

APRIL 2002

REPORT OF THE ACCREDITATION SUB-COMMITTEE

This report represents the outcome of the meeting of the accreditation sub-committee held in Geneva on 15 April 2002 under the chairmanship of the Canadian Human Rights Commission.

Members of the sub-committee are the National Institutions (NI) of :

Australia for the Asia-Pacific Region (chair in 2000)
Canada for the Americas Region (chair in 2001 and 2002)
France for the European Region
Togo for the Africa Region

In attendance:

Chair: Canadian Human Rights Commission
(Ms. M. Falardeau-Ramsay and Ms. K. Buck)

Other Members: Australian Human Rights and Equal Opportunities Commission
(Mr. W. Jonas and Ms. M. Wilke)
Commission Nationale Consultative des Droits de l'homme de France
(Mr. Fellous; Mr E. Decaux and Mme. Pellet)
Commission Nationale Consultative de Droits des l'homme du Togo
(Mr. K. Gnondoli)

As previously established, any National Institution requesting accreditation may meet with the sub-committee to discuss its application, be it at the request of the sub-committee or on its own initiative.

Geneva - 15 April 2002

At this meeting, the following institutions were accorded Category A status:

AFRICA:

Niger:

- The legislation governing the NI was submitted.
- Recommendation that the Government be encouraged to make greater provisions in its annual budget for the NI.
- ✓ Accredited.

Mauritius:

- Questions put to the representative of the NI present at the meeting related to
 - : Immunity
 - Complaints

- On the question of Immunity stated that the President and his personal staff are immune from the jurisdiction of the NI
- validity of complaints, the representative noted that the NI was only empowered in its constitution to deal with complaints dating back two years

✓ Accredited

AMERICAS:

Ecuador

✓ Accredited

Guatemala

✓ Accredited

Venezuela

Questions put to the representative of the NI present:

- The Regulations and the Specific Constitutional Provisions relating to the NI
- The Financial Independence of the Commission
- The issue of Plurality of the NI and its cooperation with civil society

✓ Accredited

ASIA PACIFIC:

Nepal

- Previously granted an A(R) because there was no annual report
- This year the NI submitted an annual report with full disclosure of the budgetary information, and legislation governing their NI
- The reservation was removed

✓ Accredited

Malaysia – SUHAKAM

The composition of the NI is not fully pluralistic which could be perceived as discriminatory
The term of office of 2 years, could comprise commissioners' independence

✓ Accredited

EUROPE:

Luxembourg

- An annual report submitted.
- No objection raised as to lifting the reserve

✓ Accredited

The following institutions were accorded Category A(R):

AFRICA:

Algeria

- Founded by a presidential decree
- A question was asked as to the status of the government representatives who are members of the commission
- Accreditation grid was submitted

→ *Accreditation with reservation was granted until the annual report is submitted, and clarification given on the status of the government representatives*

Burkina Faso

- Recommendation to urge the government to include the NIs financial needs in the government's annual budget

→ *A accredited with reservation.*

Madagascar

- Previously awarded an accreditation with reservation.
- Submitted a report on the NIs activities of the year.
- Question raised as to the status of the Secretary General (also the Minister for Justice)

→ *The sub-credentials committee decided to accredit with reservation while clarification is sought as to the status of the Secretary General (Minister of Justice)*

ASIA

Mongolia

- Submitted an organisation chart and budgetary summary
- No annual report with full budgetary information was provided

→ *Accredit with reservation.*

EUROPE

Bosnia & Herzegovina

The request for accreditation was not supported with full documentation.

→ *Accreditation with reservation maintained.*

Germany

→ *Accreditation with reservation maintained.*

Ireland

- The following documents were submitted; an amendment to the Human Rights Act, the decree establishing the NHRI and an accreditation grid

→ *The sub-committee decided to accredit with reserve, as there was no annual report.*

The following institutions were accorded Category B:

No country considered

The following institutions were accorded Category C:

AFRICA

Benin

Issues were raised on the credibility of the Commission, especially relating to:

- Its budget,
- Status of the NI as the preamble of their constitution refers to the Commission as an NGO.
- Its compliance with the duty to make annual reports as there was no annual report on the activities in 1999-2002.

→ As many items were missing which would form a basis for awarding a B classification, *awarding the Benin NI a C classification as it is an NGO.*

Zambia

No documents submitted

→ Deferred to next year for consideration

EUROPE

Slovakia

Originally the institution was an NGO.

The bill to create convert it into a NHRI was rejected by the Slovak Parliament as a result, the institution still remains an NGO.

→ *The Sub-credentials committee took the decision to drop Slovakia from the previously awarded B to a C category.*

→ *Deferred until next year for consideration.*