

## **ANNEXE – CONCLUDING OBSERVATIONS OF THE HUMAN RIGHTS COMMITTEE ON NATIONAL HUMAN RIGHTS INSTITUTIONS (BY SESSION)**

### **SESSION 116**

#### **Costa Rica**

Office of the Ombudsman

7. Notwithstanding the State party's efforts to allocate adequate funding to the Office of the Ombudsman, the Committee is concerned that these resources remain insufficient to ensure that Office can function effectively. It is also concerned that the process for selecting the Deputy Ombudsman is not transparent (art. 2).

8. The State party should ensure that the Office of the Ombudsman has the financial, human and material resources that it needs to carry out its functions effectively and that the process for selecting the Deputy Ombudsman is transparent, with a view to guaranteeing the full independence and effectiveness of the Office in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

#### **Namibia**

National human rights institution

7. The Committee is concerned that the Office of the Ombudsman is insufficiently resourced (art. 2).

8. The State party should increase resources allocated to the Office of the Ombudsman to ensure that it can adequately fulfil its mandate. It is furthermore encouraged to adopt the proposed amendments to the Ombudsman Act (Act No. 7 of 1990). The Office should also be granted the power to recruit its own staff to be fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

#### **New Zealand**

National Plan of Action for Human Rights

7. The Committee welcomes the information provided by the State party regarding the main achievements relating to the implementation of the National Plan of Action for Human Rights for the period 2005-2010, in particular the ratification of the Convention on the Rights of Persons with Disabilities. Nevertheless, the Committee regrets the long hiatus between the conclusion of the first National Plan of Action in 2010 and the adoption of the second Plan in 2015 (art. 2).

8. The State party should provide in its next periodic report information on the implementation of the second National Plan of Action for Human Rights, including its main achievements and challenges, as well as information on how the second Plan

has addressed the Committee's recommendations and those of other international human rights mechanisms.

## **Rwanda**

National human rights institution

9. While noting that the new Law n° 19/2013 on the National Commission for Human Rights reaffirms the independence and financial autonomy of the Commission, the Committee remains concerned that members are selected by a committee appointed by the President, which could compromise their independence. The Committee is also concerned at information that the Commission is not perceived as an independent body (art. 2).

**10. The State party should ensure that the selection and appointment process of the members of the National Commission for Human Rights enjoys full transparency and independence, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). The Commission should also fully comply with its mandate and enhance its role in the protection of human rights.**

## **Slovenia**

National human rights institution

5. While welcoming the work undertaken by the Human Rights Ombudsman of the Republic of Slovenia to protect the rights enshrined in the Covenant, including as a national mechanism for the prevention of torture, the Committee regrets that it is not yet a national human rights institution in line with the Paris Principles, and that it lacks adequate funding (art. 2).

**6. The State party should take measures to establish a fully functioning and independent national human rights institution with a broad-based human rights mandate and provide it with adequate financial and human resources, in line with the Paris Principles (General Assembly resolution 48/134, annex).**

## **6 South Africa**

Oversight and monitoring mechanisms

10. While acknowledging the important work of State institutions exercising oversight over government operations in connection with the protection of Covenant rights, the Committee is concerned about various challenges faced by some of these oversight bodies in terms of budget limitations, lack of institutional independence from supervised government departments, and limited mandates and powers. The Committee notes the State party's intention to ratify the Optional Protocol to the

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, but it is concerned about the absence of independent and sustained monitoring of places of deprivation of liberty other than prisons (arts. 2, 6 and 7).

11. The State party should ensure that all oversight bodies are institutionally independent, adequately funded and equipped with the powers and functions necessary to deal with complaints and investigations promptly and effectively, hold authorities accountable, and facilitate access by victims of human rights violations to an effective remedy. The State party is encouraged to speed up the preparations for the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and should establish a system for the regular and independent monitoring of all places of detention, as well as a confidential mechanism for receiving and processing complaints lodged by persons deprived of their liberty.

## **Sweden**

National human rights institution

8. The Committee notes that several bodies, such as the Parliamentary Ombudsman, the Chancellor of Justice and the Equality Ombudsman, have a mandate of promoting and protecting human rights; however, the scope of their authority remains restricted to specific instruments and does not include international norms, including the Covenant. Therefore, the Committee, while acknowledging the State party's continued efforts towards the establishment of an independent national human rights institution, remains concerned (see CCPR/C/SWE/CO/6, para. 4) about the slow progress in this regard (art. 2).

9. The Committee reiterates its recommendation (see CCPR/C/SWE/CO/6, para. 4) that the State party establish, without undue delay, an independent national human rights institution invested with a broad human rights mandate and provide it with adequate financial and human resources, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

## **SESSION 115**

### **Austria**

National human rights institution

9. The Committee welcomes the expansion of the mandate of the Austrian Ombudsman Board in July 2012 to protect and promote human rights and to monitor places of deprivation of liberty, including facilities and programmes for persons with disabilities. The Committee regrets, however, that the State party has not addressed the concern related to the nomination of Board members by political parties

represented in the Parliament (art. 2).

10. The State party should take measures aimed at ensuring that the procedures for the selection and appointment of Austrian Ombudsman Board members ensure full transparency and political independence, with a view to bringing it in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

## **Benin**

National Human Rights Commission

8. The Committee is concerned that no members have been appointed to the National Human Rights Commission since the adoption, on 17 December 2012, of Act No. 2012-36 establishing the Commission. While noting the reasons given by the State party, the Committee finds it regrettable that progress in making the Commission operational has been slow (art. 2).

9. The State party should take all necessary measures to appoint the members of the National Human Rights Commission as soon as possible. It should guarantee the Commission's independence by ensuring that it has financial autonomy and adequate human and material resources to enable it to fulfil its mandate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

## **Greece**

No recommendation about National Human Rights Commission

## **Iraq**

National human rights institution

7. The Committee is concerned at the reported difficulties faced by the High Commission for Human Rights in carrying out its mandate, including a lack of adequate resources and constraints in practice to effectively discharging certain mandated activities, such as visiting and inspecting places of deprivation of liberty (art. 2).

8. The State party should adopt the measures necessary to ensure that the High Commission for Human Rights is able to carry out its mandate fully, effectively and independently, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It should ensure that the Commission has sufficient financial and human resources, that it is equally accessible to all persons throughout the State party's territory and that all public authorities fully cooperate with it.

## **Republic of Korea**

National human rights institution

8. The Committee notes the efforts of the National Human Rights Commission of Korea to secure legislative guarantees of its independence and a transparent and participatory process for the selection and appointment of its members. The Committee is, however, concerned that the State party has not yet adopted legislation to that effect, as that legislation could be a crucial element in the Commission's achievement of full independence in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (art. 2).

9. The State party should adopt the legislation necessary to ensure a fully transparent and participatory process for the selection and appointment of members to the National Human Rights Commission of Korea at all stages of the process, to establish an independent committee to nominate candidates and to guarantee the independence of the members of the Commission.

## **San Marino**

National human rights institution

6. While acknowledging the existence of institutional structures that monitor the implementation of human rights, such as the Equal Opportunities Commission, the Committee is concerned that the State party has not yet established a consolidated national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (art. 2).

7. Recalling its previous recommendation (see CCPR/C/SMR/CO/2, para. 6), the Committee recommends that the State party establish an effective and independent national human rights institution with broad competence in the field of human rights, in accordance with the Paris Principles.

## **Suriname**

National human rights institution

9. While welcoming the establishment, on 30 March 2015, of the National Human Rights Institute, the Committee regrets the absence of information regarding the Institute's mandate and the resources available to it (art. 2).

10. The State party should take measures to ensure the effective functioning of the National Human Rights Institute with a broad human rights mandate, and provide it

with adequate financial and human resources, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

## **SESSION 114**

### **Canada**

No recommendation about National Human Right Commission

### **France**

No recommendation about National Human Right Commission

### **Spain**

Second human rights plan

6. The Committee regrets that the second human rights plan has still not been adopted (art. 2).

The State party should expedite the adoption of the second human rights plan and ensure that the plan addresses adequately and effectively the relevant issues raised by civil society, the Committee itself and other human rights mechanisms. The State party should also ensure that, once adopted, the plan is implemented effectively, with the allocation inter alia of sufficient human and material resources and the establishment of monitoring and accountability mechanisms.

### **The former Yugoslav Republic of Macedonia**

Office of the Ombudsman

5. The Committee is concerned that the draft amendments to the Law on the Ombudsman do not fully comply with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and that the Ombudsman lacks the human and financial resources necessary to carry out its mandate. The Committee is also concerned about the limited follow-up to and implementation of the Ombudsman's recommendations by the State party (art. 2).

The State party should ensure that the draft amendments to the Law on the Ombudsman are in line with the Paris Principles (General Assembly resolution 48/134, annex). It should also provide the Office of the Ombudsman with the human and financial resources necessary to ensure that it can effectively and independently implement its mandate. The State party should intensify its efforts in responding diligently and promptly to the Ombudsman's recommendations.

## **United Kingdom of Great Britain and Northern Ireland**

Northern Ireland Human Rights Commission

7. The Committee is concerned that the reduction in the budget of the Northern Ireland Human Rights Commission may undermine the fulfilment of its mandated activities (art. 2).

The State party should provide the Northern Ireland Human Rights Commission with adequate funding to enable it to discharge its mandate effectively and independently and in full compliance with the Paris Principles (General Assembly resolution 48/134, annex).

## **Uzbekistan**

National human rights institution

5. The Committee, while noting that both the Human Rights Commissioner (Ombudsman) of the parliament and the National Centre for Human Rights are mandated to promote and protect human rights, is concerned that neither appears to comply with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (art. 2).

The State party should:

(a) Strengthen the independence, in law and in practice, of the existing human rights institutions in compliance with the Paris Principles (General Assembly resolution 48/134, annex);

(b) Consider applying for accreditation with the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights.

## **Venezuela (Bolivarian Republic of)**

National Human Rights Institution

6. The Committee is concerned that, at its March 2015 session, the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights recommended that the Ombudsman's Office should be downgraded to B status (art. 2).

The Committee recommends that the State party take the necessary steps to ensure that the Ombudsman's Office is able to carry out its mandate to protect and promote human rights fully, effectively and independently, in accordance with the

principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).<sup>1</sup>

## **SESSION 113**

### **Cambodia**

National human rights institution

6. The Committee, while welcoming the fact that a draft law on the establishment of a national human rights institution remains under review, regrets that the creation of such an institution has long been delayed (art. 2).

The Committee encourages the State party to establish an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (General Assembly resolution 48/134, annex).

### **Côte d'Ivoire**

The National Human Rights Commission

6. The Committee notes with concern that the mandate of the National Human Rights Commission is insufficiently broad to enable it to address human rights violations, that it is not fully independent and that it lacks the requisite financial independence to fulfil its mandate effectively (art. 2).

The State party is encouraged to broaden the mandate of the National Human Rights Commission to address cases of human rights violations, guarantee its independence and endow it with sufficient resources and financial autonomy so that it may fulfil its mandate effectively in accordance with the Paris Principles.

### **Croatia**

National human rights institution

5. While welcoming the establishment in 2012 of the Ombudsman Act, which requires cooperation between the Ombudsman and specialized ombudsmen, the Committee notes with regret the limited follow-up to, and implementation of, the Ombudsman's recommendations. The Committee is concerned, despite the recent increase in funding, about the limited human and financial resources allocated to the Office of the Ombudsman (art. 2).

The State party should provide the Office of the Ombudsman with the financial and human resources necessary to ensure that it can effectively and independently implement its mandate in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (General Assembly resolution 48/134, annex). It should also continue its efforts to guarantee coordination between the different ombudsmen offices so as to avoid duplication of tasks, and step up its efforts in responding diligently and promptly to the Ombudsman's recommendations.

## **Cyprus**

National human rights institution

5. The Committee is concerned that the Office of the Commissioner of Administration (the Ombudsman) lacks the necessary financial, technical and human resources to fulfil its very broad mandate, that it cannot appoint its own staff and that it lacks financial autonomy. In addition, the Committee is concerned about the absence of Turkish-speaking staff and that the reports generated by the Office are not published in Turkish (art. 2).

The State party should ensure that the Ombudsman has the financial and technical resources and personnel necessary to perform its task effectively on a fully independent basis, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (General Assembly resolution 48/134, annex).

## **Monaco**

Independent national human rights institution

9. The Committee takes note of Sovereign Order No. 4.524 of 30 October 2013 on the establishment of the Office of the High Commissioner for the Protection of Rights and Freedoms and Mediation. It notes, however, that the Office has not yet been accredited by the International Coordinating Committee of National Human Rights Institutions (art. 2).

The Committee recommends that the State party encourage the Office of the High Commissioner to seek accreditation from the International Coordinating Committee. The State party should ensure that the Office enjoys broad competence in the field of human rights and has the necessary financial and human resources to operate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) annexed to General Assembly resolution 48/134.

## **Russian Federation**

No recommendation about Nation Human Rights Commission

## **SESSION 112**

### **Burundi**

The Independent National Human Rights Commission

7. The Committee is concerned by reports that two members of the National Human Rights Commission were recently appointed by a majority of the representatives of the governing party and in the absence of representatives of opposition parties, as this type of procedure does not contribute to the Commission's effective independence. It is also concerned by the successive reductions in the Commission's budget (art. 2).

The State party should take the necessary steps to ensure the genuine, full independence of the Commission and to provide it with sufficient resources to enable it fully to carry out its mandate in accordance with the Paris Principles.

### **Haiti**

An independent national human rights institution

6. The Committee welcomes the establishment of the Office of the Ombudsman. It remains concerned, however, about the issue of limited financial and human resources available to the Office, which do not allow it to act freely and independently. The Committee is also concerned about the lack of information provided by the State party on measures taken to implement the recommendations made by that Office following complaints or visits to detention centres (art. 2).

The State party should ensure that the recommendations of the Ombudsman's Office are taken into account. It should also ensure that the Office has sufficient resources to carry out all the tasks entrusted to it, in accordance with the recommendations of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. It encourages the adoption of the framework act on the creation and maintenance of independent human rights institutions.

### **Israel**

No recommendation about Nation Human Rights Commission

### **Malta**

National Human Rights Institution

7. While welcoming the steps taken by the State party to extend the mandate of the National Commission for the Promotion of Equality, the Committee is concerned that

the State party has not yet established a consolidated national institution with broad competence in the field of human rights in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (art. 2).

The State party should establish a national human rights institution with a broad human rights mandate, in full compliance with the Paris Principles.

## **Montenegro**

National human rights institution

7. While noting the adoption of the new Law on Amendments to the Law on the Protector of Human Rights and Freedoms of Montenegro, the Committee is concerned about a reported lack of capacity in implementing a broad mandate for the national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (art. 2).

The State party should enhance the capacity of the national human rights institution to implement a broad human rights mandate, and provide it with adequate resources, in line with the Paris Principles.

## **Sri Lanka**

No recommendation about National Human Rights Commission

## **SESSION 111**

### **Chile**

National Human Rights Institute

6. The Committee welcomes the establishment of the National Human Rights Institute in 2009 and the fact that it has been awarded "A" status by the International Coordinating Committee of National Human Rights Institutions. However, the Committee is concerned by the fact that the Institute does not have sufficient resources to carry out its mandate fully and that its activities do not cover the entire country (art. 2).

The State party should intensify its efforts to ensure that the National Human Rights Institute receives the resources that it needs to fulfil its mandate effectively in all parts of the country.

## **Georgia**

No recommendation about National Human Rights Commission

## **Ireland**

National human rights institution

6. While welcoming the adoption of the Irish Human Rights and Equality Commission Act in July 2014 and the steps taken by the State party to ensure its compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), the Committee expresses concern at the lack of a unified definition of human rights in the Act, so as to ensure that the State party's international and domestic human rights obligations, including the Covenant, fall within the remit of the Commission across its range of functions (art. 2).

The State party should ensure that the Irish Human Rights and Equality Commission Act is in full conformity with the Paris Principles (General Assembly resolution 48/134, annex) and consider applying a unified definition of human rights in the Act, which includes the State party's international and domestic human rights obligations in the enforcement functions and powers of the Commission. It should also ensure that there is a stable and sufficient budget over which the Commission has autonomous control in order to discharge its functions independently and effectively.

## **Japan**

National human rights institution

7. The Committee notes with regret that, since the abandonment in November 2012 of the Human Rights Commission Bill, the State party has not made any progress to establish a consolidated national human rights institution (art. 2).

The Committee recalls its previous recommendation (see CCPR/C/JPN/CO/5, para. 9) and recommends that the State party reconsiders establishing an independent national human rights institution with a broad human rights mandate, and provides it with adequate financial and human resources, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris principles) (General Assembly resolution 48/134, annex).

## **Malawi**

National human rights institution

6. The Committee is concerned that the Malawi Human Rights Commission does not function fully independently and is not yet adequately funded. The reluctance of the Commission to engage in issues related to the rights of lesbian, gay, bisexual, transgender and intersex persons is also a source of concern for the Committee. The

Committee further notes the absence of adequate mechanisms in place for the effective consideration of the Commission's recommendations (art. 2).

The State party should amend the Human Rights Commission Act to ensure that the Commission enjoys full independence, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). The State party should also provide the Commission with adequate financial and human resources and establish mechanisms for the consideration and implementation of the Commission's recommendations. The Commission should fully comply with its mandate and engage in all human rights issues, including those related to the rights of lesbian, gay, bisexual, transgender and intersex persons.

### **Sudan**

No recommendation about National Human Rights Commission

## **SESSION 110**

### **Chad**

La Commission nationale des droits de l'homme

Le Comité est préoccupé par le fait que l'État partie n'a toujours pas pris les mesures nécessaires pour assurer l'indépendance de la Commission nationale des droits de l'homme, renforcer son mandat, la doter d'un budget autonome avec des ressources propres et suffisantes, en conformité avec les Principes de Paris (art. 2).

L'État partie devrait accélérer le processus d'adoption du projet de loi visant à réformer la Commission nationale des droits de l'homme, afin de la rendre pleinement conforme aux Principes de Paris. Le Comité encourage l'État partie à poursuivre sa collaboration avec les services du Haut-Commissariat des Nations Unies aux droits de l'homme à ce sujet, sans que cela puisse être considéré comme un motif valable de retard de la réforme.

### **Kyrgyzstan**

National human rights institution

7. The Committee is concerned about the insufficient guarantees of independence of the Office of the Ombudsman (Akyikatchy). The Committee welcomes the State party's efforts to amend the Law on the Ombudsman to ensure its compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (General Assembly resolution 48/134, annex) (art. 2).

The State party should expeditiously bring the mandate of the Ombudsman (Akyikatchy) into full compliance with the Paris Principles and provide it with the necessary financial and human resources to ensure that it can effectively and independently implement its mandate.

## **Latvia**

Ombudsman's Office

5. The Committee is concerned that the budget cuts have had a negative effect on the capacity of the Ombudsman's Office to exercise its mandate effectively (art. 2).

The State party should provide the Ombudsman's Office with adequate financial and human resources, in order to exercise its mandate in line with the Paris Principles (General Assembly resolution 48/134, annex), and finalize an application for accreditation of the Ombudsman's Office with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

## **Nepal**

National Human Rights Commission (NHRC)

7. The Committee is concerned at the introduction of restrictions to the independent and effective functioning of the NHRC through the adoption of the National Human Rights Act in 2012. While noting the Supreme Court decision of 6 March 2013 which declared various provisions of the Act null and void, the Committee regrets the lack of progress in bringing the Act in line with the Paris Principles. It also regrets the inadequate implementation of the recommendations issued by the NHRC, despite the fact that they are binding under domestic law (art. 2).

The State party should amend the National Human Rights Act 2068 (2012) to bring it in line with the Paris Principles (General Assembly resolution 48/134, annex) and the Supreme Court decision of 6 March 2013 so as to ensure its independent and effective functioning. It should also amend procedures governing the appointment of Commissioners to ensure a fair, inclusive and transparent selection process, and ensure that the recommendations issued by the NHRC are effectively implemented.

## **Sierra Leone**

National Human Rights Commission

6. While noting the steps taken by the State party to ensure that the Human Rights Commission of Sierra Leone (HRCSL) complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), the Committee is concerned that the HRCSL has insufficient resources to fully execute its mandate. The Committee regrets the reported lack of independence of the HRCSL and that its recommendations are not adequately taken into account by State authorities (art. 2).

The State party should take steps to strengthen the de facto independence of the

HRCSL and ensure that its recommendations are adequately taken into account by State authorities, in line with the Paris Principles (General Assembly resolution 48/134, annex). At the same time, the HRCSL should be provided with the necessary financial and human resources to be able to carry out its mandate effectively.

### **United States of America**

No recommendation about National Human Rights Commission

### SESSION 109

### **Bolivia ( Plurinational State of )**

No recommendation about National Human Rights Commission

### **Djibouti**

The National Human Rights Commission

6. While taking note of steps taken by the State party to ensure that the National Human Rights Commission complies with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), including a draft law to be adopted by the Parliament, the Committee expresses its concern regarding the information that the Commission has limited financial and human capacities and has to date been perceived as a governmental body rather than an independent institution (art. 2).

The State party should take steps to strengthen the de facto independence of the National Human Rights Commission. At the same time, it should expedite the adoption of the current legislative proposals to establish a national human rights institution in line with the Paris Principles, guaranteeing a broad human rights mandate, ensuring its full independence and providing the Commission with adequate financial and human resources. The Committee encourages the State party to continue seeking the support and advice of the Office of the United Nations High Commissioner for Human Rights in this endeavour.

### **Mauritania**

No recommendation about National Human Rights Commission

### **Mozambique**

The Committee welcomes the establishment of the National Human Rights Commission in 2009 and notes that it became operational in September 2012.

Nonetheless, the Committee is concerned at the reported lack of independence of the Commission and its deficient functioning (art. 2).

The State party should strengthen its efforts to ensure that the National Human Rights Commission enjoys full independence and is afforded the necessary resources to be able to carry out its mandate effectively in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

### **United State of America**

No recommendation about National Human Rights Commission

### **Uruguay**

7. While taking note of the explanations provided by the delegation concerning the process involved in establishing the National Human Rights Institution and Ombudsman's Office, the Committee remains concerned by the fact that this agency is attached to the Administrative Commission of the legislative branch. The Committee is also concerned by the fact that the National Human Rights Institution does not have sufficient resources of its own to fully execute its mandate, under which it is also required to perform additional functions as the national mechanism for the prevention of torture (art. 2).

The State party should ensure that the National Human Rights Institution and Ombudsman's Office has the financial, human and material resources that it needs to do its job effectively on a fully independent basis in accordance with the Paris Principles. The State party should also take the necessary steps to support the work performed by the Institution in fulfilment of its role as the national mechanism for the prevention of torture and to ensure full compliance with the Institution's recommendations. The State party should encourage the Institution to apply to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) for accreditation.

## **SESSION 108**

### **Albania**

6. The Committee is concerned at the limited human and financial resources allocated to the Office of the Ombudsman, the lack of a clear division of work between the Office of the Ombudsman and the Office of the Commissioner for Protection against Discrimination, as well as the limited follow-up to and implementation of the Ombudsman's recommendations (art. 2).

The State party should provide the Office of the Ombudsman with the necessary financial and human resources to ensure that it can effectively and independently implement its mandate in line with the Paris Principles (General Assembly resolution 48/134, annex). It should also guarantee better coordination between the two offices so as to avoid an overlap of activities, and intensify its efforts in responding diligently and promptly to the Ombudsman's recommendations.

### **Czech Republic**

5. While noting the information provided by the State party in relation to the extended mandate of the Public Defender of Rights, now also officially empowered to act as a national preventive mechanism for the purposes of the Optional Protocol to the Convention against Torture, the Committee is concerned that this institution has not been established as a consolidated national institution with broad competence in the field of human rights, in accordance with the Paris Principles (General Assembly resolution 48/134) (art. 2).

The State party should either provide the Public Defender of Rights with a consolidated mandate to more fully promote and protect all human rights, or achieve that aim by other means, with a view to establishing a national human rights institution with a broad human rights mandate and providing it with adequate financial and human resources, in line with the Paris Principles (General Assembly resolution 48/134, annex).

### **Finland**

No recommendation about National Human Rights Commission

### **Indonesia**

7. While noting the State party's efforts to promote cooperation between the National Commission on Human Rights (Komnas HAM) and the State party's entities, and that Komnas HAM has been accorded "A" status by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, the Committee also notes that concerns have been raised regarding, inter alia, the tenure of the members of Komnas HAM and the lack of adequate funding (art. 2).

The State party should take appropriate measures to address the concerns raised with regard to Komnas HAM, including the tenure of its members, and to provide it with adequate financial and human resources in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

### **Tajikistan**

5. While welcoming the appointment of the first Commissioner for Human Rights in May 2009, the Committee is concerned that the Office of the Commissioner is accredited only with B status by the International Coordinating Committee of

National Institutions for the Promotion and Protection of Human Rights, for reasons that include its insufficient guarantees of independence and inadequate funding. The Committee is further concerned about information received on the lack of independence and ineffectiveness of the Office of the Commissioner (art. 2).

The State party should bring the Office of the Commissioner into full compliance with the Principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and provide it with the necessary financial and human resources to ensure that it can effectively and independently implement its mandate.

## **Ukraine**

7. While welcoming the new mandates entrusted to the Parliamentary Commissioner for Human Rights, including the function of national preventive mechanism against torture as of 4 November 2012, and control over the observance of legislation on personal data protection as of 1 January 2014, the Committee is concerned that, if no adequate resources are allocated, the effective functioning of the institution may be affected (art. 2).

The State party should provide the Office of the Commissioner for Human Rights with additional financial and human resources commensurate with its expanded role, to ensure fulfilment of its current mandated activities and to enable it to carry out its new functions effectively. It should also establish regional offices of the Commissioner for Human Rights, as planned.

## **SESSION 107**

### **Angola**

7. The Committee regrets that the law on the Office of the Ombudsman does not provide the guarantees necessary to ensure its independence and that the Office does not have an appropriate mandate to address human rights issues (art. 2).

The State party should revise the Ombudsman Law to ensure that it complies with the Paris Principles (General Assembly resolution 48/134, annex) or establish a new national human rights institution with a broad human rights mandate in line with the same principles.

## **China (Hong Kong)**

7. The Committee regrets that there is no independent statutory body to investigate and monitor violations of human rights guaranteed by the Covenant in a comprehensive manner. The Committee is moreover concerned that the proliferation of bodies focusing on the rights of specific groups may militate against greater effectiveness on the part of Hong Kong, China,, in fulfilling its obligations under the Covenant and against greater clarity in its overall policy on human rights (art. 2).

Hong Kong, China, should strengthen the mandate and the independence of the existing bodies, including the Ombudsman and the Equal Opportunities Commission. It is also recommended to revise the multiplicity of the existing bodies whose mandate does not afford effective protection of all Covenant rights. Furthermore, the Committee reiterates its previous recommendations (CCPR/C/HKG/CO/2, para. 8) that Hong Kong, China, consider establishing a human rights institution, in accordance with the principles relating to the status of national institutions for the

promotion and protection of human rights (Paris Principles) , with adequate financial and human resources, with a broad mandate covering all international human rights standards accepted by Hong Kong, China, and with competence to consider and act on individual complaints of human rights violations by public authorities and to enforce the Hong Kong Bill of Rights Ordinance.

## **China (Macau)**

No recommendation about National Human Rights Commission

## **Paraguay**

6. The Committee takes note of the adoption of the National Human Rights Plan by means of Decree No. 10747. However, the Committee regrets that the plan adopted does not fully reflect the agreements and consensus reached following the participatory drafting process, which involved State institutions and civil society. In this respect, the Committee regrets that the plan adopted does not reflect all the concerns identified and does not include the strategic actions initially proposed to ensure its effective implementation.

The State party should ensure that the participatory processes followed in preparing the National Human Rights Plan are respected. In this connection, the State party should review the changes made without consultation to the draft National Human Rights Plan and should provide an adequate budget for its effective implementation, as well as monitoring and accountability mechanisms, while ensuring the participation of civil society and making use of human rights indicators.

## **Peru**

6.The Committee takes note of the information provided by the State party's delegation concerning the draft National Human Rights Plan, but regrets that the plan is still under review (art. 2).

The State party should expedite the adoption of a comprehensive National Human Rights Plan and ensure that it adequately and effectively addresses the issues raised by civil society, the Committee itself and other human rights mechanisms. The State party should also ensure that, once adopted, the plan is effectively implemented through, inter alia , the allocation of sufficient human and material resources , as well as the establishment of monitoring and accountability mechanisms, involving representatives of all sectors of civil society.