

# Protecting Human Rights across Borders: Inter-National Human Rights Institutions Collaboration in the Protection and Promotion of Rights of the Migrant Workers

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## Abstract

*This paper employs a qualitative research approach based on secondary sources, explores the emerging role of National Human Rights Institutions (NHRIs) in the promotion and protection of the human rights of migrant workers. National Human Rights Commission of Nepal and the National Human Rights Committee of Qatar signed their first Memorandum of Understanding (MoU) on 16 November 2015. The study investigates how inter-NHRI collaboration facilitates the protection of migrant workers' rights across borders. The paper addresses the research question: Do NHRIs have transborder jurisdiction, and how has the collaboration between the NHRIs of Nepal and Qatar contributed to the protection and promotion of migrant workers' rights? The study demonstrates that such partnerships are vital for bridging national limitations in human rights protection, particularly in contexts where labor migration intersects with state responsibility beyond borders. The article also reviews international and regional practices and explores how NHRIs can act as effective agents of cross-border human rights accountability, especially when supported by formal agreements, shared monitoring mechanisms, and collaborative advocacy.*

## Keywords:

*National human rights institutions, migrant workers, transborder human rights, collaboration, Paris Principles*

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## **Introduction**

National Human Rights Institutions (NHRIs) established as an independent and autonomous state institutions by the statutes or the Constitution as an oversight agency and mandated for the protection, promotion and fulfilment of human rights (UN General Assembly, 2025). NHRIs include the ombudsperson, human rights commissions and established in compliance with the United Nations Paris Principles (United Nations, 1993). NHRIs play crucial roles for the protection of individual and collective rights set forth in the national and international human rights instruments. NHRCN is constitutionally mandated to respect, protect and fulfill human rights.

This article examines the collaboration strategy especially through the signing of MoU among NHRIs of Nepal and Qatar for the better protection of rights of the Nepali migrant workers. NHRCN as an NHRI of Nepal concluded MoU with the NHRCQ for collaborative working to ensure protection of rights of the migrant workers and their families. Qatar is one of the major destination countries of Nepali migrant workers. The article also explores the activities concluded by the NHRIs of Qatar and Nepal individually and jointly for the protection and promotion of rights of the Nepali migrant workers. For this it has one research question: Do NHRIs have transborder jurisdiction and how has the collaboration among the NHRIs of Nepal and Qatar particularly through the signing of MoU contributed for safeguarding the rights of Nepali workers in Qatar? With this, the study aims to analyze the collaborative framework established through the MoU between the NHRIs of Nepal and Qatar for the protection of migrant workers' rights.

The NHRCN established formal relationship with NHRCQ on 16 November, 2015 by signing the MoU to enhance the protection of the rights of Nepali migrant workers. Similarly, another MoU has been signed second time for better protection of rights of migrant workers on 8<sup>th</sup> June, 2023 at Kathmandu. Following this, the NHRCQ has established a new community office at its headquarters specifically dedicated to serving Nepali communities. The community office is functioning through a system of volunteer representatives who have been nominated by embassies and community organizations. The Committee is responsible for receiving complaints and petitions from citizens and residents that include potential human rights violations and abuses.

Similarly, the Committee is also providing free legal consultation and advocacy for some cases of vulnerable groups, including workers, before the competent courts, through law firms collaborating with the Committee. Nepali workers now can file complaints at the

Human Rights Committee of Qatar regarding human rights violations in Nepali language. The Committee has also established the subcommittee on Labour Dispute Settlement and is mandated to resolve individual disputes. The number of complaints submitted by the Nepali nationalities to the National Human Rights Committee Qatar since the conclusion of MoU (2015 to 2024) is 1,876 which is a significant number. The data of resolution of the complaints is not available.

Moreover, within the NHRC Qatar, the Department of Legal Affairs is authorized to receive complaints related to rights violation and seeks solution through reconciliation and mediation. NHRC Qatar has a dedicated desk for receiving Nepali workers' complaints, accepting submissions in Nepali language via fax, 24/7 hotline, email, or in-person at community offices. These offices serve African, Indian, Nepali, and Filipino communities, bridging communication between petitioners and the NHRCQ.

Similarly, the National Human Rights Committee in Qatar aiming to promote and protect the rights of workers has published a comprehensive workers' rights handbook in simple Nepali language. In addition to this, NHRCQ also time and again organises remote educational symposium on the legislative developments for the benefit of the Nepali community.

The article begins by examining the international standards on the establishment of NHRIs and the history of formal relationship between constitutionally constituted body NHRC Nepal and the statutorily constituted body NHRC Qatar. It then analyses the NHRIs enabling laws and broader implication for the protection of human rights across borders emphasizing the value of constitutional and legal mandates. But this article does not discuss the voluntary, non-binding and informal state-led consultative processes such as Colombo Process and Abu Dhabi Dialogue. This state led processes are related to engaging seven Asian countries of labour destination and eleven countries of origin to address development in temporary labour mobility in Asia. To foreground the functional role of NHRIs, this does not analyse the bilateral agreement concluded by the governments of Nepal and Qatar.

### **Review of Literature**

The responsibility of NHRIs in the promotion and protection of rights, both in their respective countries and in the broader international context has been explored in various documents (UN General Assembly, 1993) including in the scholarly written articles. NHRIs act as key bridging institutions between governments, civil society, and international human rights mechanisms (UN General Assembly, 1993). They are also contributing to

accountability, promoting, preventing and protecting human rights and providing access to justice in the cross-border context (UN General Assembly, 1993). In this setting, the Paris Principles (United Nations, 1993) provide the responsibilities to NHRIs engaging with the international human rights system.

The NHRIs should cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the protection and promotion of human rights (UNGA, 1993:2).

Similarly, Schuller and Utlu (2014, p.1) presents NHRIs as network and states the transnational features of business and the national character of NHRIs. The article spells out the mandate of NHRIs to collaborate for the business-related human rights, the necessity of a transnational NHRI strategy and current NHRIs network cooperation offering network models. The article provides a model for a wide-ranging network to the needs of NHRIs as well as to the external stakeholders to address the three dimensions: understanding, legitimacy and the system to access to resources (Schuller and Utlu, 2014, p.17).

Glušac (2016) explores the NHRIs' crucial role in safeguarding refugee and migrant rights within transit countries. This research, originally presented at Belgrade University's 3rd International Academic Conference on Human Security, examines how these institutions protect vulnerable populations during their journeys. Glušac (2016, pp. 6-9) further claims that:

NHRIs can address the refugee crisis through complaint handling, investigations, legislative initiatives, torture prevention, ensuring asylum access, and cross-border cooperation. The scholar also highlights “the Belgrade Declaration on the Protection and Promotion of the Rights of Refugees and Migrants” as an outcome document of the conference. Considering Torture as a serious human rights violation, the NHRIs especially operate as National Preventive Mechanism for Torture (NPM) play vital role in preventing any form of ill treatment and torture. He further provides the example of Serbian National Human Rights Institution, known as the Protector of Citizens (Ombudsman), which safeguards the rights of all individuals within Serbia's territory, including both Serbian nationals and foreign nationals such as Syrians and Iraqis.

Moreover, NHRIs of the European region adopted the Declaration aiming to protect and promote the Rights of the Refugees and Migrants in 2015 and made 9 points commitments for the protection of rights of refugees and migrants. The Declaration

(International Ombudsman Institute, 2015, p.3) recognizes the need of protecting migrants and encourages the NHRIs to lodge complaints in case of violation of rights and monitor the rights situation of migrants in collaboration with relevant human rights mechanisms ((International Ombudsman Institute, 2015, pp 3-4).

Middleton (2018) examines the role of NHRIs and international civil society in pursuing Extraterritorial Obligation (ETOs) cases in Southeast Asia to investigate human rights threatened by cross-border investment projects. The paper posits that the state's obligation to protect human rights beyond borders also known as extraterritorial obligation. Middleton (2018, p.2) further argues that the emergence of ETOs in Southeast Asia, and its future potential, depends upon a productive relationship between NHRIs and INGOs' networks. This article examines decision-making politics and political authority in transboundary river hydropower projects, drawing on Hensengerth's theoretical framework. The research methodology employs in-depth interviews and participatory observation (Middleton, 2018, p. 3) with community representatives, civil society organizations, and National Human Rights Institutions from Malaysia, Thailand and Laos, as well as the ASEAN Intergovernmental Commission on Human Rights.

Some scholars make argument on the authority of NHRIs to monitor the rights violation cases in the extraterritorial jurisdiction. Renshaw and Fitzpatrick (2021) argues that robust and independent human rights institutions in the states are the most effective defense mechanisms on rights violations. To claim this, they have investigated the role played by the Asia Pacific Forum of NHRIs (regional network of NHRIs in the Asia Pacific Region) for the promotion of international human rights standards and norms across the Asia Pacific region. Through the extensive fieldwork in Fiji, Samoa, New Zealand, Nepal, India, including other NHRIs of the region, they have concluded that in the region that still lacks on overarching human rights institutions. The network of NHRIs is a unique and inspired response to mitigate the challenges of human rights governance in this century.

ERDEM TÜRKELLİ, Krajewski and Vandenhole (2022) reviews the 'human rights turn' with regard to regulation of transnational migration. This also examines how international refugee law and human rights litigation have shaped early responses to transnational migration control. The author highlights the historical significance of extraterritorial obligations (ETOs) in migration contexts, particularly as international human rights institutions face mounting political pressure to adopt more restrictive stances on refugee and migrant cases. Given these challenges, the author suggests that practitioners

and scholars advocating for ETO protection of migrants and refugees should critically reassess their current strategies. The article specifically argues for holding sponsoring states accountable for their role in human rights violations committed by partner states. The conclusion presents two complementary approaches designed to reframe and redirect extraterritorial human rights claims within transnational migration control frameworks, offering new pathways for protecting migrant and refugee rights despite increasing institutional resistance.

Regarding migrant workers' rights, Kämpf (2018) analyses the National Human Rights Institutions' work on human rights of migrants. The result of this study confirms that NHRIs effectively bridge gaps between national and international levels, as well as between individual and structural human rights protection. The research reveals that most NHRIs recognize potential for improving their work on migrants' rights, particularly through enhanced collaboration and information sharing among themselves and with regional/international organizations. They prioritize joint monitoring of cross-border situations and cooperative approaches to individual cases. The analysis draws from a global NHRI survey conducted in summer 2018, encompassing all world regions represented in GANHRI's regional networks: Africa, the Americas, Asia-Pacific, and Europe. While all these regions include countries serving as migrant origins, transit points, and destinations, the proportional mix of these roles varies significantly across different regions, reflecting diverse migration patterns and challenges worldwide.

Chubb and Roberts Lyer (2024) analyses the transnational human rights violation and proposes a new local mechanism that directly address the rights violation. This article analyzes how digital-age surveillance, coercion, and censorship combine and reinforce each other across borders. It proposes that states create Transnational Rights Protection Offices (TRPOs) to help victims file complaints, receive support, monitor violations, and develop evidence-based policy recommendations to fulfill their protective obligations. The authors propose necessary arrangement of transnational rights protection office to address this. They also provide their views that TRPO should be established as a specialized unit as a part of the formal mandate of each country's NHRI.

Giri (2022) states the protectional and promotional role of NHRC Nepal. The article aims to analyse the mandate and contribution of the NHRCN for the protection and promotion of human rights. This also assesses the constitutional and legal mandates including inquiring and investigating based on complaints as well as the labour exploitation of foreign migrant

workers. The author (p. 150) has employed both the analytical and descriptive research approaches. Secondary data were collected from the different publications of NHRCN.

Similarly, (NHRCN, 2022), analyses the rights situation of Nepali migrant workers. This report examines widespread violations of migrant workers' rights in foreign employment, evaluating their current situation and advocating for better protection and promotion of these rights. It analyzes migration patterns, levels, and trends for overseas work, while identifying recruitment irregularities, governance issues, justice barriers, women's migration restrictions, and international migration's effects on children. The study highlights key areas where migrant workers face rights violations and calls for improved safeguards (NHRCN, 2022). This report analyzes primary and secondary data from 2019-2022, serving as an essential reference that encompasses historical data, events, narratives, decisions, laws, and policies from earlier periods.

NHRIs can play a crucial role in safeguarding the rights of migrant workers in the domestic arena as well as in the destination countries even through international collaboration. Within their own jurisdictions, NHRIs monitor compliance with human rights standards and investigate violations. Similarly, they advocate for policy reforms for the protection of migrant workers from exploitation, discrimination, and abuse. Their significance is amplified through collaborative partnerships with NHRIs in destination countries, creating a transnational network of protection that spans the entire migration journey. Thus, the research focuses on cross-border collaboration that enables the sharing of information, best practices, and coordinated responses to human rights violations through the conclusion of bilateral agreements and creating complaint monitoring mechanisms. By working together, NHRIs in origin, transit and destination countries can address issues such as wage theft, forced labor, and denial of basic services and can ensure migrant workers receive constant protection.

### **Trends and Patterns**

Kämpf (2018) claims that most of the NHRIs considered working on migrants' rights is a part of their mandate. NHRIs frequently collaborate with each other at both regional and global levels to strengthen human rights protection and promotion. This collaboration takes various forms, including sharing best practices, coordinating efforts in specific thematic areas, and engaging in joint advocacy and capacity building initiatives. NHRIs should actively collaborate with Office of the High Commissioner of Human Rights, Global Alliance of NHRIs, regional networks, other NHRIs, and both international and national

NGOs and civil society groups when participating in the international human rights framework to maximize their effectiveness and impact (GANHRI, 2018).

The Paris Principles require national human rights institutions to collaborate with UN bodies, other UN system organizations, regional institutions, and national human rights institutions from other countries in promoting and protecting human rights. This establishes a framework for international cooperation among human rights institutions at various levels. The principles require the NHRIs to collaborate with the cross country NHRIs for the protection and promotion of human rights (UN General Assembly, 1993).

### **Inter-NHRIs Collaboration Initiatives by NHRC Nepal**

NHRC Nepal has taken initiatives to inter NHRIs collaboration by concluding the "Memorandum of Understanding" on the rights of Migrant workers between the NHRC Nepal and Korea on 27<sup>th</sup> December, 2010 (NHRCN, 2012).

Similarly, the NHRCN and the Human Rights Commission of Malaysia also called SUHAKAM have a Memorandum of Understanding focused on protecting the migrant workers' rights. This MoU, initially signed in 2019 extended for a year and renewed in 2022, facilitates collaboration between the two commissions to address issues faced by Nepali migrant workers in Malaysia and vice versa.

### **History of Formal Collaboration Between NHRIs Nepal and Qatar**

The National Human Rights Commission of Nepal established a formal relationship with NHRC Qatar on 16 November, 2015 by signing the MoU to enhance the protection of the rights of Nepali migrant workers. Both the NHRCN later developed the plan to activate the MoU and signed on 18 December, 2016 in Kathmandu-Nepal (NHRC Qatar, 2020). This MoU aimed at protecting the Nepali migrant workers in Qatar. The MoU was focused on the exchange of mutual assistance to protect the rights of Nepali migrant workers. The tenure was four years and could be renewed through mutual consent (CESLAM, 2015).

This MoU focuses on working in preventing trafficking in persons and forced labour in Qatar and Nepal. The tools for preventions are educating workers, diplomatic missions, immigration officials and relevant ministries to identify and address forced labour and trafficking within labour migration. The NHRIs also make effort for rescue, repatriation, redress and restitution in both countries (NHRCQ, 2015).

To execute this MoU, the activation plan was also signed in 2016 and was the period of the newly introduced labour law in Qatar. The plan includes the 11-points and consists of

assigning a focal person in both human rights' institutions for the exchange of information, providing training to foreign employment agencies and providing legal support to the Nepali workers in Qatar and handling the grievances of the Nepali workers in Qatar (NHRCN & NHRCQ, 2016).

Moreover, the activation plan includes building capacity among officials from Qatar's Labour and Interior Ministries and Nepal's relevant ministry. This cooperation focuses on researching Nepali migrant worker issues related to professional security and health, while also enabling employee facilitation for the Asia Pacific Forum of National Human Rights Institutions and other related initiatives (NHRCN & NHRCQ, 2016). This MoU and activation plan were expired in November 2019.

Similarly, another MoU has been signed second time between the NHRCN and the NHRCQ for better protection of rights of migrant workers on 8<sup>th</sup> June, 2023 at Kathmandu. This also opened up the avenue to file a complaint in the Committee in case of violation of rights of Nepali workers working in Qatar. Key components of the MoU include enhanced cross-country cooperation, information exchange on migrant worker complaints, and support for grievance hearings. The MoU also outlines the provisions for training on migrant worker rights, legal assistance, and cooperation on issues of human rights violations (NHRCN & NHRCQ, 2023).

If the rights of Nepali workers are violated in Qatar, complaints can be launched in Nepali language and for this Nepali desk is set up at NHRCQ. The Committee has arranged monitoring the various companies where Nepali workers are there. This also aims to safeguard the rights of Nepali people in Qatar and to seek solution to the problems of the workers by informing the Qatar government.

### **Transnational Advocacy Network Theory**

Transnational Advocacy Network Theory provides a framework for understanding how non-state actors like Non-Governmental Organizations or oversighting agency like NHRIs collaborate across borders to promote and protect the rights of migrant workers. Transnational Advocacy Network Theory was conceptualized by Keck and Sikkink (1998). According to them, transnational advocacy networks are collective action groups that operate internationally, mobilizing resources and information to advance principled causes like labor's human rights.

This theory describes a network of activists primarily united and motivated by shared principles or values (Keck & Sikkink, 1998). These networks blur the traditional

boundaries between domestic and international politics by forging ties among state, CSOs, and intergovernmental agencies. This theory also enables new actors to access international resources, multiply advocacy, and foster the union of social and cultural norms necessary for regional and global integration (Keck & Sikkink, 1999).

Baek (2011) explores the role of NHRIs and Regional Human Rights Institutions in the Asian human rights context. According to him Transnational Advocacy Networks facilitate dialogue, amplify marginalized voices, and pressure governments to comply with international human rights standards for migrant workers. Schmitz (2018) argues that networks build coalitions between NHRIs for promoting coordinated and sustained campaigns for promotion and protection of labor rights. The process does not disrupt state sovereignty but also democratizes access to global governance, enabling grassroots actors to shape international norms and policy outcomes.

### **Research Methodology**

This study adopts a qualitative research methodology, involving the rigorous review of literature to critically examine the transnational collaboration among the NHRIs of Nepal and Qatar in the protection of rights of Nepali migrant workers. The research is primarily based on secondary sources, using both documentary review and content analysis to gather relevant information.

The study systematically reviews official websites of the NHRCN and NHRCQ along with their policy documents, published reports and other relevant materials. Similarly, Key documents such as the signed MoUs, activation plan, annual and thematic reports, press releases, speech delivered by the Chairperson and Commissioners as well as the official communications from both the NHRIs are studied and analyzed.

In addition to this, reports and guidelines from the United Nations, GANHRI, and other international organizations working on labor migration and human rights are also consulted. Relevant academic literature and examples from NHRIs are reviewed to provide comparative insights. The Paris Principles, 1993, the Constitution of Nepal and the NHRCN Act, 2012, the Decree Law No. (38) of 2002 of Qatar were also reviewed and analyzed.

The study uses thematic analysis to identify patterns, successes, gaps, and lessons learned from the collaborative efforts. Thematic codes are developed inductively from the data, enabling a nuanced understanding of both institutional practices and transnational cooperation. Data triangulation is employed to enhance the reliability and validity of the

findings by cross-verifying information from multiple sources. This triangulation includes cross checking between international guidelines, institutional reports, and legal documents to ensure consistency and credibility.

### **Findings and Discussion**

The thematic analysis identified the following patterns, successes, gaps, and lessons learned through the collaborative efforts based on the MoU between the NHRIs of Nepal and Qatar. The findings are discussed below with reference to institutional collaboration, accountability mechanisms, and the protection of migrant workers' rights.

### **Mandates of the NHRC Qatar and NHRC Nepal**

National Human Rights Committee, Qatar was established as a statutory body and was reorganized by Decree Law No. (17) of 2010 (NHRC Qatar, 2025). The Decree Law defines the objectives and powers of the Committee. The Committee can receive and investigates the complaints from individuals and groups. Similarly, it coordinates with the competent authorities to take necessary actions and recommend suitable means to deal with such violation (NHRC Qatar, 2025). Furthermore, the Committee also works to prevent such rights violation through monitoring rights situation, prepares and submits reports to the council of ministers.

Similarly, Nepal's Rights Commission, established as an independent statutory body in 2000, has been elevated to a constitutional body in 2007. Article 249 of the Constitution of Nepal (2015) mandates the Commission to ensure protection and promotion of human rights. The Constitution and the NHRCN Act provides the Commission to ensure the respect, promotion and protection of human rights. The Commission is competent to launch inquiries and investigations into alleged human rights violations, and can recommend legal or departmental action against human rights violators (Government of Nepal, 2012).

Both the NHRCQ and NHRCN were established following a 1991 United Nations-facilitated assembly of national institution representatives in Paris. The meeting formulated the Paris Principles—a comprehensive framework governing the status, mandate, and functioning of national human rights bodies. These principles were subsequently formally recognized by the international community through two landmark United Nations resolutions (UN General Assembly, 1993), and have since served as the foundational benchmark for the creation and operation of National Human Rights Institutions worldwide. Reflecting their adherence to these internationally recognized standards, both the NHRCQ and NHRCN

have demonstrated full compliance with the Paris Principles and have been "A" status accreditation by the Global Alliance of National Human Rights Institutions (UN General Assembly, 1993).

### **Scope of the Memorandum of Understanding**

Both the MoU concluded in 2015 and 2023 have similar scope. This provides the areas of exchange of information concerning complaints procedure, (NHRCN & NHRCQ, 2023) mutual invitation to the conferences, meetings, symposium, identification of victims of human trafficking and forced labour (NHRCN & NHRCQ, 2016) for the protection of human rights of Nepali workers. The MoU mentions that complaint and grievance hearing will be supported for the protection of migrant workers. It also states that both countries will exchange mutual information and cooperate on issues of human rights violation and freedom of their citizens. This also include conducting training for workers, employers and managers, (NHRCQ, 2015) labour unions and diplomatic missions on migrant workers' rights, existing laws, international treaties and ILO labour conventions as well as providing legal assistance to migrant workers (NHRCN, 2023).

### **Key Achievements**

The discussion further exemplifies the key achievements of MoU for establishing the community offices and setting complaints handling mechanism. The achievements are elaborated below in detail.

### **Establishment of Community Office**

The National Human Rights Committee of Qatar has established new community offices at its headquarters specifically dedicated to serving Nepali communities and other migrant worker populations (NHRC Qatar, n.d.) This initiative represents a significant step forward in the NHRCQ's commitment to promoting and protecting human rights, with particular emphasis on workers' rights and the unique challenges faced by foreign laborers in Qatar.

The office opened after the MoU is designed to serve as a vital communication link between the NHRCQ and migrant communities, facilitating better access to human rights services and support. The office aims to address common barriers that prevent workers from accessing available services, including working hour constraints, transportation costs, language difficulties, legal fees, and fear of filing complaints (NHRC Qatar, n.d.). By establishing a permanent physical presence, the NHRCQ seeks to create a more accessible pathway for workers to report concerns, seek assistance, and receive follow-up on their cases.

The community offices are functioning through a system of volunteer representatives who have been nominated by embassies and community organizations. These representatives serve as communication channels between their respective communities and the NHRCQ, helping to identify problems faced by community members and proposing practical solutions (NHRC Qatar, 2015). The offices are intended to raise awareness about human rights within Qatar's diverse migrant worker population and ensure that the voices of these communities are heard and addressed effectively (NHRC Qatar, 2015).

This initiative covers multiple nationalities including Nepal, India, Egypt, and the Philippines, with plans for expansion to include additional communities in the future (Committee, 2015). For the Nepali community specifically, this development is particularly significant given that approximately 400,000 Nepali workers are working in Qatar. The office represents a commitment to ongoing engagement with migrant communities and reflects the NHRCQ's recognition of the important contributions these workers make to Qatar's development (NHRC Qatar, 2015)

### **Complaint Mechanism and Situation Monitoring**

The Committee is responsible for receiving complaints and petitions from citizens and residents that include potential human rights violations and abuses. The statistics for 2024 show that the number of complaints reached 1,853, including those related to workers and domestic workers, which the Committee investigated, verified, and coordinated with relevant authorities for their resolution (NHRC Qatar, 2025).

There are support services provided by the Committee in exercising the complaint handling mandate, including receiving reports and urgent calls through the Committee's hotlines in five languages (Arabic, English, Urdu - which covers Indian, Nepali, and Sri Lankan languages - in addition to Filipino and Swahili), regarding violations at workplaces or companies (NHRC Qatar, 2025). This also includes dispatching monitoring staff to assess situations, verify their validity, investigate their causes and circumstances, and submit detailed reports with appropriate recommendations to relevant authorities for their resolution.

Similarly, the Committee is also providing free legal consultation and advocacy for some cases of vulnerable groups, including workers, before the competent courts, through law firms collaborating with the Committee. It also provides financial support to some complainants and petitioners with limited income, including workers and vulnerable groups, in coordination with charitable associations (NHRC Qatar, 2025).

Nepali workers can file complaints at the Human Rights Committee of Qatar regarding human rights violations in Nepali language, which will be addressed by the committee. NHRIs can collaborate and refer cases to other NHRIs, either within their region or internationally, based on jurisdictional and expertise considerations. The cases can also be launched at NHRCN in relation to rights violation in Qatar and are referred to the NHRCQ for the monitoring and investigation of the cases (NHRC Qatar, 2019).

As a permanent and structured mechanism for receiving and dealing with citizens and residents' complaints, the Committee created a 24/7 hotline to receive complaints in several languages. In addition to receiving the complainants at the Committee's headquarters and providing free legal advice and opening files to document and deal with cases, the Committee concluded an agreement with a group of 30 lawyers to provide free consultations and legal representation before the competent court for labor cases. (NHRC Qatar, 2019). To make it accessible to all stakeholder groups, the Committee has been providing adequate support for the people facing particular barriers to access the remedial mechanisms. the Committee has also launched offices for the African, Indian, Pakistani, Indonesian and Nepali communities to enable further access. For this, it has a clear procedure with specified timeframe for each stage. It would take one week to take action with regard to a complaint, and as for follow-up with government bodies, it would not take more than one month (NHRC Qatar, 2019).

In addition to this, the Committee has formed a permanent working group to promote a culture of human rights, it is mandated to make recommendations to the state to implement international agreements and review relevant legislation. Moreover, Legal Department constitutes the backbone of the Committee, given its pivotal role in reviewing legal texts and handling complaints (NHRC Qatar, 2025).

Qatar government has undertaken major reforms to protect and promote workers' rights. The National Human Rights Committee has important role in providing recommendations to relevant state authorities. Receiving workers' petitions, assisting them in finding solutions in collaboration with relevant authorities, and raising workers' awareness of their rights through campaigns, training courses, and other awareness-raising activities are significant functions of the Committee (NHRC Qatar, 2025).

NHRC Qatar (2025) illustrates that the Committee has established the Labour Dispute Settlement Committee, which is responsible for resolving individual disputes arising from the application of the Labour Law or the employment contract. The Committee reduced the burden of the courts, improved the right to litigation, and strengthened for the protection of workers' rights (NHRC Qatar, 2025).

Similarly, Qatar has established Workers' Support and Insurance Fund. This fund provides the necessary protection for workers and enabled them to receive their financial dues without having to wait for their employers in the event of payment difficulties. The Committee also monitors this. In addition, the Committee provides free legal advices to workers through cooperation with approximately 30 law firms in Qatar (NHRC Qatar, 2025).

The Committee generally categorized the complaints launched at NHRCQ as legal opinion, provision of financial assistance, provision of legal assistance, rights of most vulnerable groups, civil and political as well as economic, social and cultural rights including the labour rights (NHRC Qatar, n.d.). The following table shows the numbers of complaints submitted to the National Human Rights Committee Qatar from 2015 to 2024 by Nepali people.

**Table 1**

*Complaints Registered at NHRCQ by Nepali Citizens*

S.N.	Year	Total No. of Complaints Received	Complaints Received from Nepali Citizens
1.	2015	1609	61
2.	2016	3231	249
3.	2017	6409	197
4.	2018	2118	118
5.	2019	2808	509
6.	2020	2815	345
7.	2021	2427	213
8.	2022	2320	1
9.	2023	1944	18
10.	2024	1853	165

*Source:* Report on the Human Rights Situation in the State of Qatar 2015 to 2024 by NHRCQ.

Analysis of the data from the NHRCQ, there are notable patterns in complaints filed by Nepali nationals over the decade from 2015-2024. The most striking trend is the dramatic peak in 2019, when complaints from Nepali nationals reached 509 cases - representing approximately 18% of all complaints that year, which was the highest proportion throughout the entire period. The years immediately surrounding this peak (2018-2021) consistently showed elevated complaint levels, with 118, 509, 345, and 213 complaints respectively.

However, the data reveals a concerning downfall in reported complaints from Nepali nationals in recent years, dropping precipitously from 213 in 2021 to just 1 complaint in 2022 and 18 in 2023. This dramatic decrease is mysterious given that the total volume of complaints to NHRCQ remained relatively stable during this period (around 1,800-2,400 annually). This disproportionate decline shows the need of pre-departure orientation for Nepali workers, more effective grievance mechanisms through Nepali diplomatic channels, or conversely, removing potential barriers preventing Nepali workers from accessing the NHRCQ complaint system.

The establishment of a complaints receiving mechanism at the National Human Rights Committee Qatar represents a significant development in providing Nepali migrant workers with formal channels to voice their grievances, seek redress and a critical step in addressing labor rights violations—the unevenness in complaint numbers suggests several underlying dynamics worth examining. This irregularity could reflect various factors: fluctuations in worker awareness about the mechanism's existence, fear of retaliation, variations in the intensity of labor rights violations across different time periods or sectors, or simply gaps in outreach efforts to inform workers of their rights. The uneven complaint pattern may also indicate that many workers remain reluctant to come forward due to concerns about job security, deportation, or lack of confidence in the effectiveness of the redress process. Despite these challenges, the mere existence of such a mechanism marks progress from previous situations where workers had no formal avenue for complaints. Moving forward, addressing the unevenness in complaints will require sustained efforts in worker education, ensuring confidentiality and protection for complainants, and demonstrating tangible outcomes that build trust in the system among the Nepali migrant worker community.

### **Case Settlement through Reconciliation**

Within the NHRCQ, the Department of Legal Affairs is mandated to receive petitions and complaints related to rights violation. NHRC Qatar (2016) mentions that the NHRCQ also conducts 2 annual campaigns to spread the culture of human rights in all areas including health, education and workers' rights. People can file complaints through Fax, hotline, e-mail or by physically presenting in communities' offices for the African, Indian, Nepali, Filipino which facilitate means of communication between the NHRCQ and petitioners (NHRC Qatar, 2016).

The Legal Department contains the Reception and Registration Department, noting that this department is concerned with receiving cases with the Committee to fill out the form related to the case but refer it to the competent legal officer in the Investigations

Department to study the matter and take the necessary action in it. In addition to the community offices (Nepali, Finnish, Indian and African) that provide assistance to case owners in filling out the application form and fulfilling the application requirements, as well as providing translation work for cases (NHRC Qatar, 2018).

In addition to the Investigations and Legal Consultations Department verifies cases and ascertains the extent to which the applicant has been harmed in his legally guaranteed rights. This then takes the necessary action in terms of summoning the other party and interrogating him in the matter. The department also seeks possibility of settlement and reconciliation between the two parties. Communicating with the competent authority whether reconciliation is possible or not, this can refer to the competent court, or provide legal assistance, or carries out field visit by the Investigations and Consultations Section (NHRC Qatar, 2018).

### **Exchange of Information**

The MoU ensures that the NHRCN and the NHRCQ will exchange information related to complaints, legislative procedures, and other relevant information concerning migrant workers.

The NHRCQ holds consultative meetings with the coordinators of its community offices. In 2025 February, NHRCQ held a consultative meeting representing the African, Indian, Nepali, and Filipino communities. The meeting entitled "Qatar's Work Environment: A Review of 2024 and Outlook for 2025," was held at the NHRC headquarters (NHRC Qatar, 2025).

During the discussion, community office coordinators highlighted the significant progress in Qatar's work environment throughout 2024. They commended the comprehensive legislative reforms that have enhanced labor rights, ensured better worker protection, and improved productivity. These reforms included updates to labor laws, the introduction of flexible work systems in the public sector, and the implementation of effective regulations in the private sector (NHRC Qatar, 2025).

### **Nepali Desk at NHRC Qatar**

The NHRC of Qatar has established a dedicated desk to handle complaints related to Nepali workers in Qatar, and complaints can be filed in the Nepali language. In 2020 April, the NHRCQ launched a dedicated hotline (8002222) as part of its precautionary measures to combat the spread of corona virus (COVID-19), offering integrated and continuous support services. The hotline is accessible in five languages such as Arabic, English, Urdu, Filipino,

and Swahili catering to a diverse population, including Indian, Nepali, and Sri Lankan communities, ensuring wide-reaching support during the pandemic (NHRC Qatar, 2020).

### **Workers' Rights Education**

The MoU also includes provisions for training programs for workers, employers, and relevant stakeholders on migrant workers' rights, relevant laws, and international conventions. Similarly, the National Human Rights Committee in Qatar aiming to promote and protect the rights of workers has published a comprehensive workers' rights handbook in simple Nepali language. This book is one of the most important publications of the Committee in raising awareness of the rights and duties of the workers. It was first published in 2009 in seven languages: Arabic, English, Nepali, Filipino, Indonesian, Urdu and Tamil (NHRC Qatar, 2018). The book is divided in 13 chapters and outlines the legal framework governing labor rights in Qatar, including recruitment procedures, rights and obligations of workers, occupational health and safety, social welfare, work places injuries and compensation, access to justice, complaint procedure of the NHRC Qatar and legal recourse in cases of labor rights violations. Key issues addressed include trafficking, forced labor, termination during vacations, and the processes for handling complaints and grievances (NHRC Qatar, 2018).

In addition to this, the book seeks to enhance the Nepali workers knowledge of what contributes to improving all conditions associated with works. Thus, this book addresses legal questions about living and working in Qatar in simple, accessible language, free from complex terminology. It provides all essential information covering both pre-departure preparation and post-arrival guidance, helping readers navigate residency and employment matters with clarity and confidence (NHRC Qatar, 2018).

### **An Educational Symposium**

The NHRCQ, in October 2020, in coordination with the NHRC Nepal, organized a remote educational symposium on the then legislative developments for the benefit of the Nepali community. The symposium particularly focused on the revisions related to Law No. (17) of 2020 setting the minimum wages for employees and domestic workers. In addition to Decree-Law No. (19) of 2020 amending the provisions of Law No. (21) of 2015 "Regulating the Entry, Exit and Residence of Expatriates" with the aim of raising awareness of the right and protection of the Nepali community (NHRC Qatar, 2020). The program sought to clarify the worker-employer contractual relationship in response to recent legal changes, particularly

concerning minimum wage. It aimed to highlight the key benefits of the legislative amendments while raising awareness of the objectives outlined in the Memorandum of Understanding between the NHRC Qatar and NHRC Nepal (NHRC Qatar, 2020).

## **Conclusion**

The NHRCN and NHRCQ have a strong collaborative relationship, particularly focused on protecting the rights of Nepali migrant workers in Qatar. This collaboration is formalized through MoU and activation plan. The functions involve complaints handling, legal aid to Nepali workers, exchange of information, joint initiatives, and efforts to address migrant worker rights. The signing of MoU was a significant step to formalize the relationship between two NHRIs of Asia Pacific Region. NHRCN signed MoU with NHRCQ for the first time in November 2015 aiming to protect the rights of Nepali migrant workers. If the human rights of Nepali workers in Qatar are violated, now complaints can be filed in Nepali language and a Nepali desk is also set up there. Since the 2015, the Committee has registered 1,853 Complaints on the rights violation of Nepali people. This is the noteworthy achievement. The Committee also monitors the companies to ensure the human rights of Nepalis in Qatar and provides suggestions to the Qatar government.

As provided by the Transnational Advocacy Network Theoretical framework, the oversight agencies can contribute to safeguard the rights of migrant workers. The similar situation is found in the case of NHRIs of Nepal and Qatar. The collaboration among the NHRIs of Nepal and Qatar, particularly through the signing of a MoU has contributed significantly to ensure safeguarding the rights of Nepali migrant workers. The MoU creates a direct complaint mechanism that allows violations of Nepali workers' human rights in Qatar to be reported in Nepali language and addressed through official channels. Under this agreement, complaints are being filed directly with the NHRCQ regarding any violations of human rights experienced by Nepali workers. This represents a significant advancement from previous informal or indirect reporting. NHRIs do not have legal enforcement power across borders, but they do have functional role as provided by the Paris Principles. They do not, however, grant NHRIs explicit transborder jurisdiction. An NHRI's primary mandate is national, though they are anticipated to cooperate internationally, such as monitoring situation and referring cases through collaboration with the NHRIs of destination countries.

NHRCQ has also worked for the promotion of human rights. A Nepali-language booklet has been published outlining Qatar's latest labor laws, updated regulations, and implementation procedures. Designed to empower migrant workers, it provides clear guidance on legal protections and rights, helping them safeguard themselves against

violations and remain fully protected under Qatar's legal framework. The NHRCQ also aims the book be a companion and handy for the Nepali workers.

This institutional partnership between the two NHRIs establishes a systematic approach to monitoring, investigating, and addressing human rights violations, promoting human rights culture that transcend national boundaries. The MoU enables both countries' human rights institutions to work collaboratively in ensuring that fundamental rights and labor rights protections are upheld for Nepali workers throughout their employment in Qatar, from recruitment through repatriation.

### **Disclosure Statement**

No potential conflict of interest was reported by the author

### **Author Introduction**

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