



Statement: GANHRI Bureau must uphold SCA's downgrade recommendation for the NHRCI to ensure accountability

BANGKOK, Thailand (1 December 2025): We, the undersigned human rights networks and organizations, urge the Global Alliance of National Human Rights Institutions (GANHRI) Bureau to uphold the Sub-Committee on Accreditation's (SCA) [recommendation](#) to downgrade the National Human Rights Commission of India (NHRCI) from "A" to "B" status.

The SCA's April 2025 recommendation follows consecutive deferrals in [2023](#) and [2024](#), as well as an earlier deferral in [2016](#) preceding the granting of "A" status in [2017](#). Collectively, these reflect a decade-long pattern of persistent non-compliance with the Paris Principles.

Despite repeated opportunities, neither the Government of India nor the NHRCI has undertaken the institutional reforms required to ensure independence, effectiveness, and credibility. The SCA's concerns, first formally raised in [2011](#) and reiterated in 2016, 2017, 2023, and 2024, remain substantially unaddressed.

Immediately following the SCA's decision, the NHRCI formally [challenged](#) the recommendation, garnering the support of NHRIs from Jordan, Ghana, Rwanda and Zimbabwe. The GANHRI Bureau is set to deliberate and decide on the outcome of the NHRCI's challenge to the SCA recommendation in its upcoming meeting in December.

"Upholding the downgrade is critical to protecting the integrity of the global accreditation system and to ensuring long-overdue accountability. A reversal at this

stage would set a deeply troubling precedent signalling that political pressures from powerful actors can outweigh principled, evidence-based assessments,” said Mary Aileen Diez-Bacalso, Executive Director of FORUM-ASIA.

Key concerns underlying the downgrade

1. Structural conflict of interest in investigations

The NHRCI continues to rely heavily only on police-staffed investigation teams, raising clear conflicts of interest. The SCA has [repeatedly](#) warned that this structure undermines the Commission’s capacity to conduct impartial and credible investigations into allegations of human rights violations.

Civil society organizations have documented that the NHRCI routinely accepts reports from agencies such as the National Investigation Agency (NIA) and the Central Bureau of Investigation, India’s federal terror-investigation and crime-investigation bodies, often without independent verification.

Such practices are especially alarming in cases involving human rights defenders (HRDs) detained under the Unlawful Activities (Prevention) Act (UAPA). Given that UAPA cases are handled primarily by the NIA and have been used to target HRDs, the NHRCI’s reliance on these agencies gravely compromises its independence and ability to deliver justice to victims.

2. Lack of pluralism in leadership and staff

The NHRCI continues to lack meaningful diversity in both leadership and staffing. Representation from women, Dalits, indigenous peoples, religious minorities, persons with disabilities, LGBTIQ+ persons and other marginalized groups remains severely limited.

Moreover, civil society organizations continue to raise concerns of institutional bias as the NHRCI relies extensively on seconded government officials across all levels of [leadership](#) and [staffing](#). At the leadership level, all Special Rapporteurs are former senior civil servants; at the Secretariat level, in key positions in the Investigation Division, Law Division, Research Division, Training Division and Administration Division are civil servants.

All of the former Secretaries-General have been drawn from the civil service. The current Secretary-General, who was recently granted an extension, is also a former civil servant, [previously](#) serving in the Prime Minister’s Office.

These structural patterns hinder the NHRCI's ability to engage meaningfully, independently and effectively with diverse communities, build trust with civil society and withstand government pressures on politically sensitive issues.

3. Opaque leadership appointments

Despite years of SCA recommendations, NHRCI leadership vacancies are not publicly advertised and selection procedures remain non-transparent. Although the Appointment Committee has recently appointed two advocates and one former statutory commission chairperson as “civil society representatives,” these isolated appointments do not constitute genuine or sustained pluralism.

Two NHRCI member positions remain vacant—one for more than 4,000 days. The enabling law of the NHRCI, the Protection of Human Rights Act (PHRA), envisions two Supreme Court judges as members, yet successive Chairpersons have not appointed a second judge.

Crucially, there is no indication that the NHRCI has taken any steps to advocate for amendments to the PHRA, despite the SCA's repeated assertion that legislative reform is essential for compliance with the Paris Principles.

Since 2023, the NHRCI has faced two deferrals and now a downgrade recommendation, yet there have been no parliamentary debates on PHRA reform, no public statement by the NHRCI explaining the SCA's findings, and no communication from the NHRCI Chairperson to Parliamentarians urging legislative change.

Since 2011, the NHRCI has repeatedly stated that amendments are “under consideration,” yet none materialized, even when the PHRA was amended in 2019. Recent appointments in 2023 and 2024 similarly failed to incorporate SCA guidance.

The NHRCI's inability to advocate for its own vacancies further reflects institutional inertia and limited independence.

4. Inadequate response to shrinking civic space and reprisals against HRDs

India's civic space has continued to constrict, with increasing attacks on HRDs, activists, journalists, environmental defenders, and community leaders. Yet the NHRCI has [failed](#) to undertake meaningful or effective interventions.

The Commission has not used its mandate to intervene in court cases involving the Foreign Contribution (Regulation) Act, 2010 and UAPA, has not conducted detention visits involving arbitrary detention of HRDs, and has remained deafeningly silent despite repeated concerns from UN Special Rapporteurs.

Following the dissolution of Jammu and Kashmir's human rights bodies in 2019, the NHRCI investigated only 4 of the more than 700 transferred cases, leaving most [unaddressed](#).

5. Limited and selective engagement with civil society

The Commission's engagement with civil society remains inconsistent, selective, and often excludes HRDs and organizations working on sensitive issues. It has not convened meaningful or effective discussions on FCRA or UAPA, and has not engaged the National Platform of HRDs as required by the Asia Pacific Forum's Regional Action Plan. This undermines both legitimacy and mandate.

6. Addressing allegations of human rights violations

Despite structural concerns regarding custodial torture, custodial deaths, extrajudicial killings, and attacks on HRDs, the NHRCI has rarely gone beyond recommending compensation. Only in a handful of cases has it recommended disciplinary actions, and it has never recommended prosecution, reinforcing patterns of impunity.

Why the GANHRI Bureau must uphold the recommendation

Reversing the SCA's well-considered recommendation would disregard years of documented concerns and risk signaling tolerance for long-standing non-compliance with international standards. Upholding the downgrade is essential to:

- Reinforce accountability of the NHRCI and the Government of India;
- Preserve the credibility of the GANHRI accreditation system;
- Encourage long-overdue institutional reforms; and
- Ensure that victims of human rights violations in India are provided with access to justice and effective remedies.

We, the undersigned human rights organizations and networks, expect that a downgrade in accreditation will create the necessary impetus for both the Government of India and the NHRC to take meaningful and effective steps to

strengthen independence, pluralism, transparency, and full compliance with the Paris Principles.

We remain committed to a constructive dialogue with GANHRI and the NHRCI to advance human rights protection in India.

Endorsements

1. Amnesty International
2. Asian Forum for Human Rights and Development (FORUM-ASIA)
3. Asian NGOs Network on National Human Rights Institutions (ANNI)
4. All India Network of NGOs and Individuals Working with National and State Human Rights Institutions (AiNNI)
5. CIVICUS: World Alliance for Citizen Participation
6. Front Line Defenders
7. Human Rights Watch
8. International Coalition Against Enforced Disappearances (ICAED)
9. International Federation for Human Rights (FIDH)
10. International Service for Human Rights (ISHR)
11. World Organisation against Torture (OMCT)