GUIDELINES FOR THIRD PARTY SUBMISSIONS BY THE GANHRI SUB-COMMITTEE ON ACCREDITATION (SCA)

In keeping with its Rules of Procedures and Practice Note 5, the SCA can receive submissions from third parties. Such submissions are sources of information on the view of third parties in relation to the implementation of the mandate of an NHRI on the ground and can be helpful to the SCA's appraisal of an NHRI's compliance[1] with the Principles relating to the Status of the National Institution (Paris Principles), alongside other information. To ensure that third party submissions are adequate and informative, the SCA recommends third parties to follow the guidelines below.

In the context of this guidelines, third parties include special procedures for international and regional human rights mechanisms, human rights defenders, non-governmental organizations including those with ECOSOC Status, civil society, victims of human rights violations and/or their representative organizations, and whistle-blowers.

A. Content and scope of the submissions

I. Focus on aspects related to the Paris Principles

All submissions should focus on the adherence of the NHRI concerned to the Paris Principles. This can include aspects related to an NHRI's enabling legislation, its administration and performance, as long as it relates to the Paris Principles and its interpretation by the SCA through the General Observations.

Submissions should be specific, relevant, reliable, concise and use non-abusive language. Submissions should be substantive and carefully considered, devoid of any frivolous content. It is desirable for third parties to provide concrete examples that can help demonstrate how the NHRI has or has not discharged its mandate in an independent and effective manner in practice. Submissions could highlight emblematic cases of human rights violations, if applicable, and provide information on actions undertaken by the NHRI.

Where the submissions mention specific cases of human rights violations, they should refrain from including names of victims unless they pertain to public cases or if the explicit consent of the victims and families is obtained.

Third parties can make individual or joint submissions.

II. Information on relationship or interaction with the NHRI

It is important that the submissions indicate the nature of the third party's relationship with the NHRI concerned. These interactions can be either direct (through cooperation and/or communications) and/or indirect (on behalf of other actors that have direct interaction with the NHRI, or reporting on publicly available information).

Where relevant, submissions can also include information on concerns related to insufficient or a lack of contact between the NHRI and the third party, on cases or topics deemed relevant. The submissions could also provide information on any difficulties in establishing contact or cooperating with the NHRI.

By explaining its level of engagement with the NHRI concerned, third parties help provide a more holistic understanding of the context in which the submission is made.

III. Consent to share the submission with the NHRI

[1] Section 8.1 of the Rules of Procedures and the Practice Note 3 'Assessing the Performance of NHRIs.'

Submissions should include the name of the submitting entity, as anonymous information will not be considered by the SCA.

All submissions must include consent to share with the NHRI concerned. Where such consent is not available, the information provided will not be shared nor considered by the SCA. However, where the said submission includes publicly available information and sources, this specific information can be considered by the SCA without reference or access to the third-party submission in full.

If relevant, third parties are requested to indicate any concerns regarding a reprisal, risk, or threat in relation to their submission being shared with the NHRI. In exceptional cases, the SCA as advised by the SCA Secretariat, may permit withholding the name of submitting entity or other information that may reveal the identity of the third party when sharing submissions with the NHRI for response, in cases where this is considered as a preventive measure or a response to credible reports of risks, threats, intimidation or reprisals related to a third parties' engagement with the SCA. The SCA Secretariat shall inform the SCA when such action is taken.

The SCA Secretariat shall consult with the third party by providing a draft redacted version of the submission for their review and comment prior to submission of the information to the NHRI.

Third parties are requested to indicate any concerns in relation to the disclosure of identifying information when sending their submission to the SCA. This will be assessed on a case-by-case basis. All allegations shall be treated with utmost confidentiality and in accordance with the do no harm principle.

This approach aims to create an environment that is conducive to meaningful engagement of third parties with the SCA process while ensuring that third parties can express concerns and provide information without fear of reprisal.

B. Modalities, length, and timing for submissions

I. For accreditation / re-accreditation

All submissions related to accreditation/re-accreditation must sent by email in a Word or PDF format. Submissions should not exceed **five pages** but can include links if relevant to provide further information or sources for the submission.

Timeline: All submissions related to accreditation/re-accreditation must be sent **on or before the first day of the month preceding the start of the session** at which the NHRI will be reviewed. Information on the timeline for submission as well as the NHRIs scheduled for each session can be found on the webpage of the SCA Secretariat. Submissions sent after this deadline will not be accepted.

II. For deferrals, special reviews, and alteration of accreditation

For submissions related to NHRIs being reviewed in the context of Deferrals, Special Reviews, and Alteration of Accreditation, third parties are encouraged to provide information focused on the specific issues being considered by the SCA, which are set out in the previous SCA Report concerning that NHRI. However, third parties can also provide information on other issues not being considered by the SCA, which are pertinent to assessing the NHRI's adherence to the Paris Principles

These submissions should not exceed **five pages**. However, the submissions can include links if relevant to provide further information or sources for the submission.

Timeline: submissions relevant to Special Reviews, Deferrals or Alteration of Accreditation**, must be submitted no later than one month prior to the start of the relevant SCA session** at which the NHRI will be reviewed.

Information on the timeline for submission as well as the NHRIs scheduled for each session can be found on the webpage of the SCA Secretariat. Submissions sent after this deadline will not be accepted.

III. Information on possible special reviews

Third parties may submit information regarding changes to the enabling legislation, administration or conduct of an accredited/re-accredited NHRI which they believe affect the NHRI's compliance with the Paris Principles. The SCA encourages third parties to refer to Practice Note 2 on Special Review. Upon consideration of all available information, the SCA may initiate a special review of an NHRI.

These submissions shall not exceed **five pages**. However, the submissions can include links if relevant to provide further information or sources for the submission.

Timeline: Submissions that could result in possible special review can be sent at any time.

C. Language, format, and practical information for submissions

Third party submissions must be written in one of the official languages of the SCA, namely in English, French, and Spanish, and submitted by email in a Word or PDF format.

The Annex provides a template for third party submissions to the SCA. Third parties are strongly encouraged to use the template, even if some slight adaptations will be required.

All submissions shall be addressed to OHCHR NIRMS as the SCA Secretariat and emailed to ohchr-scasecretariat@un.org

Specific information regarding the work of the SCA including its sessions, reports, timelines for submission and the NHRIs scheduled for each session can be obtained from the webpage of the SCA Secretariat, the OHCHR.

For more information on the accreditation process and the work of the Sub-Committee on Accreditation, please see guidelines on the webpage of the SCA Secretariat.

ANNEX: Guidance for third party submissions

THIRD PARTY SUBMISSION

TO THE GANHRI SUB-COMMITTEEE ON ACCREDITATION REGARDING [INSERT NAME OF NHRI]

[Date]

I. Name of the submitting entity

Please provide the full name of the individual or organization (s) and a brief description of its objectives and work. For organizations, please indicate whether you have been granted ECOSOC Consultative Status by the United Nations Economic and Social Council.

II. Contact information

Provide your organization's contact information for follow-up or clarification if necessary.

III. Relationship with the NHRI concerned, if any

Indicate the nature of interaction or relationship the individual or organization submitting the information has with the National Human Rights Institution (NHRI) under consideration. Specify whether this interaction is direct or indirect.

If there is no prior interaction with the NHRI, please mention it here, and clarify the source of the information or background of your assessment.

IV. Information on the NHRI's compliance with the Paris Principles

Provide any relevant information related to the NHRI's compliance with the Paris Principles. If possible, please provide concrete examples and evidence to support your assessment. If available, please provide objective and credible sources that can help substantiate your information and/or assessment.

If applicable, provide information on how the NHRI concerned is or is not compliance with the Paris Principles regarding issues under consideration by the SCA for NHRIs under deferral, special review, or alteration of accreditation. Provide clear examples and evidence to illustrate your points.

For submissions to initiate a possible special review, please provide information on how the conditions under which the NHRI concerned was accredited/re-accredited have significantly changed to affect its compliance with the Paris Principles, with reference to Practice Note 2 on Special Reviews. Provide clear examples and evidence to illustrate your points.

V. Additional comments and recommendations

Include any additional comments, observations, or recommendations you may have regarding the NHRI's accreditation status or its adherence to the Paris Principles.

VI. Consent to share the submission with the NHRI concerned

Please indicate whether you consent to have the submission shared with the NHRI concerned. Where such consent is not given, the SCA will not consider the submission.

If relevant, please indicate any concerns regarding a reprisal, risk, or threat in relation to your submission being shared with the NHRI. In exceptional cases the SCA Chair, as advised by the SCA Secretariat, may permit withholding the name of submitting entity or other information that may reveal the identity of the third party when sharing submissions

with the NHRI for response, in cases where this is considered as a preventive measure or a response to credible reports of risks, threats, intimidation or reprisals related to a third parties' engagement with the SCA.