Bureau, the report of the SCA is placed on the SCA website (https://www.ohchr.org/EN/Countries/NHRI/Pages/SCA-Reports.aspx).

1.24 **Notes:** The GANHRI Statute, the Paris Principles, the General Observations and the Practice Notes referred to above can be downloaded in Arabic, English, French and Spanish from the SCA website at: https://www.ohchr.org/EN/Countries/NHRI/Pages/SCA-Rules-of-Procedures.aspx

[3] GANHRI Statute as amended in 2023, pg.5-6.

SPECIFIC RECOMMENDATIONS

ACCREDITATION (Article 10 of the GANHRI Statute)

1.1 Chad : *Commission nationale de droits de l'homme* (CNDH)

Recommendation: The SCA recommends that the CNDH be accredited with **"B"** status.

While reviewing the CNDH accreditation application during its first session of 2024, the SCA decided to defer consideration of the CNDH and encourages it to take necessary actions to address concerns around the selection and appointment process, the term of office, diversity and gender representation; regular and timely release of its budget; tabling and discussion of the annual report before the Parliament; protection function; follow-up of recommendations and interaction with the international human rights system.

The SCA welcomes the establishment of the CNDH and the efforts it has made to promote and protect human rights. The SCA acknowledges the advocacy undertaken by the CNDH to engage with the Head of State, the Prime Minister, and the National Assembly towards the amendment of its enabling law.

The SCA notes with concern:

1. **Addressing human rights violations**

The CNDH provided information on how it addresses human rights violations, particularly regarding its communication on the events that occurred in April 2025 at Mongo Prison; the situation of journalists stripped of their nationality in September 2025 on grounds of alleged collusion with foreign powers; and the secret detention of certain political opponents. The CNDH outlined its own efforts and those undertaken by the relevant authorities and noted that it chose not to publicly communicate on certain sensitive cases, opting instead to advise public authorities directly.

The SCA acknowledges that the CNDH is operating in a post-transition context. The SCA notes that the CNDH has not adequately communicated its position in a public manner on pressing human rights issues in a way that promotes the credibility of the institution.

NHRIs are required to promote and ensure respect for all human rights, democratic principles, and the strengthening of the rule of law in all circumstances, and without exception. NHRIs are expected to conduct themselves with a heightened level of vigilance and independence.

The CNDH also informed the SCA that, despite its efforts to reinforce institutional awareness on its mandate among certain authorities, it continues to face obstacles in enjoying unfettered access to all places of deprivation of liberty.

Therefore, the SCA encourages the CNDH to further take proactive efforts in the protection and promotion of all human rights, particularly civil and political rights. The SCA also recommends that the CNDH continue to advocate for amendments to its law to provide it with an explicit mandate to conduct unannounced visits to places of deprivation of liberty.

The SCA refers to Paris Principles A.1, A.2, and A.3 and its General Observation 1.2 on 'Human rights mandate.'

2. **Tenure**

The CNDH confirmed that the new board of 11 commissioners was appointed in 2024, following the Supreme Court's opinion issued at the request of the ad hoc selection committee on the interpretation of Article 20 of the law. Five commissioners were renewed, whilst 6 are newly appointed.

Noting the ongoing advocacy by the CNDH to amend the law in order to clarify provisions related to the tenure of office of members, the SCA highlights that the process as currently enshrined in the Law does not include a clear interpretation regarding the tenure of the members, which led to the early dismissal of the previous members.

The SCA recalls that the security of tenure of the members of the governing body is essential to ensure the independence of, and public confidence in, the senior leadership of an NHRI. The dismissal before the expiry of the term for which they have been appointed, without any specific legal reasons given to them and without effective functional immunity being available to contest the dismissal, is incompatible with the independence of the NHRI.

Therefore, the SCA recommends that the CNDH continue to advocate for an amendment of its law to ensure the inclusion of clear terms of office in keeping with Article 213 of the Constitution.

The SCA also refers to Paris Principle B.3 and to its General Observation 2.2 on 'Full-time members of an NHRI.'

3. Annual reports and follow-up of recommendations by the NHRI

Article 9 of the enabling Law states that the CNDH submits its report to the President of the Republic and the Speaker of the National Assembly. However, the CNDH's reports are not discussed by Parliament. The CNDH informed the SCA that, in the context of ongoing negotiations to amend the law, it was notified that provisions within the Parliament's internal regulations already allow for the CNDH's report to be debated during parliamentary sessions

The SCA considers it important that the enabling law of an NHRI establish a process whereby its reports are required to be widely circulated, discussed and considered by the legislature.

Furthermore, the CNDH indicated that the follow-up to its recommendations is carried out through direct engagement by its Chairperson with relevant authorities, including the Office of the President of the Republic, the Prime Minister, the Parliamentary Committee on General Policy, Legislation, Institutions, Fundamental Rights and Freedoms, as well as key ministries. While the SCA acknowledges the value of such high-level relationships, it considers that more formalised institutional mechanisms should be envisaged in such cases.

Annual, special, and thematic reports serve to highlight key developments in the human rights situation in a country, provide a public account, and therefore public scrutiny, of the effectiveness of an NHRI. The reports also provide a means by which an NHRI can monitor respect for human rights by the Government and make recommendations.

The SCA encourages the CNDH to continue to engage with Parliament on its annual and thematic reports and recommends that it advocates for amendments to its Law to explicitly establish a process whereby its reports are to be widely circulated, discussed, and considered by the legislature. The SCA also encourages the CNDH to continue strengthening the follow-up and implementation of its recommendations

The SCA refers to Paris Principles A.1, A.2, A.3 and to its General Observation 1.6 on 'Recommendation by NHRIs as well as 1.11 on 'Annual reports of NHRIs'.

4. Interaction with the international human rights system

The SCA notes that the CNDH has had limited engagement with the international human rights system. The CNDH did not submit alternative reports to Treaty Bodies, nor has it submitted a stakeholder report to the Universal Periodic Review for the 4th cycle of Chad in 2024

Noting that these are effective tools for NHRIs in the promotion and protection of human rights domestically, the SCA recommends that the CNDH strengthen its engagement with the international human rights system.

The SCA refers to Paris Principle A.3 (d) and (e) and to its General Observation 1.4 on 'Interaction with the international human rights system'.

RE-ACCREDITATION (Article 15 of the GANHRI Statute)

2.1 Bulgaria: Ombudsman of the Republic of Bulgaria (The Ombudsman)

Recommendation: The SCA recommends that the Ombudsman be re-accredited with **"A"** status.

The SCA highlights that NHRIs that have been accredited A status should take reasonable steps to enhance their effectiveness and independence, in line with the Paris Principles and the recommendations made by the SCA during this review.

The SCA welcomes the election, on 18 July 2025, of a new Ombudsman of the Republic of Bulgaria as well as the election, on 10 September 2025, of a new Deputy Ombudsman of the Republic of Bulgaria.

The SCA notes:

1. **Independence**

According to Article 99, paragraph 5 of the Constitution of the Republic of Bulgaria and Article 14, paragraph 1 of the Ombudsman Act, the Ombudsman and Deputy Ombudsman can be appointed as caretaker Prime Minister.

The SCA notes that the Paris Principles require an NHRI to be independent from government in its structure, composition, decision-making, and method of operation. The avoidance of perceived conflicts of interest protects the reputation, and the real and perceived independence of an NHRI.

The SCA is of the view that a provision in law provides that the Ombudsman or Deputy Ombudsman can become caretaker Prime Minister may impact on the real or perceived independence of an NHRI.

The SCA recommends that the Ombudsman continue to advocate for amendments to Article 99, paragraph 5 of the Constitution of the Republic of Bulgaria and Article 14, paragraph 1 of the Ombudsman Act, to remove the provision by which the Ombudsman and Deputy Ombudsman can be appointed caretaker Prime Minister.

The SCA refers to Paris Principle B.1 and its General Observation 1.1 on 'The establishment of NHRIs'.

2. **Mandate to promote human rights**

The Ombudsman Act does not include an explicit mandate on human rights education. The SCA notes that the ORB broadly interprets its mandate to promote human rights, based on Article 2 (1) of the Act.

The SCA welcomes the human rights education activities undertaken by the ORB including school visits, recommendations on educational curricula, as well as the various initiatives planned by the ORB in this area.

The SCA is of the view that an NHRI should be legislatively mandated with specific functions to both promote and protect human rights, and that promotion activities include human rights education, training, advising, public outreach and advocacy.

The SCA encourages the ORB to continue interpreting its mandate in a broad manner and to advocate for a human rights education function to be explicitly provided for in its enabling legislation.

The SCA refers to Paris Principle A.3 and to its General Observation 1.2 on 'Human Rights mandate.'

3. Addressing human rights violations

The SCA acknowledges the work the ORB has undertaken to address key human rights violations, including its advocacy for amendments to the Draft Act on the Registration of Foreign Agents and the Preschool and School Education Act (PSEA), which bans the portrayal of LGBTQI+ identities in Bulgarian educational institutions.

The SCA encourages the ORB to continue and expand further its activities to protect human rights, including with regard to LGBTQI+ persons, media freedom, the violation of rights of persons in psychiatric institutions, and pushbacks of migrants, and conduct follow-up activities to monitor the extent to which its recommendations have been implemented.

The SCA refers to Paris Principle A.3, to its General Observation 1.2 'Human Rights mandate', and 1.6 'Recommendation by NHRIs'.

4. Pluralism

The SCA acknowledges that Article 10.a. of the ORB Rules of Procedure provides that the Ombudsman's administration is appointed in accordance with the principles of transparency, efficiency, pluralism, and non-discrimination. It notes that two thirds of its staff complement are women and that there are two staff members with Turkish ethnic origin, and two staff members with special needs.

The SCA notes that the Ombudsman Act is silent on diversity and gender balance.

The SCA is of the view that the pluralistic composition of an NHRI facilitates the institution's appreciation of and capacity to engage in all human rights affecting the society in which it operates and promotes institutional accessibility.

The SCA encourages the ORB to take further steps to ensure pluralism in its staff composition and consider advocating for amendments to its enabling law or any binding administrative instruments to ensure a pluralistic composition of its decision-making and staff body.

The SCA refers to Paris Principle B.1 and to its General Observation 1.7 on 'Ensuring pluralism of the NHRI.'

5. Budget

The ORB reports that it has received year-on-year increases in budget since 2020 and that in 2023 it received a special increase to cover its new mandate to monitor the human rights of whistleblowers. Discussions are ongoing with the Government regarding allocation of dedicated funds for the NHRI to carry out its function as independent monitoring mechanism under the Convention on the Rights of Persons with Disabilities (CRPD).

The SCA emphasizes that where an NHRI has been designated with additional responsibilities by the State, additional financial resources should be provided to enable it to assume the responsibilities of discharging these functions.

The SCA encourages the ORB to continue advocating for the funding necessary to ensure that it can effectively carry out the full extent of its mandate, including its function as independent monitoring mechanism under the CRPD.

The SCA refers to Paris Principles A.3 and B.2, and to its General Observations 1.10 on 'Adequate funding' and 2.8 on 'Assessing the performance of NHRIs as National Preventive and National Monitoring Mechanisms.

2.2 Chile: *Instituto Nacional de Derechos Humanos* (INDH)

Recommendation: The SCA recommends that the INDH be re-accredited with **"A"** status.

The SCA encourages the INDH to continue efforts to promote and protect human rights, including by continuing to advocate for amendments to its enabling law.

The SCA highlights that NHRIs that have been accredited A status should take reasonable steps to enhance their effectiveness and independence, in line with the Paris Principles and implement the recommendations made by the SCA during each review.

The SCA notes:

1. **Selection and appointment**

According to Article 6 of the Law, the Council is composed of members who are appointed by various entities. The SCA is of the view that the process as currently enshrined in the Law is not sufficiently broad and transparent.

The INDH notes that, in practice, the selection process of Councillors carried out by the Congress and of the Senate is public, that the two candidates from which the President selects and appoints come from different regions of the country to guarantee pluralism, that the process followed by the Law Schools is publicized, and that a wide range of civil society organizations participate in the selection process of the four members they appoint. However, the SCA is of the view that the provision for the different entities to select members according to their respective rules of procedure may result in using different selection processes which are not all sufficiently clear, transparent, merit-based and participatory.

It is therefore critically important to ensure the formalization of a clear, transparent, and participatory selection and appointment process for an NHRI's decision-making body in relevant legislation, regulations or binding administrative guidelines, as appropriate. Such processes must allow the NHRI to be independent from government in its structure, composition, decision-making, method of operation and free from political interference.

The SCA encourages the INDH to advocate for the formalization and application of a uniform process applicable to all entities involved in appointment procedures, that includes requirements to:

a) Publicize vacancies broadly;
b) Maximize the number of potential candidates from a wide range of societal groups and educational qualifications;
c) Promote broad consultation and/ or participation in the application, screening, selection and appointment process;
d) Assess applicants on the basis of pre-determined, objective and publicly available criteria; and

e) Select members to serve in their individual capacity rather than on behalf of the organization they represent.

The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

2. Dismissal

The INDH reports that the dismissal process for the Director and Councilors is initiated by the President of the Republic or the Chamber of Deputies, and that the final decision is made by the Supreme Court, based on national legislation and its own jurisprudence when interpreting what constitutes *manifest and inexcusable negligence*. The INDH further notes that the grounds alleged must refer to unforeseen circumstances that were not present at the time of the selection and appointment of Councilors, and decisions made by the Director and Councilors in the performance of their duties cannot be considered grounds for dismissal.

While acknowledging the information provided, the SCA highlights that the grounds for dismissal must be clearly defined in its enabling law and/or relevant administrative instrument.

The SCA encourages the NHRI to advocate for amendments to its enabling law with a view to clarifying the rules for the dismissal of its Director and Councilors, including the definition for determining of "manifest and inexcusable negligence".

The SCA refers to Paris Principle B.3 and to its General Observation 2.1 on "Guarantee of tenure for members of the NHRI decision-making body".

3. Budget

The INDH states that despite budgetary constraints it has received an appropriate budget which allows it to fulfil its mandate. The SCA notes that the NHRI is currently undertaking discussions with relevant authorities for its 2026 budget with a request for an increase to expand the institution's work in remote areas of the country.

The SCA is of the view that adequate funding should ensure the gradual and progressive realization of the improvement of the NHRI´s operation and fulfillment of its mandate.

The SCA encourages the INDH to continue advocating for a progressive increase in its budget as well as for a base of core budget that will allow it to carry out the breadth of its mandate despite any unforeseen circumstances the country may face.

The SCA refers to Paris Principle B.2 and to its General Observation 1.10 on "Adequate funding for NHRIs".

4. Encouraging ratification of and accession to international human rights instruments

The INDH informs that although its enabling law is silent on the explicit mandate to encourage ratification of international human rights instruments, it participates in legislative debates where draft laws are discussed where the INDH has the opportunity to encourage the ratification of international human rights instruments.

The SCA notes the information provided by the INDH regarding the recommendation made by the governmental Advisory Committee for the Strengthening of the National Human Rights

Institution to explicitly include in the INDH´s enabling law the mandate to encourage ratification of international human rights instruments.

The SCA highlights that encouraging ratification of, or accession to, regional and international human rights instruments, as well as monitoring the effective implementation of those instruments to which the state is party, is a vital function of the NHRI.

The SCA encourages the INDH to continue interpreting its mandate in a broad manner and advocates for an express mandate to encourage ratification and accession to international human rights instruments, including through the proposed amendments to the Law of the INDH.

The SCA refers to Paris Principle A.3 (b) and (c) and to its General Observation 1.3 on 'Encouraging ratification or accession to international human rights instruments'.

5. **Annual report**

The INDH's annual report is presented to Congress in a ceremony carried out in December each year, attended by the President of the Republic and other State authorities. This ceremony is broadcasted on social media of Congress and of the INDH. In addition, the INDH conducts outreach campaigns both at its headquarters and in the regions where it has presence.

The SCA acknowledges the activities undertaken by the INDH to publicize and disseminate the content of its annual reports. However, the SCA considers it is important that the enabling law of an NHRI establish a process whereby the institution´s reports are required to be discussed and considered by the legislature.

The SCA encourages the INDH to continue to engage with Parliament on its annual report and recommends that it advocates for amendments to its enabling law to explicitly establish a process whereby its reports are to be discussed and considered by the legislature.

The SCA refers to Paris Principle A.3 and to its General Observation 1.11 on "Annual reports of NHRIs".

2.3 Côte d'Ivoire : *Conseil national des droits de l'homme* (CNDH)

Recommendation: The SCA recommends that the CNDH be re-accredited with **"A"** status.

The SCA highlights that NHRIs that have been accredited with A status should take reasonable steps to enhance their effectiveness and independence, in line with the Paris Principles and the recommendations made by the SCA during this review.

The SCA notes that the CNDH is in a process of suggesting amendments to its enabling law. The SCA strongly encourages the CNDH to ensure that all proposed amendments made are strictly compliant with Paris Principles, and to actively engage with the OHCHR, GANHRI and NANHRI, in order to further strengthen its institutional framework and working methods.

The SCA notes:

1. **Selection and appointment**

The enabling law is not explicit on the requirement for the publication of the call for applications for members by their respective designating entities. In practice, each entity responsible for

the designation of members does so according to their own modalities. The SCA notes that five out of the seven designating entities are from the Executive.

While noting the response provided by the CNDH during the interview that the ongoing selection is, in practice, in conformity with all the steps required by the Paris Principles, the SCA continues to hold the view that the process, as currently enshrined in the enabling law, is not sufficiently broad and transparent, for all designating entities.

The SCA also remains concerned about the high number of Executive bodies in charge of nominating human rights experts, which may impact on the actual and perceived independence of the CNDH. The SCA urges the CNDH to advocate for the necessary amendments to its legal frameworks to introduce additional safeguards to prevent the designation of Human rights experts by the Executive. Where government representatives are designated, they should not be involved in deliberations and strategic decisions.

The SCA reiterates its 2020 recommendation for the Council to advocate for the formalization and application of a process that includes requirements to publicize vacancies broadly; promote broad consultation and assess applicants on the basis of pre-determined, objective, and publicly available criteria, including in all entities responsible for appointing members.

The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

2. <u>Full-time membership and stability of tenure</u>

The SCA notes that the law does not explicitly stipulate that the decision-making body of the CNDH includes full-time members. The CNDH reported that the 3 members of the Bureau receive remuneration and are *de facto* full-time.

The SCA emphasizes that the enabling legislation of an NHRI should clearly provide for the inclusion of full-time, remunerated members within its decision-making body. This is essential to ensure stable tenure, safeguard the NHRI from actual or perceived conflicts of interest, and support the effective discharge of its mandate.

Further, the SCA notes that while the law and internal regulations of the CNDH contain provisions regarding the renewal process for its members whose six-year term is non-renewable, on 15 April 2025, a presidential decree extended the tenure of the CNDH members, allowing them to continue serving until December 31, 2025 following the expiry of the tenure of the current cohort of members in February 2025.

The SCA notes the CNDH's explanation that the extension was intended to prevent a leadership vacuum in the context of an electoral year. The SCA is of the view that such an extension granted by a decree raises concerns about the stability of the mandate of the leadership of the NHRI as envisaged in the enabling law. Such a practice does not guarantee the security of tenure, as mandates may be revoked or extended at the discretion of the President of the Republic.

The SCA encourages the CNDH to advocate for amendments to its enabling law to explicitly provide full-time members with voting rights within its Board, excluding political representatives. It also recommends that the law be revised to provide for a timely appointment of new members which prevents a leadership vacuum and ensures a stable and secure mandate for the members of the NHRI.

The SCA refers to Paris Principle B.3 and to its General Observation 2.2 on 'Full-time members of an NHRI.'

3. Human rights mandate

The CNDH has introduced provisions on judicial secrecy in its complaints-handling manual, however such limitations are not provided for in the enabling law. Although the CNDH has stated that it has never encountered such restrictions in practice, the SCA considers that the institution's rules and regulations should not include provisions more restrictive than those contained in its enabling law. The SCA is of the view that such provisions could be construed as self-censorship, which may unduly restrict the effective exercise of the CNDH's mandate.

The SCA also notes that while the legal reforms governing the penitentiary system in Côte d'Ivoire provide that the CNDH is among the institutions authorized to visit places of deprivation of liberty "at any time," the CNDH enabling law remains silent on whether such visits may be conducted without prior notice.

Noting the information provided by the CNDH that it has proposed amendments to its enabling law to the competent authorities, the SCA recommends that the CNDH ensure that its foundational documents do not contain any provisions that may limit the scope of its mandate. The SCA also recommends that the CNDH continue to advocate for amendments to its law to explicitly authorize unannounced and free access to inspect and examine any public premises (including places of deprivation of liberty) and documents, equipment and assets therein.

The SCA refers to Paris Principles A.1, A.2, A.3, and to its General Observations 1.2 on 'Human rights mandate.

4. Addressing human rights violations

The CNDH reported actions undertaken during the October 2025 presidential election, including the deployment of a significant number of electoral observers in nearly all polling stations across the country, as well as the establishment of an early warning system. The SCA acknowledges that the CNDH has published a preliminary statement regarding its monitoring of the presidential election and the SCA urges the finalization and publication of the final report, addressing all civil and political rights in relation to the election period.

The SCA also notes the CNDH advocacy efforts aimed at encouraging the government to clarify the legal framework governing public demonstrations in Côte d'Ivoire. However, the SCA notes that CNDH's recommendations on this matter are not public, nor have the findings from its monitoring activities concerning the mass arrests and detentions of certain political figures, demonstrators during public protests or deaths in detention. The CNDH has indicated that it prefers not to publish some of its positions, opting instead to engage directly with the relevant authorities to achieve more effective outcomes in addressing concerning human rights violations.

The SCA recommends that the CNDH take concrete steps to demonstrate both its perceived and actual independence in the execution of its mandate to promote and protect all human rights. This includes engaging with the public and freely expressing its views on pertinent human rights issues in the country, in addition to direct advocacy with officials.

Further, the SCA urges the CNDH to proactively ensure that its position on serious human rights violations are publicly available, as this will contribute to strengthening its credibility. The SCA also recommends that the CNDH reinforce its advisory role in legislative processes,

particularly with regard to civil liberties. The SCA encourages the CNDH to consistently undertake rigorous and systematic follow up of its recommendations and findings, and activities to promote their implementation.

The SCA refers to Paris Principles A.1, A.2, A.3, to its General Observation 1.6 on 'Recommendation by NHRIs', as well as 1.11 on 'Annual reports of NHRIs'.

5. Conflict of interest and functional immunity

Article 21 of the CNDH enabling law provides for incompatibility rules that prevent the Executive Bureau members from holding any other paid public or private employment. However, there are no provisions in the enabling law that provide further guidance on the process by which a determination would be made on the existence of a conflict of interest, nor for functional immunity to staff members.

In the absence of legal provisions to protect members and staff from legal liability, external parties may seek to influence the independent operation of an NHRI by initiating, or by threatening to initiate, legal proceedings against a member or staff.

The SCA is of the view that avoidance of conflicts of interest protects the reputation and the real and perceived independence of NHRIs.

While acknowledging that no office holder should be beyond the reach of the law and thus, in certain circumstances it may be necessary to lift immunity. Nevertheless, provisions on functional immunity in criminal and civil proceedings for all members and staff are crucial to promote the NHRI's ability to engage in critical analysis and commentary on human rights issues, free from interference; the independence of the senior leadership; and public confidence in the NHRI.

The SCA reiterates its 2020 recommendation on conflict of interest and continues to encourage the CNDH to advocate for the inclusion of clear provisions in its enabling legislation, regulations or binding administrative guidelines that protect against real or perceived conflicts of interest. The SCA also encourages the CNDH to advocate for the inclusion in its founding legislation of express provisions that clearly establish the functional immunity of the Council's members and staff for actions taken in their official capacity in good faith.

The SCA refers to Paris Principles B.2 and B.3 and to its General Observation 2.3 on 'Protection from criminal and civil liability for official actions and decisions undertaken in good faith'.

6. Adequate funding

The CNDH highlighted that its budget is insufficient to cover all of its activities and a full geographic coverage of the country. The CNDH notes that it may receive additional funding from the Government as well as funding from international partners during a given financial year.

The SCA emphasizes that government funding should be released on a regular basis and in a manner that does not adversely affect NHRIs functions and day-to-day management.

The SCA recommends that the CNDH continue to advocate for an adequate level of funding to carry out the full range of its mandate. Such an adequate level of funding must ensure timely disbursement and sufficient human and material resources for human rights promotion and protection activities.

The SCA refers to Paris Principle B.2 and to its General Observation 1.10 on 'Adequate funding of NHRIs'.

2.4 Croatia: Ombudsman of the Republic of Croatia (ORC)

Recommendation: The SCA recommends that the ORC be re-accredited with **"A"** status.

The SCA wishes to highlight its expectation that NHRIs who have been accredited with A status will take the necessary steps to pursue continuous efforts to improve and to enhance their effectiveness and independence, in line with the Paris Principles and the recommendations made by the SCA during each review.

The SCA commends the efforts undertaken by the ORC to promote and protect human rights in the country – particularly the work on addressing rights of migrants, asylum seekers, migrant workers, LGBTIQ+ persons and hate speech, and the discrimination of the Roma national minority. The SCA is of the view that it is of crucial importance for an NHRI to address systemic human rights issues and encourages the ORC to continue its efforts in this regard.

The SCA notes:

1. **Annual Report**

Article 16 of the Ombudsman Act requires the ORC to submit annual or thematic reports to Parliament. Article 44 of the Rules of Procedure of Parliament mandates the plenary of Parliament to debate ORC reports, however, Parliament has delayed in debating the ORC Annual Report of 2023, and 2024 and the 2022 COVID-19 Special Report, while the 2022 Annual report was debated only in June 2025.The ORC indicated that it is advocating for an amendment to the Rules of Procedure of Parliament to require the annual report to be discussed in the plenary in the year it is presented and ensure a timely consideration and debate of the ORC reports, including thematic reports, at plenary.

The SCA is of the view that the enabling laws of an NHRI should establish a process whereby its reports are required to be widely circulated, discussed and considered by the legislature so that public authorities are encouraged to respond to recommendations from NHRIs in a timely manner.

The SCA recommends that the ORC continue to advocate for appropriate amendments to the Rules of Procedure of Parliament for timely debate in plenary of the ORC's annual and thematic reports.

The SCA refers to Paris Principle A.3 and General Observation 1.11 on 'Annual reports of NHRIs'.

2. **Encouraging ratification or accession to international human rights instruments**

The Ombudsman Act does not explicitly mandate the ORC to encourage ratification of, or accession to international human rights instruments. The SCA acknowledges that, in practice, the ORC interprets its mandate under Article 5 of the law broadly, considering this function an integral part of its human rights mandate, and carries out activities in this regard. For example, the ORC indicated that it had advocated for the ratification of the revised European Social Charter, the Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights, the ILO Convention on Promotional Framework for Occupational Safety and Health Convention (187), and the Council of Europe Convention on preventing and combating violence against women and domestic violence.

The SCA is of the view that encouraging ratification of, or accession to, international human rights instruments, and the effective implementation of those instruments to which the State is a party, are key functions of an NHRI.

Therefore, the SCA encourages the ORC to continue to interpret its mandate broadly and to advocate for an appropriate legislative amendment to make explicit its mandate to encourage ratification of, or accession to, international human rights instruments.

The SCA refers to Paris Principles A3(b) and (c) and to its General Observation 1.3 on 'Encouraging ratification or accession to international human rights instruments'.

3. Adequate funding

The SCA notes that since the last accreditation, the ORC staff and budget have grown. However, the ORC's mandates and workload have also expanded, requiring additional resources. The SCA further notes that the ORC's main office in Zagreb is a temporary office which is not suitable for expansion and does not permit an increase in staff numbers.

The SCA is of the view that adequate funding should, to a reasonable degree, ensure the gradual and progressive realisation of the improvement of the NHRI's operations and the fulfilment of its mandate. Moreover, funding should, at a minimum, include provisions for premises that are accessible to the wider community, including persons with disabilities.

The SCA recommends that the ORC continue to advocate for adequate funding necessary to ensure that it can effectively carry out the breadth of its increasing mandates, and to ensure the institution has fit-for-purpose office premises in Zagreb.

The SCA refers to Paris Principle B.2 and to its General Observation 1.10 on 'Adequate funding'.

4. Dismissal Process

In accordance with Article 14 of the Ombudsman Act, Parliament has the authority to relieve the Ombudsman following a prior opinion of the Committee for Human Rights and Rights of National Minorities and the Committee for the Constitution, Standing Orders and Political System, and the deputies following the prior opinion of the Ombudsman. Article 17(2) of the Law grants the ORC the right to participate in Parliamentary sessions on issues within its competence, which the ORC informs would include the Ombudsman dismissal proceedings. However, SCA notes that Article 17(2) is a general participation clause and not an express codification of the right to be heard in dismissal proceedings.

The SCA is of the view that, to address the Paris Principles' requirement for a stable mandate, which is important for reinforcing independence, the enabling legislation of an NHRI must include an independent and objective dismissal process, similar to that of other independent state agencies. Such requirements ensure the security of tenure of the members of the governing body and are essential to ensure the independence of, and public confidence, in, the senior leadership of an NHRI.

The SCA therefore recommends for the ORC to advocate for changes within its enabling law to codify an express right to be heard during dismissal proceedings of the Ombudsman and the deputies.

The SCA refers to Paris Principle B.3 and to its General Observation 2.1 on 'Guarantee of tenure for members of the NHRI decision-making body'.

5. Term of Office

Article 93 of the Constitution and Article 10 of the Ombudsman Act stipulate that Parliament appoints the Ombudsman for a term of eight years with the possibility of re-appointment. The Act is silent on the number of times the Ombudsman can be reappointed, leaving open the possibility of unlimited tenure. The ORC indicated that no Ombudsman has served more than one term and that the Ombudsman's re-election is not automatic.

To promote institutional independence, the SCA recommends limiting the term of office to one (1) re-appointment. The SCA reiterates its previous recommendations for the ORC to advocate for the relevant amendments to provide for such limits on the term of office.

The SCA refers to Paris Principle B.3 and to its General Observation 2.2 on 'Full-time members of an NHRI'.

6. Protection from criminal and civil liability for official actions undertaken in good faith

Article 93 of the Constitution and Article 8 of the Ombudsman Act state that the Ombudsman and their Deputies have immunity from criminal proceedings similar to those of Members of Parliament. However, the law does not expressly provide them with protection from civil liability for acts undertaken in good faith in their official capacity. The SCA notes that the enabling law is silent on protections for ORC staff from civil and criminal liability for acts undertaken in good faith.

The SCA notes ORC's indication that Croatia is drafting legislation to protect persons engaged in public participation, including journalists and all human rights defenders, from unfounded legal actions which aim to deter public participation.

The SCA is of the view that protection from criminal and civil liability for official acts undertaken in good faith by staff and members should be clearly entrenched in law. Such protections serve to enhance the NHRI's ability to engage in critical analysis and commentary on human rights issues, safeguard the independence of senior leadership, and promote public confidence in the NHRI.

The SCA encourages the ORC to advocate for protections from civil liability for the Ombudsman and Deputies for acts undertaken in good faith in their official capacity in law. Further, the SCA encourages the ORC to advocate for explicit protection in law for staff from civil and criminal liability for official actions undertaken in good faith.

The SCA refers to Paris Principle B.3 and General Observation 2.3 on "Protection from criminal and civil liability for official actions and decisions undertaken in good faith".

7. Full-time membership

The enabling law of the ORC is silent on whether the Ombudsman or the deputies serve on a full-time basis. The SCA notes the ORC's response that the Ombudsman and the deputies are prohibited from holding other public or professional roles and are paid salaries comparable to other full-time constitutional office holders, which is interpreted in the national context as requiring full-time service. The SCA is of the view that the enabling legislation of the NHRI should specify that members of its decision-making body serve full-time. This assists in ensuring a stable tenure for the members, freedom of the NHRI from actual or perceived conflict of interests and the effective fulfilment of the NHRI's functions.

The SCA encourages the ORC to advocate for an amendment to ensure that the Ombudsman and the deputies explicitly serve on a full-time basis.

The SCA refers to Paris Principle B.3 and to its General Observation 2.2 on 'Full-time members of an NHRI'.

2.5 Egypt: National Council for Human Rights (NCHR)

Recommendation: The SCA recommends that the NCHR maintains its **"A"** status

At its 44th session of October 2024, the SCA recommended that the NCHR be downgraded to B status. At its 46th session in October 2025, the SCA notes that the information provided by the NCHR demonstrates compliance with the Paris Principles.

The SCA acknowledges the efforts of the NCHR to promote and protect human rights, including by advocating for amendments to its enabling law, whilst also seeking interim ways to enhance its compliance and effective functioning. The NCHR has informed the SCA that the consideration of the draft amendment Bill is ongoing with series of consultations with national authorities while the Amendment Bill is yet to be tabled before Parliament. The SCA received a copy of the Amendment Bill in May 2025.

In addition, the SCA takes note of the NCHR's efforts to engage in dialogue with civil society organisations through thematic workshops.

While the SCA has recommended that the NCHR be re-accredited on the basis of the proactive steps taken to advocate for the amendment of its existing legislative framework and performance noting that legislative reform is pending, it wishes to highlight its expectation that NHRIs accredited with A status will take the necessary steps to pursue continuous efforts to enhance their effectiveness and independence, in line with the Paris Principles and the recommendations made by the SCA during its reviews. The SCA also encourages the relevant authorities for the prompt amendment in order to improve and enhance the NCHR effectiveness and independence, in line with the Paris Principles.

Reliant on the NCHR assurances, the SCA notes that advocacy for the amendment of the law should lead to its passage by the end of 2025. The SCA will monitor and therefore expects that the NCHR will inform the SCA of the imminent adoption of the amendments.

The SCA notes:

1. **Mandate**

The NCHR does not have the mandate to conduct unannounced visits to places of deprivation of liberty. The NCHR informed the SCA that it has entered into cooperation with the Prosecutor General's Office, the Ministry of Interior and other institutions to facilitate access to places of deprivation of liberty whilst continuing to advocate for the amendment of its law.

The SCA notes that the draft amendment of the NCHR law in Article 7 empowers the NCHR to conduct visits and inspections of all places of deprivation of liberty without prior notice and from legal or administrative restrictions. The SCA acknowledges the actions undertaken by the NCHR to carry out its mandate of monitoring detention facilities whilst also advocating for amendment of the law to explicitly provide for this function and authority.

The SCA, being cognizant that NHRIs mandate should include the authority for free access inspection and examination of any public premises, documents, equipment, and assets without prior written notice, recommends that the NCHR continue to advocate for the appropriate amendments to its law. The SCA is of the view, that the draft amendments in its current form will address the SCA concerns.

The SCA refers to Paris Principles A.1, A.2, and to its General Observation 1.2 on 'Human rights mandate'.

2. Addressing human rights violations

The SCA notes civil society information alleging concerns about the NCHR effectiveness in dealing with serious human rights violations, including death penalty, torture, enforced disappearances, conditions of detention and detainees, the situation of human rights defenders, fair trial rights and due process, as well as freedom of expression, peaceful assembly, and association. The NCHR reports that it addresses human rights issues including right to physical integrity, enforcement of judgements, abuse of power, disability rights, right to education, right to health, labour rights, and issues related to public services and facilities through complaints handling, monitoring places of deprivation of liberty, public statements and reports, seminars, round table discussions and workshops. The NCHR also reports that its recommendations are issued to state authorities and that it issued statement calling for a moratorium on death penalty during the adoption of outcomes of the Universal Periodic Review of Egypt in June 2025.

The SCA notes the response of the NCHR and recommends that it continue to strengthen its efforts in addressing all human rights issues, including those noted above, and ensure that its positions on these issues are made publicly available. The NCHR should also continue to follow-up with State authorities and establish effective monitoring mechanisms with accompanying rigorous and systematic follow-up of its recommendations and findings. . The SCA highlights that such efforts will enhance protection of human rights and contribute to strengthening the credibility and accessibility of the NCHR.

The SCA refers to Paris Principles A.1, A.2, A.3, and D(d) and its General Observations 1.2 on 'Human rights mandate' and 1.6 on 'Recommendations by NHRIs'.

3. Encouraging ratification and accession to international human rights instruments

At its 44th session in October 2024, the SCA noted that the NCHR enabling law does not expressly mandate the encouragement of ratification of international instruments.

The SCA notes that Article 14(1) of the amendment bill vests the NCHR with the authority to encourage State ratification of and accession to international and regional human rights conventions and protocols. The NCHR notes that it monitors the implementation of recommendations from international human rights mechanisms and encourages ratification of treaties, giving the example of calling for the ratification of OPCAT. The NCHR is also advocating for amendment of its enabling law to explicitly include this function.

The SCA is of the view that the provision on encouraging ratification in the current draft amendment bill, if passed, would address the previously stated concerns. The SCA therefore encourages the NCHR to continue to advocate for the passage of the amendments noting that encouraging ratification of or accession to international human rights instruments, is a key function of an NHRI.

The SCA refers to General Observations 1.2 on 'Human rights mandate' and 1.3 on 'Encouraging ratification or accession to international human rights instruments'.

4. Selection and appointment

The selection and appointment process of the NCHR as enshrined in the current Act does not require the publication of vacancies nor uniform selection criteria for NCHR membership as noted by the SCA during its review of the NCHR in October 2024.

The SCA notes that the draft amendment of the NCHR law in Article 3(4) states that members of the NCHR shall be appointed by Presidential Decree upon nominations submitted by independent bodies whose selection criteria shall be specified in implementing regulations. The SCA takes into consideration the ongoing advocacy of the NCHR to ensure its selection and appointment process complies with the Paris Principles through an amendment of its enabling law and further notes that the draft does not require the publication of vacancies.

The SCA notes that a clear, transparent and participatory selection and appointment process which promotes merit-based selection and ensures pluralism, is necessary to ensure the independence of and public confidence of an NHRI. The SCA encourages the NCHR to continue to advocate for appropriate amendments to its enabling legislation, including the requirement for broad advertisement and publication of vacancies.

The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

5. Political representatives and conflict of interest

The NCHR decision-making body includes political representatives and members of political parties. Additionally, the current enabling law of the NCHR does not include a provision on conflict of interest. The SCA noted these concerns in its 44th session indicating the potential of undermining the NCHR's independence.

The SCA notes the response of the NCHR that it has adopted a Code of Conduct to prevent members with political affiliation from participating in decision making. The SCA also notes that the draft amendment provides for termination of membership based on conflict of interest with the role of a member.

The SCA is of the view that the requirement for membership to the NCHR as included in the current draft amendments excluding the Executive or partisan influence (Article 3(2)(iii)), if passed in its current form, and the newly adopted code of conduct would address concerns regarding political representatives and conflict of interest.

The SCA encourages the NCHR to continue advocating for the passage of an amendment that would ensure political representatives are not members of the Council and continue to enforce clear rules which prevent political representatives from voting and protect against actual or perceived conflict of interest - to safeguard the independence and reputation of the institution Such provisions seek to avoid any possible interference in the NHRI's assessment of the human rights situation in the State and the subsequent determination of its strategic priorities.

The SCA refers to General Observations 1.9 on ´Political representatives on NHRIs' and 2.2 on 'Full-time members of an NHRI.'

6. Financial autonomy

The SCA in previous sessions highlighted that the NCHR should not be required to obtain approval from the State for external sources of funding, as this requirement may detract from its independence. The SCA notes the response of the NCHR that it continues to engage the Parliament to ensure that it is not required to obtain approval before receiving external funding.

Acknowledging the provisions of the draft amendment in Article 15 providing the NCHR with the ability to decide on the receipt of external funding and noting that to function effectively, an NHRI must be provided with an appropriate level of funding in order to guarantee its independence and its ability to freely determine its priorities and activities, the SCA recommends that the NCHR continue to advocate for the passage of the amendments in its present form.

The SCA refers to Paris Principle B.2 and to its General Observation 1.10 on 'Adequate funding.'

7. Functional immunity

The SCA notes that the members and staff of the NCHR are not protected from both criminal and civil liability for acts undertaken in good faith in their official capacity. The NCHR reports that the Constitution only provides immunity for Parliamentarians, nevertheless it is advocating for legal protection for its staff and members.

Article 4 of the draft amendment provides that members, in the performance of their official duties and obligations pursuant to their legal mandate, will enjoy legal immunity from prosecution, protection from judicial or administrative accountability and prohibition against legal proceedings for opinions expressed in the performance of duty. The SCA is of the view that this provision will partially address its concerns as staff are not covered.

In order to enhance the NCHR ability to engage in critical analysis on human rights issues, safeguard its independence, and promote public confidence, the SCA recommends that the NCHR continue to advocate for the amendment of the enabling law to explicitly provide functional immunity for members and staff.

The SCA refers to Paris Principle B.3 and to its General Observation 2.3 on 'Protection from criminal and civil liability for official actions and decisions undertaken in good faith'.

8. Complaints handling

Article 3(6) of the NCHR enabling law provides that it is empowered to receive and examine complaints in the field of human rights protection, referring them to the competent authorities if it deems that necessary, following them up or advising the concerned persons of the relevant legal procedures, and assisting in reaching a resolution with the competent authorities.

The SCA notes that while the NCHR, in practice, receives or accepts complaints, these complaints are not investigated but rather forwarded to the relevant government entity. The SCA is of the view that where NHRIs are provided with the mandate to receive complaints, such complaints should be handled fairly, speedily and effectively through processes which are readily accessible to the public.

Noting that the draft law does not explicitly permit the NCHR to investigate and handle complaints in keeping with the considerations of the General Observations, the SCA recommends that the NCHR advocate for the amendment of its law to include:

- the full authority to investigate complaints received against public and private bodies;
- the ability to protect complainants and witnesses from retaliation;

- the power to seek enforcement of its decisions on complaints in the courts;
- the ability to follow up and monitor the implementation of its decisions on complaints; and
- the ability to refer its findings to government in situations where a complaint provides evidence of a widespread or systematic violation of human rights.

The SCA refers to its General Observation 2.9 on 'The quasi-judicial competency of NHRIs mandate'.

2.6 Latvia: Ombudsman of the Republic of Latvia (The Ombudsman)

Recommendation: The SCA recommends that the Ombudsman be re-accredited with **"A"** status

The SCA highlights that NHRIs that have been accredited A status should take reasonable steps to enhance their effectiveness and independence, in line with the Paris Principles and the recommendations made by the SCA during this review.

The SCA notes that the Ombudsman has not addressed several of its recommendations from its December 2020 accreditation review. For these reasons, the SCA is reiterating its recommendations of 2020 regarding selection and appointment, dismissal, and protection from criminal and civil liability.

The SCA notes:

1. **Selection and appointment**

Section 5(1) of the Ombudsman Law states that the Ombudsman shall be approved by Parliament on the proposal of not less than ten members of Parliament. The SCA notes the ongoing process of amending the Law that would allow both the Parliament and the President to nominate candidates for the position of Ombudsman.

However, the SCA continues to be of the view that, even if this amendment is passed, the process enshrined in the Law is not sufficiently broad and transparent. In particular, it does not:

- require the advertisement of vacancies for members; and
- promote broad consultation and/or participation in the application, screening, selection, and appointment process for all members.

The SCA reiterates its 2020 recommendation for the NHRI to advocate for the formalization and application of a process that includes requirements to:

- Publicize vacancies broadly to encourage diversity;
- Promote broad consultation and / or participation in the application, screening, selection and appointment process.

The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

2. **Dismissal**

In accordance with Section 10(1) of the Law, the Ombudsman may be dismissed if he or she has allowed "a shameful act" that is incompatible with his or her status. The SCA continues to

be of the view that this ground for dismissal is insufficiently defined and may be open to misuse.

The SCA also continues to be of the view that the process of dismissal does not provide sufficient procedural safeguards to ensure that dismissal of the Ombudsman will not be undertaken for political reasons.

The SCA is of the view that grounds for dismissal must be clearly defined and appropriately confined to those actions that impact adversely on the capacity of the member to fulfil its mandate. Where appropriate, the legislation should specify that the application of a particular ground must be supported by a decision of an independent body with appropriate jurisdiction. The dismissal must be made in strict conformity with all the substantive and procedural requirements as prescribed by law. The SCA is of the view that such requirements ensure the security of tenure of members of the governing body and are essential to ensure the independence of, and public confidence in, the senior leadership of an NHRI.

The SCA reiterates its 2020 recommendation for the Ombudsman to advocate for appropriate amendments to its Law to ensure a dismissal process with clearly defined and objective grounds.

The SCA refers to Paris Principle B.3 and to its General Observations 2.1 on 'Guarantee of tenure for members of the NHRI decision-making body'

3. Protection from criminal and civil liability

While Section 4(4) of the Law provides for the criminal procedural immunity of the Ombudsman, the Law does not provide explicit protection from civil liability for the Ombudsman for actions and decisions undertaken in good faith in their official capacity.

External parties may seek to influence the independent operation of an NHRI by initiating, or by threatening to initiate, legal proceedings against a member. For this reason, members of an NHRI should be protected from legal liability for acts undertaken in good faith in their official capacity. Such a provision promotes:

- security of tenure;
- the NHRI's ability to engage in critical analysis and commentary on human rights issues;
- free from interference;
- the independence of the senior leadership; and
- public confidence in the NHRI.

The SCA recognizes that no office holder should be beyond the reach of the law and thus, in certain circumstances, such as corruption, it may be necessary to lift immunity. However, the authority to do so should be exercised by an appropriately constituted body such as the superior court or by a special majority of parliament. It is recommended that the law clearly establishes the grounds, and a clear and transparent process, by which the functional immunity of the decision-making body may be lifted.

The SCA continues to encourage the Ombudsman to advocate for the inclusion in its founding legislation of express provisions that clearly establish the functional immunity of the Ombudsman for actions taken in his or her official capacity in good faith.

The SCA refers to Paris Principle B.3 and to its General Observation 2.3 on 'Protection from criminal and civil liability for official actions and decisions undertaken in good faith'.

4. **Addressing human rights violations**

The SCA acknowledges information from the Ombudsman in relation to its activities and efforts to promote and protect human rights, including with regards to hate speech and monitoring of places of deprivation of liberty.

The SCA encourages the Ombudsman to continue to strengthen its efforts to address inequalities and promote and protect the human rights of the most vulnerable groups and minorities, including migrants and Roma. The SCA also encourages the Ombudsman to ensure that its positions on these issues are made publicly available.

The SCA refers to Paris Principles A.1, A.2, and A.3, and to its General Observation 1.2 'Human rights mandate'.

5. **Conflict of interest**

According to Section 7(3) of the Law on Prevention of Conflict of Interest in Activities of Public Officials, the Ombudsman may combine their position, beyond work as an expert (consultant) an international organization, or a foundation, also with work in a religious organisation, with the approval of Parliament.

The SCA is of the view that the avoidance of conflicts of interest protects the reputation, and the real and perceived independence of NHRIs.

The SCA encourages the Ombudsman to advocate for the inclusion of provisions in its enabling legislation, regulations or binding administrative guidelines that protect against real or perceived conflicts of interest. Such provisions seek to avoid any possible interference in the NHRI's assessment of the human rights situation in the State and the subsequent determination of its strategic priorities

The SCA refers to Paris Principle B.2.

2.7 Mauritania: *Commission nationale des droits de l'homme* (CNDH)

Recommendation: The SCA recommends that the CNDH be re-accredited with **"A"** status.

The CNDH has informed the SCA that progressive steps have been taken towards amendments of its enabling law. The SCA therefore encourages the CNDH to continue to advocate for legislative amendments that clearly strengthen the CNDH compliance with the Paris Principles.

The SCA highlights that NHRIs that have been accredited A status should take reasonable steps to enhance their effectiveness, in line with the Paris Principles and to implement the recommendations made by the SCA during each review.

The SCA notes:

1. **Composition and conflict of interest**

Pursuant to Article 11, Paragraph 2 of the Law, the CNDH is composed of 27 members. 14 members hold voting rights and the 13 others without voting rights include two members of

Parliament, two advisers from the Presidency and Prime Ministry, four qualified personalities chosen by the Head of State, and four representatives from the Ministries of Foreign Affairs, Justice, Interior, Social Affairs and human rights Directorate, representing nearly half of the institution's membership.

The CNDH clarifies that this structure aims to strike a balance between institutional independence and dialogue with public authorities. It also notes that, following previous recommendations, voting rights were removed from political representatives.

However, the SCA remains concerned that the high number of State representatives may impact on the actual and perceived independence of the CNDH, as well as its ability to prevent conflicts of interest.

Government representatives and members of parliament should not be members of, nor participate in, the decision-making of organs of an NHRI. The SCA recognizes that it is important to maintain effective working relationships, and where relevant, to consult with government. However, this should not be achieved through the participation of government representatives in the decision-making body of the NHRI to guarantee its independence.

The SCA therefore encourages the CNDH to advocate for the necessary amendments to its legal framework to significantly reduce or remove the number of State representatives within its decision-making body and introduce additional safeguards limiting their involvement in deliberations and strategic decisions. The SCA further encourages the CNDH to develop further binding guidance with respect to what constitutes a conflict of interest and the process by which a determination would be made about the existence of such a conflict.

The SCA refers to Paris Principles B.1, B.2, B.3 and C(a), and to its General Observation 1.9 on 'Political representatives on NHRIs'.

2. Full-time membership

Articles 15 and 16 of the enabling law of the CNDH refer to incompatibility measures related to the role of the Chairperson and other members. However, these provisions of the enabling law are not explicit on whether the mandate is to be exercised on a full-time basis, nor do they specify how many of the 27 members are required to serve full-time.

The SCA notes the CNDH's response, indicating that the law does not require full-time membership, given the diverse professional backgrounds of its members. The CNDH further clarified that, in practice, only the Chairperson and staff members operate on a full-time basis.

The SCA considers that the enabling legislation of the NHRI should provide that members of its decision-making body to include full-time members. This ensures a stable tenure for the members, freedom of the NHRI from actual or perceived conflict of interests, and the effective fulfillment of the NHRI's functions.

The SCA encourages the CNDH to advocate for an amendment of its law to ensure that its decision-making body includes full-time members with voting rights.

The SCA refers to Paris Principle B.3 and to its General Observation 2.2 on 'Full-time members of an NHRI'.

3. Addressing human rights violations

In 2016, 2017, 2018 and 2020, the SCA expressed concerns over information indicating CNDH's unwillingness to effectively engage on serious human rights violations and encouraged the CNDH to continue to strengthen its efforts to address all human rights violations and to ensure that its position on these issues are made publicly available, where appropriate, as this will contribute to the credibility and accessibility of the institution for all people in Mauritania.

During the current review, the CNDH provided information on how it publicly addresses human rights violations, including cases of contemporary slavery and gender-based violence. The CNDH reported that it addresses these issues by conducting awareness campaigns and promoting a human rights culture among the population. The CNDH specifically noted its advocacy efforts with religious and traditional authorities, as well as with women groups, to improve understanding of the proposals currently under review in the draft law on gender-based violence (*Karama Law*). However, the CNDH acknowledged that its awareness-raising activities have not consistently led victims to file formal complaints.

The SCA acknowledges these efforts and recommends that the CNDH continue strengthening its work to address all human rights violations, including gender-based violence, migrant rights, and slavery. The SCA urges the CNDH to take proactive steps to protect vulnerable groups and ensure that its position on all human rights violations is made publicly available, as this will contribute to strengthening its credibility. The SCA further recommends that the CNDH reinforce its advisory role in legislative processes, particularly in relation to gender-related laws.

The SCA refers to Paris Principles A.1, A.2, and A.3 and its General Observations 1.2 on 'Human rights mandate, as well as 1.11 on 'Annual reports of NHRIs'.

4. Reporting and follow-up of NHRIs recommendations

The SCA notes the limited publication of recent thematic and detailed reports on investigations and the overall human rights situation in the country. It particularly highlights the CNDH's response regarding its 2024 election monitoring report, which was drafted but not published, despite post-electoral human rights violations.

The CNDH reported its efforts to address public opinion through social media. It further states that it has established a unit responsible for following up and assessing the implementation of recommendations, including those from human rights mechanisms.

The SCA notes that annual, special, and thematic reports of NHRIs serve to highlight key national human rights concerns and provide a means by which these bodies can make recommendations to, and monitor respect for, human rights by authorities. Further, in fulfilling its mandate, an NHRI should undertake rigorous and systematic follow-up activities to promote and advocate for the implementation of its recommendations and findings.

The SCA encourages the CNDH to draft and publish annual and thematic reports that address pressing human rights issues on a regular basis as well as to follow up its recommendations on those issues.

The SCA refers to Paris Principles A.1, A.2, A.3 and to its General Observations 1.6 on 'Recommendation by NHRIs', as well as 1.11 on 'Annual reports of NHRIs'.

5. Pluralism and diversity

In November 2020, the SCA expressed concern about the gender imbalance within the CNDH, both in its decision-making body and among its staff. While the CNDH reported that women currently represent approximately 30% of its staff complement, it is unclear how many women encumber senior positions.

During the interview, the CNDH acknowledged that the current level of representation of all ethnic groups in the country and people with disabilities, has not yet reached an optimal level.

The SCA reiterates that pluralism and diversity in the membership and staff of an NHRI facilitate its appreciation of, and capacity to engage on, all human rights issues affecting the society in which it operates. In addition, it promotes the accessibility of the NHRI for all people in Mauritania in the context marked by continued cases of discrimination.

The SCA encourages the CNDH to take concrete steps to ensure pluralism, including appropriate gender balance, in its composition.

The SCA refers to Paris Principles B.1 and to its General Observation 1.7 on 'Ensuring pluralism of the NHRI'.

6. Staffing

The SCA notes that CNDH currently consists of 22 staff, which is close to the total number of 27 members. The SCA is of the view that this represents a shortfall that may impact on the institution's effectiveness and its capacity to fully implement its mandate, including operations at its regional offices, both those currently functioning and those in the process of being operationalized.

The SCA emphasizes that adequate staffing can better support the fulfillment of the NHRI mandate and promote stability in the institution.

Therefore, the SCA urges the CNDH to expedite the recruitment process to ensure adequate human resources for optimal functioning.

The SCA refers to G.O. 2.4 'Recruitment and retention of NHRI staff'.

7. Regional offices

The CNDH reported that there are currently two operational regional offices covering the northern wilayas and southern wilayas. The CNDH also indicates that it carries out activities in all parts of Mauritania, including through visits and human rights caravans.

While acknowledging the information put before the SCA on the upcoming establishment of a regional office in the Eastern Region of Mauritania, the SCA notes that Art. 3 of the CNDH enabling law provides that it can have regional jurisdiction, but their organisation and functioning are not outlined in the internal regulations of the CNDH.

The SCA reiterates that the accessibility of an NHRI is further enhanced by establishing a permanent local presence for the population in the remote areas.

The SCA recommends that the CNDH consider enhancing its accessibility by fully establishing all its regional offices and ensuring they are adequately resourced to function effectively.

The SCA refers to Paris Principle B.2 and to its General Observation 1.10 on 'Adequate funding of NHRIs'.

2.8 Panama: *Defensoría del Pueblo de Panamá*

Recommendation: The SCA recommends that the *Defensoria del Pueblo* be re-accredited with **"A"** status

The SCA acknowledges the actions taken by the DPP in advocating and tabling of the draft Bill 254 before Parliament, which introduces amendments in the organization and operations of the DPP, including the recruitment process, and the retention and protection of staff from legal liability.

The SCA highlights that NHRIs that have been accredited with A status should take reasonable steps to enhance their effectiveness and independence, in line with the Paris Principles, and implement the recommendations issued during each review.

The SCA notes:

1. Selection and appointment

According to Article 6 of the Law, Parliament appoints the *Defensor* from the candidates proposed by the Committee of Government, Justice, and Constitutional Affairs. The DPP informed that, in practice, Parliament issues a resolution at the beginning of every selection process, which is publicized in the major national newspaper for two days. During this time any interested person can submit their application to be considered. Once the applications are received, they are made public, and the public has two days to express their opposition or support to the candidates. The SCA notes that two days does not allow for broad participation and a wide range of candidates.

It is critically important to ensure the formalization of a clear, transparent, and participatory selection and appointment process for an NHRI's decision-making body in relevant legislation, regulations, or binding administrative guidelines, as appropriate.

The SCA encourages the DPP to continue advocating for the formalization and application of a process that includes requirements to promote broad consultation and/ or participation in the application, screening, selection, and appointment process, which allows for a sufficient timeline for applications as well as public participation.

The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

2. Human rights mandate

Article 27 of the enabling law mandates the DPP to carry out inspections at any public institution, including police, prisons or police facilities, and that it will not be denied timely access to any public office, nor to any file or document related to investigations it is undertaking. While the law is not explicit on the DPP's ability to carry out unannounced visits, the DPP notes that it has, in practice, been able to conduct unannounced visits to those premises.

The SCA is of the view that an NHRI´s mandate should be interpreted in a broad and purposive manner. Specifically, the mandate should authorize unannounced and free access to inspect and examine any public premises, documents, equipment, and assets without prior written notice; authorize the full investigation into alleged human rights violations, including the military, police, and security officers.

The SCA encourages the DPP to continue advocating for amendments in its law to explicitly include the ability to carry out announced or unannounced visits to places of deprivation of liberty.

The SCA refers to Paris Principles A.1 and A.2 and to its General Observation 1.2 on "Human rights mandate".

3. Recommendations by NHRIs

The DPP informed that, although the law is currently silent on the follow-up of recommendations it issues to authorities, Draft Bill 254 will address this. In practice the DPP issues thematic reports as a way to follow-up on the recommendations made in its resolutions.

The SCA is of the view that in fulfilling its protection mandate, an NHRI must not only monitor, investigate, and report on the human rights situation in the country, but should also undertake rigorous and systemic follow-up activities to promote and advocate for the implementation of its recommendations and findings.

The SCA highlights that public authorities are encouraged to respond to recommendations from NHRIs in a timely manner, and to provide detailed information on practical and systematic follow-up action, as appropriate, to the NHRI's recommendations.

The SCA therefore encourages the DPP to establish a mechanism to consistently undertake rigorous and systematic follow up of its recommendations and findings, and activities to promote their implementation. This can include internal strategies and procedures.

The SCA refers to General Observation 1.6 on "Recommendations by NHRIs".

4. Adequate funding

The DPP reports that while it has received adequate funding for the fulfillment of its mandate, an increase in the budget will allow the institution to strengthen the development of its mandate. The SCA is of the view that adequate funding should, to a reasonable degree, ensure the gradual and progressive realization of the improvement of the NHRI´s operation and fulfillment of its mandate.

The SCA encourages the DPP to continue to advocate for an increase in funding to further allow it to fulfill the breadth of its mandate.

The SCA refers to Paris Principle B.2 and to its General Observation 1.10 on "Adequate funding".

REVIEW (Article 16.2 of the GANHRI Statute)

3.1 Bolivarian Republic of Venezuela: *Defensoría del Pueblo* (DPV)

Recommendation: The SCA recommends that the DPV status be **removed.**

In accordance with Article 18.2 of the GANHRI statute, a recommendation to remove accreditation status does not take effect for a period of one year. The SCA notes that the DPV maintains B status until the SCA's 48th session of 2026. This allows an opportunity for the DPV to provide the evidence necessary to establish its partial compliance with the Paris Principles.

On 25 November 2024, the SCA received a third-party submission requesting the Special Review of the B-status accreditation of the DPV, alleging issues regarding the *Defensor´s* selection and appointment process, the general performance of the DPV since 2016, the DPV´s interaction with the international human rights system, and inactions of the DPV on the rights of vulnerable groups. The SCA received a response from the DPV regarding these allegations on 6 January 2025.

During its 45th session in March 2025, the SCA acknowledged the response provided by the DPV. However, the SCA was of the view that the third-party submission and publicly available information raised concerns about the lack of compliance of the DPV with the Paris Principles, including its ability to conduct its mandate in an efficient manner and its perceived credibility in tackling systemic human rights violations.

In view of the information before it, the SCA decided to initiate a Special Review of the accreditation status of the DPV at its 46th session in October 2025 in accordance with Article 16.2 of the GANHRI Statute in order to determine the DPV´s lack of compliance with the Paris Principles, and raised concerns on the following issues:

- The thematic and annual reports the DPV has issued since 2021 on the human rights situation in the country and whether they are publicly available.
- How the DPV engages with the international human rights system, including through the presentation of alternative reports to the UPR and other UN mechanisms.
- The complaints handling mechanisms of the DPV, including information on the human rights that are more frequently mentioned in the complaints received by the DPV.
- Measures adopted by the DPV to address sensitive human rights issues in the country, including:
  a. Rights of migrants and refugees.
  b. Freedom of expression and attacks to journalists and human rights defenders.
  c. Enforced disappearances and treatment of detainees.
  d. LGBTIQ+ people´s rights.
  e. Mass detentions following the presidential elections of July 2024.
- The current selection and appointment process of the Ombudsperson and how it guarantees the participation of civil society organizations.

The DPV provided a written response to these concerns on 30 May 2025.

In addition, the DPV was given the opportunity to respond to a list of questions during an interview before the SCA scheduled on 27 October 2025, as for other NHRIs. The DPV was

unable to participate in person stating reasons of force majeure without further explanation. Thus, the SCA reached its recommendation based on written documentation provided by the DPV including responses to the third-party information. The SCA is of the view that the DPV's responses do not sufficiently address the concerns.

Furthermore, the SCA notes that publicly available information, including the Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights in the Bolivarian Republic of Venezuela (A/HRC/48/59/ADD.2); the report of the United Nations Independent International Fact Finding Mission of the Bolivarian Republic of Venezuela at the 60th session of the Human Rights Council and the opening remarks on the situation of human rights in Venezuela by the High Commissioner for Human rights to the Human rights Council at its 59th session on 27 June 2025, providing information on the human rights situation in the Bolivarian Republic of Venezuela.

In view of all the material before it, the SCA is of the view that the DPV is operating in a manner that seriously compromises its independence and reiterates that the DPV has not demonstrated its compliance with the minimum requirements of the Paris Principles. The DPV did not provide sufficient information to demonstrate that it is acting independently and that it monitors all alleged serious human rights violations in the country.

The SCA urges the DPV to restore its actual and perceived independence, when promoting and protecting human rights, including by actively and publicly addressing serious human rights violations in the country.

The SCA notes with deep concern:

1. **Addressing human rights violations**

The SCA notes information from the DPV that it has addressed human rights violations linked to the protest during the July 2024 election, freedom of expression and detention of journalists and complaints of enforced disappearances. On protest-related deaths, the DPV informed the SCA in writing that it had monitored the protest and documented 1,323 reports of violent incidents, including the death of 28 people, 130 injuries, and 1,139 persons deprived of liberty without directly attributing the unlawful use of force. The DPV also described coordination with judicial and prosecutorial authorities to address detention conditions and to facilitate contact with families and legal representatives.

The SCA notes the DPV's response to complaints about the shrinking civic space, the protection of human rights defenders, violations of freedom of expression, and the detention of journalists, recognising that individual journalist cases are under criminal proceedings and referring the matter to the Public Prosecutor regarding detention conditions. The SCA further notes reports of the United Nations Independent International Fact-Finding Mission of detention of journalists due to actual or perceived status as opponents of the Government and the adoption and implementation of regulations that restrict or have the protection to restrict civil society participation.

The SCA notes the DPV's response to complaints of enforced disappearances, stating that 97% of such complaints are unfounded, indicating arrests occurred within due process. The SCA also takes note of the Report of the United Nations Independent International Fact-

Finding Mission of Venezuela, which has documented cases of enforced disappearances and systemic blocking or rejection of *habeas corpus* applications by the Judiciary.

The SCA notes in the DPV´s response that it has taken actions ranging from awareness-raising and training on human rights and sexuality diversity to addressing and providing guidance in cases of discrimination and violence against LGBTIQ+ people. The SCA also notes that the DPV has advocated for the annulment of Article 565 of the Organic Code of Military Justice, which criminalized same-sex relations. The DPV recognizes that the State must continue strengthening public policies, legislation, and the institutions responsible for guaranteeing the rights of this population.

On the rights of migrants and refugees, the SCA notes that the DPV has established a Special Delegate *Defensor* with national jurisdiction for the protection of migrants, refugees and victims of human trafficking. While the SCA notes that the DPV cooperates with UNHCR and UNICEF in the development of guidelines, training and capacity building activities, it is concerned of reports that the DPV is not fully using its protection mandate and has limited cooperation with civil society in addressing human rights violations against migrants and refugees. The SCA further refers to information contained in the report of the Fact-Finding Mission on Venezuela of the existence of practice of prolonged incommunicado detentions of foreign nationals and the denial of access to consular assistance from their respective States.

The SCA is concerned that the DPV's responses do not demonstrate functional independence, nor does it demonstrate a timely independent assessment of the human rights situation in the country.

The DPV has not spoken out in a manner that promotes protection for human rights in response to credible allegations of serious and systematic human rights violations.

Furthermore, information before the SCA indicates that the DPV is not consistently accepting complaints and that victims have faced reprisals when submitting complaints on serious violations of human rights, including enforced disappearances. The SCA also notes that the DPV is not using its power to investigate serious human rights violations on its own motion. The SCA is of the view that the DPV has failed to fully implement its protection mandate including complaint handling.

The SCA is of the view that in situation of state of emergency it is expected that an NHRI will conduct itself with a heightened level of vigilance and independence, and in strict accordance with its mandate. Furthermore, NHRIs are expected to promote and ensure respect for human rights, democratic principles and the strengthening of the rule of law in all circumstances and without exception.

Thus, the SCA is of the view that the DPV has not demonstrated that it has acted independently in addressing serious human rights violations.

The SCA refers to Paris Principles A.1 and A.3 and to its General Observations 1.2 on ‘Human rights mandate’ and 2.5 on ‘NHRIs during the situation of a coup d´état or a state of emergency’.

2. Engagement with international and regional human rights mechanisms

The third-party information alleged that the DPV's reports to the international human rights system lack data, verifiable sources, critical analysis.

While acknowledging the DPV´s engagement with the international human rights system, the SCA is of the view that NHRIs must maintain their independence and, where they have the capacity to provide information to human rights mechanisms, do so in their own right.

The SCA has become aware of publicly available information indicating the lack of interaction of the DPV with regional human rights mechanisms, including the Inter-American System of Human Rights.

The SCA is of the view that NHRI engagement with international bodies is an important dimension of their work. Through their participation, NHRIs connect the national human rights enforcement system with international and regional human rights bodies. Moreover, NHRI participation in regional and international coordination bodies serves to reinforce their independence and effectiveness, overall.

The SCA refers to Paris Principles A.3(d) and A.3(e), and to its General Observation 1.4 on 'Interaction with the international human rights system'.

3. Selection and appointment process

The third-party referred to Article 280 of the Constitution and Articles 3 and 17 of the enabling law of the DPV which provide that the *Defensor* shall be appointed for a single term of seven years. In this regard, the appointment of a new *Defensor* was due in 2024. However, and despite the Constitution and the DPV´s enabling law provisions indicating a single term, the National Assembly appointed the current Defensor for a second term on 31 October 2024.

In its response, the DPV noted that the current Defensor was the Executive Director of the DPV since December 2014, and that Article 33 of the DPV´s enabling law allows for the Executive Director *"to exercise the position of Defensor in the event of an absolute vacancy and on an interim basis until the time when the incumbent is appointed".* While the SCA acknowledges this provision, it is also aware that Article 33 must be read in line with Article 25 of the law which provides that, in case of resignation, the National Assembly will declare the vacancy of the position, after which the procedure for the appointment of a new *Defensor* will be initiated within a period of no more than thirty continuous days, as established in Article 279 of the Constitution.

However, in 2017, the National Assembly did not declare the vacancy of the *Defensor* following the resignation of the previous Defensor, nor has it started the process for appointing a new Defensor.

The selection and appointment process of the leadership of an NHRI shall promote merit-based selection and ensure pluralism to guarantee the perceived and actual independence of, and public confidence in, the senior leadership on an NHRI.

The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

4. Annual reports

Third-party information provided that the DPV did not submit annual reports to the National Assembly from 2017 to 2019. Furthermore, they add that the UN Human Rights Council Fact-Finding Mission observed that the annual reports published in 2016, 2020 and 2021 do not include *"information on the complaints received by the Ombudsman, including the total number of complaints, the specific human rights violations related to said complaints, or the gender of the victims".*

In its response, the DPV informed that the 2016-2020 National Assembly never called on the NHRI to present annual or special reports, but that this does not mean that the DPV did not prepare them. While acknowledging that the DPV´s annual reports before 2016 and from 2020 to 2024 can be found on the institution's website, annual reports from 2016 to 2019 are not available. The SCA notes that no debates on the DPV's annual and thematic reports took place at the National Assembly.

The SCA considers that it is important for an NHRI to prepare, publicize and widely distribute an annual report on the human rights situation in general, and on more specific matters. This report should include an account of the activities undertaken by the NHRI, to state its opinion, recommendations and proposals to address any human rights issue of concern.

The SCA considers it important that the enabling law of an NHRI establish a process whereby its reports are required to be widely circulated, discussed and considered by the legislature.

The SCA refers to Paris Principle A.3(a) and to its General Observation 1.11 on 'Annual reports of NHRIs'.

5. Adequate funding

The SCA takes note of the difficult economic situation in Venezuela that is reflected in the reduction by 99 % of the national budget. This situation affects all State institutions, including the DPV. Such a reduction severely restricts the ability of the DPV to function.

The SCA reiterates that to function effectively, an NHRI must be provided with an appropriate level of funding in order to guarantee its independence and function effectively.

The SCA refers to Paris Principles B.2 and to its General Observations 1.10 on 'Adequate funding of NHRIs'.

The SCA therefore recommends that the DPV takes action to demonstrate its perceived and actual independence from the government while executing its mandate to promote and protect all human rights in a public manner including freely addressing public opinion, raising public awareness on human rights issues, analysing the human rights situation in the country, obtaining statements or documents in order to assess situations raising human rights issues, as well as conducting unannounced and free access to inspect and examine any public premises.

The SCA, therefore, reiterates that the DPV is not demonstrating that they can adequately address all human rights issues. While acknowledging the context in which the DPV operates,

the SCA recommends that it independently takes steps to address all human rights issues in a manner that shows its ability to protect and promote human rights.

3.2 Korea: National Human Rights Commission (NHRCK)

Recommendation: Following the Special Review initiated in accordance with Article 16.2 of the GANHRI Statute, the SCA recommends that the accreditation of the NHRCK be **maintained** as A status. The SCA reminds the NHRCK that A status NHRIs are required to take steps to ensure that, in law and practice, it is effective and independent in line with the Paris Principles.

In its 45th session of March 2025, the SCA decided to undertake a special review of the NHRCK based on information received from various third parties, including civil society organizations and former commissioners, as well as the response of the NHRCK. The third parties alleged that the NHRCK targeted human rights defenders by filing lawsuits against complainants and harassing staff, failed to protect marginalized groups like LGBTQI+ individuals, workers, and victims of the Itaewon tragedy, failed to respond to the declaration of martial law in a timely and independent manner, and that its operations were impacted due to disputes among Commissioners. In response, the NHRCK indicated that it is attempting to work closely with a wide range of civil society organizations and that some of the allegations were based on inaccurate facts. The NHRCK also reported that it issued a statement in response to the martial law and conducted monitoring and investigations into human rights violations connected to the state of emergency.

During the 46th session in October 2025, the SCA received additional third-party submissions, responses from the NHRCK to these submissions, and conducted an interview with the NHRCK in which it was asked to provide responses including in relation to the following issues:

- Pluralism and independence of the commissioners
- Position on the Anti-Discrimination Law
- Addressing human rights violations and lawsuits against human rights defenders
- Disputes among commissioners and retaliation against staff
- Cooperation with civil society

In response to these questions, the NHRCK provided information on a range of actions it has undertaken or are being implemented to address the concerns raised. For example, with regard to staffing and the internal functioning of the NHRCK, the Commission noted that, amongst other things, a revised code of conduct had been developed, and that the formation of an internal committee, and the development of guidelines on workplace abuse were underway. With regard to relationships with CSOs, the NHRCK noted with concern the instigation of lawsuits by a commissioner against human rights defenders and explained the action taken in response to this issue, as well as the manner in which it was seeking to improve CSO relationships more generally. The NHRCK also outlined measures it was implementing to address both conflicts between Commissioners, and the effect this has on Commission work.

In light of all the information before it and the responses provided by the NHRCK in writing and during the interview, the SCA considers that no further review of the institution is required at this time. However, the NHRCK is expected to continue to conduct its mandate in an efficient and timely manner, addressing systemic human rights violations, including addressing rights of LGBTQI+ people, freedom of expression, discrimination, migrants and refugees' rights, and religious rights, among others – in a manner that is consistent with and promotes international human rights standards.

With regard to the recent constitutional crisis and the impeachment of the President, the SCA reminds NHRCK that an NHRI should conduct itself with a heightened level of vigilance and independence and continue to promote and ensure respect for human rights, democratic principles and rule of law (including by making timely public statements) at times of national emergency.

The NHRCK is further expected to continue taking steps to improve safeguards for staff and to resolve the prevailing disputes among commissioners and staff in a way that strengthens its credibility and ability to carry out its mandate. The NHRCK should also continue to advocate for a uniform selection process for all commissioners and expeditious filling of the current vacancy. The SCA notes the NHRCK's stated intention to restore trust with civil society and encourages it to seek support from its regional network and OHCHR on best practice for this.

SPECIAL REVIEW (Article 16.2 of the GANHRI Statute)

4.1 Mauritius: National Human Rights Commission of Mauritius (NHRC)

Decision: The SCA decides to initiate a **special review** of NHRC at its 47th session in 2026.

On 14 July and 12 August 2025, the SCA Secretariat received information from former members of NHRC alleging lack of due process and political interference in the dismissal of five out of six members of the NHRC through a letter from the Secretary of the Presidency on 13 June 2025. The information noted that the dismissal took effect without stating any reason and in the absence of disciplinary hearing, as required by Sections 3(9) and 3(10) of the law, occurring six weeks after the resignation of NHRC's Chairperson.

The information has been shared with the NHRC for response. On 15th September, the NHRC's response cited legal provisions allowing dismissal but did not confirm that due process was followed, raising concerns about arbitrary removal and lack of safeguards for tenure stability.

Further, a third-party submission received by the Secretariat on 29 August 2025, highlighted political interference in the appointment of the members of the NHRC. The third-party indicated that pursuant to Section 5(1) of the NHRC's Act, the Secretary to the Cabinet is responsible for appointing the Secretary General of the NHRC and for providing administrative and other staff, who are largely drawn from senior civil servants.

In its response, the NHRC refuted any political interference and indicated that the Secretary to the Cabinet usually appoints senior civil servants to various Commissions, and they are answerable to the heads of their respective institutions. While acknowledging the response of the NHRC, the institution did not provide legal measures to prevent influence from the Executive.

On the secondment of police officers as investigators, the NHRC indicated that it has always considered police officers to be more apt to search and summon witnesses within the purview of its quasi-judicial operations while hearings are conducted by members. While noting this response, the SCA is of the view that the NHRC did not provide sufficient safeguards on its ability to conduct impartial investigations as well as measures to ensure the ability of victims to access human rights justice given the secondment of police officers to act as investigative staff.

The SCA is of the view that third-party submissions and publicly available information raise concerns about the continued compliance of the NHRC with the Paris Principles, including on the security of tenure of members as well as the perceived independence of the institution. In view of the information before it, the SCA decides to initiate a Special Review in accordance with Article 16.2 of the GANHRI Statute in order to determine the NHRC ongoing compliance with the Paris Principles.

4.2 Perú: *Defensoría del Pueblo* (DPP)

Decision: The SCA decides to initiate a **special review** of DPP at its 47th session in 2026.

On 1 September 2025, the SCA Secretariat received third-party information from the National Coordinator of Human Rights of Peru a coalition of 74 civil society organizations and NGOs that work for the defense, promotion, and education of human rights in Peru.

The third-party submissions made allegations on the lack of transparency in the election of members of the National Justice Board, which is chaired by the *Defensor*. The submissions also criticise the DPP position regarding the amnesty law; restrictions imposed by the DPP on access to the Truth and Reconciliation Commission archives; deterioration in the working conditions of DPP staff, including those belonging to the institution´s Working Union; budget cuts and limited territorial presence.

The SCA Secretariat shared the third-party information with the DPP on 5 September 2025, requesting their comments, if any, by 12 September 2025. A reminder email was sent to the DPP on 15 September 2025, requesting their response. The DPP did not acknowledge receipt of either email or send their comments of the third-party information.

Based on the third-party submissions and publicly available information before it and the DPP lack of response, the SCA raises concerns about the DPP continued compliance with the Paris Principles. The SCA is especially concerned regarding the allegations of the DPP´s ability to conduct its mandate efficiently, its perceived independence and credibility as well as its willingness to tackle systemic human rights violations – monitoring of deaths, shrinking civic space, weakened oversight institutions and rule of law, freedom of expression, and freedom of association, including its mandate as National Preventive Mechanism. In view of the information before it, the SCA has decided to initiate a Special Review of the accreditation status of the DPP in accordance with Article 16.2 of the GANHRI Statute in order to determine its continued compliance with the Paris Principles.

ALTERATION OF ACCREDITATION CLASSIFICATION (Article 18.1 of the GANHRI Statute)

5.1 Iraq: The Iraqi High Commission for Human Rights (IHCHR)

Recommendation: The SCA recommends that the IHCHR be downgraded to **"B"** status.

Based on public information available on the website of the General Secretariat of the Council of Ministers appointing the Minister of Justice to oversee the administrative and financial matters of IHCHR in addition to the absence of commissioners since 2021, the SCA initiated a Special Review at its 43rd session of March 2024.

During the special review of the IHCHR at its 44th session of October 2024, the SCA received third party submissions alleging lack of independence of the IHCHR. The SCA also considered the response of the IHCHR to the third-party submissions, the appointment of the Minister of Justice as the administrative head of the IHCHR and its impact, and the ongoing selection and appointment process.

The SCA, taking note of the information before it[4], decided that the IHCHR's independence and effectiveness had not been sufficiently maintained in line with the requirements of the Paris Principles and therefore the IHCHR should be downgraded to B status. In accordance with Article 18.1 of the GANHRI Statute, the SCA gave the IHCHR the opportunity to provide, within a year, written evidence deemed necessary to establish its continued compliance with the Paris Principles.

At its 46th session in October 2025, the SCA considered, additional submissions from third parties, and material provided by the IHCHR responding to the third-party submissions and establishing its continued compliance, and conducted an interview giving the IHCHR an opportunity to provide its views on various matters, including:

- Independence of the institution amidst the leadership of the Minister of Justice
- The status of the selection and appointment process that has been ongoing for four years
- The impact of the absence of commissioners since 2021 relative to the IHCHR ability to protect human rights, preparation of annual reports, engagement with international human rights mechanisms and cooperation with civil society

The SCA acknowledges the efforts undertaken by the IHCHR to promote and protect human rights in the challenging and volatile context in which it operates and the absence of commissioners. However, in view of the all the material provided and the interview, the SCA is not satisfied the IHCHR has adequately addressed its concerns, nor has it demonstrated its continued compliance with the Paris Principles.

The SCA notes with concern:

1. **Independence**

The SCA, at its 44th session in October 2024, noted that the presence of the Minister of Justice as head of the institution since September 2023, does not distinguish the IHCHR from the

[4] As recorded in the report of the SCA 44th session.

Executive and that such a structure does not allow the IHCHR to be independent from the government in its decision-making and methods of operation.

At its 46th session in October 2025, the SCA notes that the Minister of Justice continues to administratively lead the IHCHR. According to the IHCHR, the Minister of Justice is only responsible for overseeing the administrative and financial affairs and that the IHCHR continues to implement its mandate in an independent manner from the Government.

The SCA further notes that the Prime Minister appointed a Human Rights Adviser to the IHCHR in November 2024 outside the organic structure and rules of staff recruitment of the IHCHR. The IHCHR reports that the appointment of the Human Rights adviser was based on the request of the individual and not solely by the Prime Minister.

Noting the importance of maintaining an effective relationship with government, the SCA highlights that such a relationship should be void of government representatives participating in the IHCHR decision-making body. The SCA also highlights that for the IHCHR to operate independently of government, the recruitment of its staff, including the hiring of public servants with specific skills, must be done in an open, clear, transparent, merit-based manner at the sole discretion of the IHCHR.

The SCA therefore restates its previous recommendation calling on the IHCHR to ensure that government officials should not be members of, nor participate in, the decision-making organs. Additionally, the SCA recommends that the recruitment of staff should be done exclusively in the purview of the IHCHR in an open, transparent and merit-based manner.

The SCA refers to Paris Principles B.1, B.2, B.3 and C(a), and to its General Observations 1.1 on ‘The establishment of NHRIs’, 1.9 on ‘Political representatives on NHRIs’ and 2.4 on ‘Recruitment and retention of NHRI staff’.

2. Selection and Appointment

The SCA notes that the IHCHR continues to be without a Board of Commissioners since August 2021. The IHCHR indicates that it has continuously engaged Parliament as the responsible body for the selection process of commissioners and that a significant part of the screening and evaluation process has been completed. The IHCHR states that the final appointment is pending the outcome of the Parliamentary elections, which are slated for November 2025.

The SCA also notes allegations from third parties that the selection and appointment process is being conducted under the control of political parties and that there is no provision in the IHCHR Act that safeguards against prolonged vacancies in the leadership of the institution in case of a delay in the appointment process.

While noting the efforts of the IHCHR to remain functional and continue implementing its mandate despite the absence of commissioners since 2021, the SCA reiterates its previous recommendations and urges the IHCHR to continue advocating for the expedited appointment of a new Board of Commissioners in a transparent, open and participatory manner as well as an amendment to its enabling Law to prevent prolonged vacancies in the leadership of the institution.

The SCA refers to Paris Principle B.1 and to its General Observations 1.1 on 'The establishment of NHRIs' and 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

The SCA further notes:

3. Addressing human rights violations

The SCA acknowledges the efforts of the IHCHR to address human rights violations through monitoring of places of deprivation of liberty, including monitoring visits conducted in 2025, receiving complaints, conducting investigations, workshops and seminars on various human rights topics. The IHCHR also reports that as a result of its monitoring, advocacy and follow-ups, camera was installed in the investigation areas of places of deprivation of liberty to combat torture and other human rights violations.

The SCA also notes the explanation of the IHCHR that, with advice from legal experts, Article 4(8) of the law was interpreted to indicate that the IHCHR can prepare and submit an annual report, including the general assessment of the human rights situation, to the Council of Representatives as well as disseminate it through various media. The SCA acknowledges that the IHCHR, following this interpretation and approval of the Minister of Justice, has published its annual reports of 2021, 2022, and 2023 on the website in the absence of a Board of Commissioners and has also submitted an alternative report to the Committee on Enforced Disappearances in 2025.

The SCA is of the view that the interpretation of the IHCHR relative to the responsibility of the Board of Commissioners to prepare and publish reports is not sustainable, as there have been no amendments to the Act. The current administrative arrangements requiring the approval of the Minister of Justice impedes the IHCHR ability to comply with the Paris Principles.

The SCA therefore reiterates its recommendation that the IHCHR continues to advocate for the urgent completion of the appointment of its Board of Commissioners to allow it to independently and publicly issue annual, special, and thematic reports, without the involvement of government. The SCA further recommends that the IHCHR continues to publicize its positions on pertinent human rights issues in order to strengthen the credibility and accessibility of the institution for all people in Iraq.

The SCA refers to Paris Principles A.1, A.2, A.3, and its General Observations 1.2 on 'Human rights mandate', and 1.11 on 'Annual reports of NHRIs'.

4. Complaints handling

The IHCHR reports that it continues to receive complaints from individuals and civil society, and investigations have been carried out into allegations of human rights violations. The IHCHR also indicates that it receives complaints from its monitoring of places of deprivation of liberty. Referencing the statistics of complaints received in 2024 (1,042), the IHCHR highlights enforced disappearance and torture as the main categories of complaints received. The IHCHR further indicates that it has submitted reports and recommendations on these complaints to various state actors and has followed up on their implementation. Acknowledging the decline in the receipt of complaints since 2021, the IHCHR states that the decline is unrelated to the leadership of the Minister of Justice. However, the IHCHR attributed the decline to the improved security situation and relative political stability since 2021, as opposed to the transitional period following the liberation of territories from ISIS.

The SCA acknowledges the information provided by the IHCHR and the efforts undertaken to address human rights complaints. The SCA is however still concerned about the continuous decrease in the number of individual complaints and allegations of human rights violations as reported by the IHCHR.

The SCA therefore reiterates its previous recommendation calling on the IHCHR to strengthen its efforts to raise public awareness on its mandate to protect human rights and address all human rights violations, in particular to increase public confidence in its complaints-handling mandate.

The SCA refers to Paris Principles A.1, A.2, A.3, and D(d) and its General Observations 1.2 on 'Human rights mandate', as well as 1.6 on 'Recommendations by NHRIs'.

5. Cooperation with civil society

The SCA notes allegations from third parties that IHCHR has lost credibility with civil society but has had collaborative engagements in 2025 in two governorates. The IHCHR reports that it continues to collaborate and there has been an increased partnership with civil society. According to the IHCHR, it has had training workshops, awareness-raising, seminars, dialogue conferences, and field events in various governorates in Iraq.

Considering the allegations from civil society and the response of the IHCHR, vis-a-vis the Minister of Justice as head of the institution, the SCA highlights that regular and constructive engagement with all relevant stakeholders is essential for NHRIs to fulfil their mandates effectively.

Noting that the character and identity of an NHRI shall serve to distinguish it from both government bodies and civil society, the SCA recommends the IHCHR to further develop, formalize and maintain working relationships, as appropriate, with other domestic institutions established for the promotion and protection of human rights, including civil society organizations. The SCA highlights that NHRIs as independent and pluralistic institutions, can play an important role in protecting and promoting human rights.

The SCA refers to Paris Principles C (f) and (g) and to its General Observation 1.5 on 'Cooperation with other human rights bodies'.