



REFERENCE:

12 April 2017

Excellency,

I have the honour to write to you to support the National Human Rights Commission of India (NHRC) in strengthening its ability to promote and protect human rights. Developing a strong NHRC which is able to fulfil its mandate independently in accordance with the Paris Principles<sup>1</sup> is vital. National Human Rights Institutions (NHRIs) do work to strengthen good governance and the rule of law in their countries. They act as important bridges, linking governments, parliaments, the judiciary and civil society. They advocate strongly for legal and institutional reforms, monitor places of detention and security institutions and publish regular reports. NHRIs are uniquely placed to monitor and prevent human rights violations through national inquiries into these violations.

During the review of NHRC in November 2016, the Sub-Committee on Accreditation of the Global Alliance of NHRIs made recommendations to the NHRC which, if implemented, would allow it to function fully in accordance with the Paris Principles. Therefore, I would like to encourage your Government to consider the following recommendations for amending NHRC's legal basis, namely the 1993 Protection of Human Rights Act (PHRA), in order for it to fully reflect NHRC's core functions:

- Establishing an open, transparent and merit based selection process for the members of the governing body of the NHRC by giving equal representation to all sections of the society.
- Appointing an advisory council to the governing body of NHRC without voting rights comprising NGOs, civil society actors and independent experts.
- Empowering NHRC to issue independently its own rules of procedure and guidelines with provisions for citing any person for violations for these procedures and guidelines.
- Establishing three additional offices of NHRC in Eastern, Western and Southern parts of India and providing the Commission with appropriate funds to carry out its mandate.

H.E. Mrs. Sushma Swaraj,  
Minister of External Affairs of India

<sup>1</sup> Principles relating to the Status of National Institutions, endorsed by UN General Assembly resolution 48/134 of 1993.



- Establishing a toll-free-national-help line for contacting NHRC in emergency and urgent situations of grave violations of human rights.
- Empowering NHRC to cover all relevant cases involving paramilitary forces and the army, including in the Jammu and Kashmir state.
- Empowering NHRC to inquire into alleged human rights violations and abuses by the armed forces of India.

If adopted, these measures would improve the international standing of the NHRC and could have a high deterrent value, since the NHRC will have jurisdiction on all cases. I would very much appreciate for this letter to be shared with both Houses of Parliament, Minister of Home Affairs and Chairperson of the NHRC. My office stands ready to provide continued technical support to the Government of India and the NHRC in these matters.

Please accept, Excellency, the assurances of my highest consideration.

Zeid Ra'ad Al Hussein  
High Commissioner for Human Rights

Cc: H.E. Mr. Mohammad Hamid Ansari, Chairman, Rajya Sabha  
H.E. Mrs. Sumitra Mahajan, Speaker, Lok Sabha  
H.E. Mr. Rajnath Singh, Minister of Home Affairs  
Mr. H. L. Datta, Chairperson NHRC India.

**UNITED NATIONS HUMAN RIGHTS**  
**Office of the High Commissioner for Human Rights,**  
**Palais Des Nations, Geneva, Switzerland**

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Mr.H.L.Dattu, Chairperson NHRC India