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Norm Compliance and International Status: National Human Rights Institutions in Domestic and Global Politics

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Abstract

Traditional literature associates status-seeking with aggressive behaviour based on state attributes such as military and economic capacities. This article argues that both material and ideational attributes help to confer status. It demonstrates that fundamental values, such as the rule of law and human rights, act as structural incentives for states to adopt prevailing international norms. It does so by analysing the creation of independent national institutions for the protection and promotion of human rights (also known as national human rights institutions [NHRIs]) in line with the Paris Principles adopted by the UN General Assembly. The article reaffirms the power of club membership in international relations, as governments choose to establish NHRIs despite the fact that these institutions serve to expose their human rights deficiencies and wrongdoings. It warns, however, that some governments might attempt to influence how NHRIs exercise their stratified rights as members of the global NHRI club (the Global Alliance of National Human Rights Institutions) by pressuring them to align their views of the state's human rights record in international forums with those of the government. The article sheds additional light on the importance of domestic political dynamics in status-seeking and status-keeping, which is an overlooked subject in the status literature. Finally, the article raises concerns about the pledge to create NHRIs in all UN member states by 2030, as expressed by Sustainable Development Goal 16, citing a genuine risk of individual NHRIs being captured by their governments in the current climate of democratic backsliding. In light of this, the article deepens our understanding of the interplay between global aspirations, status-seeking, and the integrity of human rights institutions.

Keywords

domestic politics; global politics; human rights; national human rights institutions; norm compliance; status; sustainable development goals

1. Introduction

A central contention in political science is that states strongly desire international status and prestige (Carnegie & Dolan, 2021; Dafoe et al., 2014), whereas literature on international (human rights) law compliance focuses on reputation (Brewster, 2009; Risse et al., 2013). Many scholars view the international system as a hierarchy of states seeking loftier positions (Carnegie & Dolan, 2021, p. 496) and show that this goal frequently leads to inter-state conflict (Renshon, 2016). Others, however, argue that status-seeking does not have to be at the expense of some other actors' position or lead to conflict. Consider Norway, which has achieved impressive status relative to its size without resorting to conflict, geopolitical competition, or revisionism, demonstrating that the "power of ideas" can be more effective than coercion when improved status is the objective. This article adopts the view that status can include conflict and cooperative behaviour. It focuses on the latter, as the less-examined aspect of the story.

The article applies status to answer the question of why states create national human rights institutions (NHRIs), whose purpose is to hold the government accountable for human rights. It demonstrates the relevance of the rule of law and human rights incentives for status-seeking by showing that states have embraced the notion of independent NHRIs due to international peer pressure, despite the possibility of NHRIs shaming and continuously criticising them in the main global and regional human rights forums. The article views status as primarily a club good, emphasising how over 120 countries in the world created NHRIs, with 90 of them fully accredited through a peer-review process conducted by the Global Alliance of National Human Rights Institutions (GANHRI), under the auspices of the UN Office of the High Commissioner for Human Rights (OHCHR). Becoming a member of the global NHRI club has proven to be extremely attractive to the states, irrespective of their human rights record. The power of "cognitive and social peer pressure" (Goodman & Jinks, 2013) coupled with exclusive rights associated with club membership has motivated states across the world to undertake complex processes of changing their national institutional human rights infrastructure to comply with the soft law incentives of the Paris Principles on NHRIs, adopted through the 1993 Resolution of the UN General Assembly. In light of this, the article explores cases when status-seeking entails complex changes in the domestic institutional landscape. To maintain their status over time, states must consistently prove they fulfil club membership requirements; in other words, they must prove their consistent compliance and not just their commitment. In the present case, it means (a) laying down the normative preconditions for the work of an NHRI and (b) creating an inducive environment for an efficient and effective NHRI, both (a) and (b) to be judged by an international body (GANHRI). The article argues that there is a built-in tension between the desire for (international) status and the counter-intuitive strengthening of the NHRI, which should serve as a critical voice against government practices. Many governments thus try to silence NHRIs domestically while hoping to preserve their international status. By looking at this interplay between domestic and international political and legal dynamics, the article seeks to contribute to the literature by illuminating how domestic political dynamics affect states' status-seeking (Götz, 2021, p. 240), which has not been systematically explored in the status literature, including the most comprehensive outputs, such as Larson and Shevchenko (2019), Murray (2019), and Renshon (2017).

The study also seeks to address how a state's status motivation might undermine the international human rights norm. Establishing NHRIs has been recognised by world leaders and critical UN entities as the highest priority in the Agenda for Sustainable Development, which pledges to create NHRIs in all UN member states

by 2030. The article argues that this global aspiration has created two tensions. The first affects the exclusivity of club membership as an essential factor in the status equation. If everyone joins the club, is there a club at all? The second tension is between status-seeking and the integrity of the NHRI accreditation process, as it may inspire a calculated creation of NHRIs as hidden agents of the government instead of independent critical voices.

The following section of the article situates the study within the context of the status literature. The subsequent section adds human rights to the picture, before elaborating on the notion of NHRIs and their global diffusion. The central parts of the article dive into the nature of the global NHRI club and how joining it brings status to its member states. The article then discusses how global aspirations to establish NHRIs in all countries create tensions between status, norm compliance, and integrity. Finally, it concludes with an overview of the results.

2. Status

This article adopts a relational approach to status, conceptualising it as a compelling claim to social esteem in terms of privileges (Weber, 1978, p. 305). Such an approach acknowledges the traditional focus of the status literature on state attributes (Emirbayer, 1997; Jackson & Nexon, 1999) but adds systematic social processes—specifically, relational processes—to the equation. A relational approach argues that status depends on recognition since "it concerns identification processes in which an actor receives admission into a club once they are considered to follow the rules of membership" (Duque, 2018, p. 578). However, possessing specific attributes does not automatically imply membership on its own; it must be coupled with social recognition. Stated differently, "recognition or attributes are necessary but insufficient conditions for status; only together they are sufficient conditions for status" (Duque, 2018, p. 581). For this reason, it is crucial to observe state practices (Pouliot, 2014, pp. 192–200), namely granting recognition, attaching esteem to attributes, and assigning privileges to clubs (Duque, 2018, p. 582).

Realist literature considers state attributes in terms of their military and economic capacities (Gilpin, 1981), and it associates status-seeking with aggressive behaviour. However, today, "most scholars argue that status is related to, though not comprised entirely of, these traditional power metrics" (Ferry & O'Brien-Udry, 2024, p. 5). Recent research demonstrates that both material and ideational attributes help to confer status. Fundamental values, such as democracy and human rights, are at least equally important for status, acting as structural incentives for states to adopt prevailing international norms (Duque, 2018, p. 589). This means that status-seeking behaviour can be cooperative as well as adversarial. Status is not necessarily a zero-sum game, in which a change in one actor's status necessarily leads to a change in "at least one other actor's status" (Dafoe et al., 2014, p. 375; see also Barnhart, 2017). By focusing on the "social and peer referent" qualities of status, Ferry and O'Brien-Udry (2024, p. 2) demonstrated that this is not always the case, as "actions that change the measurement of individual status do not automatically translate to relative status changes." In other words, "status implications may reverberate to outside states or they might not" (Ferry & O'Brien-Udry, 2024, p. 2).

For status to be attractive, it must provide certain advantages to those seeking it. The status literature conveys this through the metaphor of a club membership. Status matters because others lack it; thus "absolute values do not matter as much as comparisons to salient reference groups" (Renshon, 2016, p. 520). "Where status is

conceptualized as identity-based or as granted through membership in high-status organisations, states may be more satisfied sharing the same status value as others so long as there is an advantage over non-members," argue Ferry and O'Brien-Udry (2024, p. 5; see also Larson & Shevchenko, 2019; Murray, 2019). This advantage is usually understood as having "different rights and responsibilities than low-status [states]" (MacDonald & Parent, 2021, p. 363). Ward (2020) notes that these privileges are restricted to actors with high enough standing "stratified rights."

Ward (2020, p. 6) also notes that "rights are intimately linked to ideas about the positions of actors in a hierarchy—to status or standing." He also adds:

> This is true even within discourses of "universal" or "human" rights: A demand for equal legal rights (say, for all citizens in a state) amounts to a demand for the recognition of equal standing in the eyes of the government—which is to say, for a particular kind of vertical relation between actors (one in which there is no super or subordination). (Ward, 2020, p. 6)

In the following sections, the article explores how having independent state institutions mandated to protect and promote human rights reflects the state's overall status in global politics.

3. Human Rights, Status, and NHRIs

One of the most exciting developments in the post-World War II period has been the universalization, codification, and diffusion of human rights. Many have questioned why states in anarchy comply with international human rights law. Rationalists see international law as a commitment vehicle and connect it with beliefs about reputation for future compliance (e.g., Morrow, 2014). Indeed, as Brewster (2009) says:

> References to reputation as a cause of compliance are found widely in the international law literature—from scholars who are optimistic about compliance with international law to those who are skeptical, from those who study human rights to those who study military and trade agreements, everyone acknowledges the potential importance of reputation. (p. 236)

Constructivists start with the normative belief that agreements should be complied with, which then translates into an incentive to comply with treaties (and other agreements) and avoid developing a reputation as a noncompliant state (Simmons, 2010). This argument works most fluently with international human rights treaties, as states should "theoretically pay a high reputation cost for noncompliance with international treaties because when states sign a treaty or make a legal commitment, they do so in plain sight for all to see" (M. D. Kim, 2019, pp. 217–218). In these cases, both the domestic public and the international community observe these legal commitments, leaving a paper trail that reduces the opportunity for deniability (M. D. Kim, 2019, pp. 217–218). The existing literature characterises treaties as "the most solemn pledge a state can make" and a "maximal pledge of reputation" (Guzman, 2008, p. 59; Simmons & Hopkins, 2005). Yet, the road from ratification to implementation, or from commitment to compliance, is usually a rocky one. Compliance is evident through sustained behaviour and domestic practices that conform to international human rights norms (Risse et al., 2013). These occur through different mechanisms and depend on various factors related to different types of states, regimes, and the degree of vulnerability of states and other such rule targets to external and domestic pressures (Risse & Ropp, 2013, pp. 16–22).

While these arguments aim to explain why states comply with ratified treaties, they do not explain why the states ratify them in the first place. Some assume that governments "anticipate their ability and willingness to comply" (Simmons, 2009, p. 12), leading them to "participate in negotiations, sign drafts, and expend political capital on ratification in most cases because they support the treaty goals and generally want to implement them" (Simmons, 2009, p. 12). When a strong value commitment is absent, the single strongest motive for ratification, according to Simmons, is "the preference that nearly all governments have to avoid the social and political pressures of remaining aloof from a multilateral agreement to which most of their peers have already committed themselves" (2009, p. 13). Others posit that states ratify to signal political concessions to domestic opposition groups (Vreeland, 2008, pp. 65–70), to remain in power (Hollyer & Rosendorff, 2011, pp. 275–277), or to "become good international citizens" (Hathaway, 2007, p. 597). Von Staden and Ullmann (2022, p. 1485) advanced the argument that "accepting optional oversight mechanisms is one way in which states can nourish their reputation as sincere committers to international norms and their monitoring by independent expert bodies." Although this argument originally referred to individual communications procedures of UN human rights treaties, it perfectly applies to the focus of this article—establishing Paris Principles-compliant NHRIs.

Parallel to the development of international human rights law was the development of an idea to establish independent state institutions to observe human rights at the national level. Although the first idea was presented in the UN fora as early as 1946, it took some time to evolve into what is today known as NHRIs. NHRIs are independent state-funded constitutional or statutory bodies with a broad mandate to protect and promote human rights at the national level, with a presence in more than 120 countries today. Independence implies that NHRIs must be free from the influence of any external entity, including the legislature that usually appoints NHRI mandate-holders, but also from other government branches, as well as any other public or private entity. They are either established by a constitutional or legislative text and are funded from the state budget. They must operate at the national level, meaning that sub-national (regional, local, etc.) human rights institutions do not reach the threshold. The same applies to specialised institutions, such as data or information commissioners, equality bodies, and similar. NHRIs must have the broadest possible mandate to protect and promote human rights. These institutions come in different organisational forms, most commonly as ombuds institutions and human rights commissions, and to a much lesser degree, human rights institutes. Initially, they emerged in relatively mature democratic states in Western Europe; later, NHRIs were introduced into newly emerging nations, particularly those of the former British Commonwealth, as well as new democracies in Latin America and post-communist Europe. Africa and Asia also followed this trend.

Simmons (2009, p. 5) asserts that "human rights practices are never the result of a single force or factor." The same can be said for the establishment of NHRIs. Cardenas (2012, p. 33) identifies two primary reasons for the state's decision to establish NHRIs: strategic calculations (via enforcement or inducement) and normative commitment (via socialisation and learning). These are not necessarily mutually exclusive accounts of compliance, since states may be subject to concurrent and multiple sources of compliance. Because NHRIs are studied in different disciplines (political sciences, international relations, international law, human rights law, and socio-legal studies), their establishment has various explanations. For instance, in public administration literature, the typical explanation for the successive adoption of different accountability bodies, including NHRIs, lies in the increasing size and complexity of the modern state, which now delivers a vast and complex array of services and requirements for its citizens (Ménard, 2005). Dolan and Bennett (2019, p. 372) argue that "the expansion of administrative power in the twentieth century

considerably enhanced the exercise of discretion by state agents with the attendant potential to unfairly disadvantage some members of society or inappropriately confer advantage on others." NHRIs, particularly ombuds institutions, were then seen as a means of redressing the imbalance of power between the state and the individual, promoting fairness in government and public accountability (Reif, 2020; Rowat, 1973). In other words, the "thickening of government" (Light, 1995) has been matched by a "thickening" of accountability mechanisms, such as NHRIs. These explanations focus on internal reasons that led to the establishment of NHRIs.

However, the literature also recognises powerful externally driven reasons, as well as the combination of the two. Cardenas (2003) argues that NHRIs have become a salient feature of the global scene because they tap into a cross-section of more basic state interests. She explicitly identifies three such interests. First, they appeal to states that are undergoing regime change and seeking to create democratic institutions (transitional states). Second, they appeal to states that violate international human rights norms but want to portray themselves as committed to these norms, perhaps going so far as to assert a leadership role, which explains the ombuds diffusion to less democratic states. Third, they motivate states with long-standing and relatively good human rights records that still face claims of discrimination at home or pressures from abroad to join the NHRI bandwagon (late bloomers).

Scholars of international organisations observed that, in some regions, establishing accountability mechanisms, such as NHRIs, has also been a requirement for membership in international and supranational organisations. The European Union's membership conditionality has been an effective coercive tool for establishing NHRIs in Baltic states (Cardenas, 2014) and Central and Eastern Europe (Carver, 2011; Lacatus, 2019, 2024). The domestic processes of building accountability institutions have also been informed and influenced by transnational actors and ideas (D. Kim, 2013, p. 535), with the UN, regional organisations, and international human rights NGOs creating strong incentives for the creation of NHRIs by mediating the human rights discourses and mobilising internationally (Glušac, 2023, p. 6). These transnational actors and networks considerably increased in the early post-Cold War years, which coincided with the global expansion of NHRIs, with over two-thirds of these organisations being created after 1989 (Cardenas, 2009, p. 30). The post-Cold War period also saw an intensified discussion on the implications of human rights internalisation for Westphalian sovereignty (Shawki & Cox, 2009). Some developments, such as humanitarian interventions or acceptance of the monitoring powers of international human rights mechanisms (e.g., treaty bodies, special rapporteurs), pose challenges (although to varying degrees) to external sovereignty. On the other hand, establishing NHRIs as state bodies has contributed more to changes in the so-called internal sovereignty, or internal state structures (Cardenas, 2009). In its most successful form, NHRIs are evidence of what Schedler et al. (1999) call a "self-restraining" state. Nonetheless, it should be emphasised that transnational developments have greatly influenced such self-restraining. The key event in the history of NHRIs—the adoption of the Paris Principles—testifies to this.

A game-changer in the history of NHRIs was the adoption of the Paris Principles. These principles came out of an NHRI workshop held in Paris in 1991 over three days. The workshop gathered 50 representatives from around 35 countries, including around 20 human rights institutions operating on a national level (UN Commission on Human Rights, 1992, paras. 5–6), as well as NGOs, UN agencies, regional human rights bodies, and a small number of governments (only diplomats accredited in France). The objectives of the workshop were modest: "to encourage existing National Institutions to step up their action" and to enhance

cooperation among them (UN Commission on Human Rights, 1990, para. 4). Few expected a specific outcome document to result from the workshop, and thus many governments chose not to participate (Linos & Pegram, 2016b, p. 598). The course of the workshop made no indications of this either. Meeting minutes (UN Commission on Human Rights, 1992) and interviews with the participants (Linos & Pegram, 2016b) suggest that the first two days of the meeting were devoted to the workings of existing NHRIs. Then, on the final day, the Paris Principles draft prepared by the working group suddenly appeared and was unanimously adopted in plenary without prior debate. The Principles resulted from intensive deliberations among NHRIs and not among UN member state delegations (Linos & Pegram, 2016a, p. 1113). They were drafted by a working group consisting of four NHRIs (Australia, France, Mexico, and the Philippines) without the usual formal diplomatic process that entails support and drafting expertise, resulting in some omissions. Some were technical (e.g., "quasi-jurisdictional" instead of "quasi-judicial"), while others were more substantial, such as the complete neglect of human rights ombuds institutions as an already existing model of NHRIs and a strong preference for human rights commissions since all the main drafters were representing this particular institutional model. Despite these omissions, the UN Commission on Human Rights endorsed the Principles a year later, and in December 1993 the UN General Assembly adopted the Paris Principles as part of Resolution 48/134 titled National Institutions for the Promotion and Protection of Human Rights. The Resolution was passed without a vote (as with many other UN General Assembly resolutions) and without modification. Observers speculate that many delegations were unaware of what they were endorsing (Linos & Pegram, 2016b, p. 598).

After being formally endorsed by the UN General Assembly, the Paris Principles took on a life of their own. Despite being legally non-binding, the Principles gained considerable political weight, becoming the main international reference for the basic principles and characteristics of an NHRI, with both the UN and individual NHRIs using them as a guide (Glušac, 2023). The Paris Principles set forth a number of conditions that an institution must fulfil in order to be recognised and accredited as an NHRI, including establishment under a constitutional or legislative text, a broad mandate to promote and protect human rights, formal and functional independence, pluralism (representing all aspects of society), adequate resources and financial autonomy, freedom to address any human rights issue arising, annual reporting on the national human rights situation, and cooperation with national and international actors, including civil society (UN General Assembly, 1993; see also de Beco & Murray, 2014). Over time, regional organisations also recognised the Paris Principles as a key standard in this field.

NHRIs first introduced voluntary accreditation in 2000, which later developed into periodic obligatory re-accreditation in 2008. The accreditation is granted against the criteria set in the Paris Principles and conducted by the Subcommittee on Accreditation (SCA) of GANHRI, whose accreditation system is recognised and facilitated by the UN (specifically, OHCHR). NHRIs can be accredited with A or B statuses. The former is proof of full compliance with the Paris Principles, while the latter indicates partial compliance (for more, see Langtry & Roberts Lyer, 2021). A-status NHRIs are re-assessed every five years. As of June 2024, a total of 90 institutions worldwide fulfil the Paris Principles and are thus accredited as A-status NHRIs, while 28 hold B status (GANHRI, n.d.-a). Out of 90 A-status NHRIs, 27 are in Africa, 15 in North and South America, 18 in Asia, and 30 in Europe. To be able to conduct accreditations in a consistent and procedurally fair manner, SCA has adopted the General Observations on the Paris Principles, which serves as its authoritative interpretation. SCA consists of four members of GANHRI, one from each of the four regional networks of NHRIs (Europe, America, Asia-Pacific, and Africa). In other words, it is a full-fledged

peer-review process. The accreditation process is a "*differentia specifica* of NHRIs, given that it constitutes a unique peer-review process, as opposed to, for instance, NGO accreditation by the Economic and Social Council" (Glušac, 2022, p. 288).

Undoubtedly, the global proliferation of NHRIs can be primarily attributed to UN efforts. As argued by Cardenas (2003, p. 35), "the UN has succeeded in diffusing the NHRI concept by framing it broadly and on multiple levels as a democratic institution, a sign of commitment to international norms, and the emblem of membership in a liberal community of states." Furthermore, "OHCHR has been pushing for a privileged status of NHRIs in the UN since its own very establishment in the mid-1990s, which has coincided with a recognition of the Paris Principles in the UN system" (Glušac, 2022, p. 287). Another key contributor was GANHRI (see D. Kim, 2013; Lacatus, 2019; Linos & Pegram, 2016b), together with its four regional networks. These NHRI networks represent the extension of the post-Cold War organisational form into the human rights arena (Slaughter, 2004). Looking at the role of GANHRI (Shawki, 2009), it indeed exerts all three categories of impact as a trans-governmental network: helping to bring about convergence on international rules and standards, enhancing compliance with international regulations, and enhancing and deepening international cooperation (Slaughter, 2004, p. 24). Through its main activities set in the Strategic Plan (GANHRI, 2023), GANHRI contributes to various mechanisms of diffusion that Slaughter (2004) outlines as regulatory export, technical assistance and training, the interpretation and dissemination of information to promote best practices, capacity building, and socialisation. The same applies to regional NHRI networks, which follow GANHRI's footprint and "constitute a significant factor in the formation of NHRIs" (Goodman & Pegram, 2012, p. 11).

Through the decisions of the UN Human Rights Council, OHCRH and GANHRI have secured the whole plethora of participatory rights in the UN fora for those holding A status. The strategic anchoring of NHRIs in the UN system has been greatly facilitated by the transformation of the UN Commission on Human Rights into the UN Human Rights Council in 2006 (Glušac, 2022, p. 287). With relevant resolutions of the UN General Assembly (2006, 2011) and the UN Human Rights Council (2007), the Paris Principles-compliant NHRIs have been granted full independent participatory rights in the Council's work, but also a possibility to actively engage with the complaints procedure, special procedure mandate-holders, and the Universal Periodic Review (Glušac, 2022, pp. 287–288). All human rights treaty bodies have established close cooperation with NHRIs, encouraging them to take an active part in their work—before, during, and after states' report review—and by formalising their participation through committees' rules of procedure, and/or general comments (Glušac, 2022, pp. 287–288). NHRIs have also been given an instrumental role in the Universal Periodic Review (UN General Assembly, 2006; UN Human Rights Council, 2007), the only political peer-review human rights mechanism. Finally, in 2015, the General Assembly's resolution adopted in its Third Committee (UN General Assembly, 2015, paras. 13–16) granted NHRIs full participatory rights in New York-based UN bodies (the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the Open-Ended Working Group on Ageing, and the 2030 Agenda for Sustainable Development).

4. Inclusive Club With Exclusive Rights

Status-seeking entails two requirements. First, a state must acquire the markers of the status to which it aspires (Ward, 2020, p. 2). In the case of NHRIs, these include enabling legislation and the practice of an NHRI

that is consistent with the Paris Principles requirements (for a detailed examination of the requirements, see Langtry & Roberts Lyer, 2021; de Beco & Murray, 2015). Second, the status seeker must be recognised as a club member (Ward, 2020, p. 2). In the latter case, this means being a voting member of GANHRI, which implies A-status accreditation.

Some clubs seek to have an exclusive membership. This often applies to clubs in the areas of security (e.g., The Five Eyes, an anglosphere intelligence alliance; see Williams, 2023) and economics (e.g., G7/8; see Rathbun et al., 2022), but also humanitarian issues (as described in Barnett, 2021). Exclusivity in this context means that club membership does not depend solely on fulfilling specific "statutory" requirements but may be conditioned by various other known and unknown reasons. Contrary to that, inclusive clubs are willing to accept new members as long as they fulfil transparent criteria. However, these criteria (requirements) may be high due to the stratified rights that come with the membership.

The NHRI club is inclusive, considering it regularly accepts new members if they meet the requirements (i.e., the Paris Principles). The stratified rights—or privileges restricted to actors with a club membership—in this case refer to having A-status accreditation. These rights consist of a normative advantage for one actor that is protected through the imposition of a constraint or duty on other actors (Sumner, 1987, pp. 18–33). In the case of NHRIs, the UN serves as a guarantor of NHRIs' stratified rights, which translates as an independent voice and participation in the UN human rights mechanisms. The stratified rights extend beyond that, as having a club membership card also opens doors to regional organisations. The European Union, Council of Europe, Organization of American States, and African Union all recognise the specific position and status of A-status NHRIs in their proceedings. Not having an A-status NHRI is widely viewed as an indicator of the state's status-inconsistent behaviour, damaging its reputation, since it gives the impression that they are not "in good standing." Scholars of human rights compliance term this "social vulnerability," referring to "a particular actor's desire to be an accepted member of a social group or a particular community" (Risse & Ropp, 2013, p. 20). Social pressure works, argue Risse and Ropp (2013, p. 21), because actors care about their standing in a social group, and "the more the relevant community cares about human rights, the more the state is vulnerable to external (and internal) pressures to comply with these norms."

Much evidence suggests the salience of reputational arguments that emphasise character, status, and consistency when determining whether to establish an NHRI. Perhaps surprisingly, this applies to countries that have traditionally been viewed to champion human rights, such as Scandinavian states, or those that have placed human rights high on their foreign policy agendas, such as the US, but also those seen as human rights violators. For instance, reputational factors were key in Norway's decision to establish a Paris Principle-compliant NHRI. This was necessary "to keep its status as a global good Samaritan" (Brysk, 2009) and maintain its international credibility (Government of Norway, 1999, pp. 3–4). Similar reasons motivated Sweden and Italy to initiate lengthy national discussions in order to make their well-known ombuds network more compliant with GANHRI's requirements (Glušac, 2022). Most recently, various local stakeholders have pressured the US government to follow this path (Davis, 2024) by using the same reputational discourse. Indeed, status considerations influence a country's international behaviour, but in the case of NHRIs, the groundwork must be done through domestic political and legal processes. National dynamics play a great role in status-seeking and status-keeping in the rule of law and human rights. This reaffirms the non-monolithic nature of the state, which is highly relevant for both status-seeking and norm compliance.

The government, representing the state, seeks the status, yet it must do it through an independent state body (i.e., an NHRI), as accreditation is requested by the candidate institution, not the government. The government demonstrates the commitment by adopting relevant legislation and providing a conducive environment for the work of an NHRI. However, it is up to the NHRI to demonstrate to the SCA that it fulfils its mandate in practice, proving compliance with the Paris Principles. A successful accreditation serves as a quality stamp to an NHRI while also bringing status to the state.

Initiating complex domestic institutional changes can be performed more easily if it relates to the country's international standing (Götz, 2021, p. 240). The case of Norway provides a good illustration of the status-seeking nature of their resolution to establish an institution that can fulfil the Paris Principles. As soon as their NHRI received A status, it pushed for the materialisation of its status through a strong campaign for election to the governing bodies of European and global NHRI networks. They succeeded in their aim, becoming members of the governing boards of both the European Network of National Human Rights Institutions and GANHRI.

Empirical evidence shows that an NHRI does not have to be from a country perceived as a human rights champion to reach high-level positions in a global NHRI club, nor does a country's high or low level of realised human rights serve as an immediate indicator of the existence of an NHRI. In other words, the presence of an A-status NHRI does not imply that the country in question is a human rights champion. The accreditation procedure scrutinises the institution rather than the country itself. This makes it possible for countries ranked as electoral or closed autocracies (V-Dem Institute, 2024, p. 17), such as Morocco, Rwanda, or Qatar, to have A-status NHRIs. In fact, NHRIs from these three countries are also represented in the highest GANHRI governing body—the Bureau; the chairperson of the Qatar NHRI is the GANHRI chairperson, while the chairperson of the Moroccan NHRI serves as the GANHRI secretary (GANHRI, n.d.-b). That being said, it should be noted that the SCA's recent decisions to downgrade NHRIs from Sri Lanka, Azerbaijan, and Hungary from A to B status, suspend some others (e.g., Nigerien NHRI), or completely remove NHRIs from Russia and Myanmar from their club membership demonstrate the strong link between the state of human rights in those countries and the ability of their NHRIs to comply with the Paris Principles. If domestic political dynamics result in serious human rights and rule of law violations, it is highly unlikely that the government would, at the same time, invest efforts to build a strong and independent NHRI that will be vocal against government malpractices.

Where an NHRI already exists, the deterioration of human rights standards in the state may affect status-keeping. Democratic backsliding and overall human rights deterioration can also affect the NHRI, either through attempts to silence an NHRI and other forms of direct and indirect government pressures, or by the government capturing the NHRI. In such scenarios, the SCA analyses how the NHRI has positioned itself in relation to the severe human rights violations in the country. When the NHRI remains vocal and critical of government malpractices, despite being a target of attacks itself, the SCA is likely to acknowledge this and, if necessary, postpone regular accreditation (known as "deferral"). GANHRI and regional NHRI networks regularly support threatened NHRIs through different mechanisms, including public statements, sending their missions to the country in question, etc. (for more on this, see Glušac, 2020). The SCA does not assess the level of human rights enjoyment in a particular country, but rather the practices of the NHRI, or specifically, how it responds to severe cases of rule of law and human rights deterioration. If the SCA receives credible information on the malpractice of a certain NHRI, it can either address it during regular

re-accreditation or initiate a special review (under the GANHRI Statute) of an NHRI (see Langtry & Roberts Lyer, 2021, pp. 311–334). The latter is used when there is a sense of urgency and severe allegations of violations of the applicable standards (the Paris Principles). The SCA uses this procedure to protect the reputation of the NHRI club. For this reason, the A status is not permanent. The regular five-year cycle of A-status re-accreditation for NHRIs serves to protect the integrity of the process and to ensure that only those fully compliant with the Paris Principles maintain the A-status label. Existing research has proven time after time that many factors influence the overall performance of NHRIs. The institutional strength of NHRIs varies over time, particularly with changes in top management. Even those operating in Western Europe experience times of internal crisis and poor results (see more in Lacatus, 2024). Regular accreditation serves as a constant reminder to comply and not only commit. It relates to both the state and the NHRI. If the state limits the mandate of NHRI or cuts its budget significantly (which often happens in practice; see Langtry & Roberts Lyer, 2021, pp. 173–196), this points to a lack of state compliance. If the NHRI opts to side with the government, remains silent on significant human rights developments, and stops being a critical voice, it fails to comply. In the case of NHRIs, global aspirations affect national dynamics.

5. Tensions Between Status, Norm Compliance, and Integrity

Governments that establish full-fledged NHRIs subject themselves to comprehensive independent scrutiny that may also damage their reputation by determining human rights violations. Yet, the very establishment of an NHRI stakes the strongest claim to a reputation of sincere commitment to human rights oversight. For a sincere committer, "the marginal expected benefits of doing so should matter less than the principled willingness to be scrutinised by an independent monitoring body when alleged victims see fit to lodge a complaint" (von Staden & Ullmann, 2022, p. 1485). By establishing NHRIs, states add another layer of human rights oversight, in addition to international treaty monitoring mechanisms and international courts. In this sense, "over-commitment to human rights oversight mechanisms and the voluntary acceptance of redundancy as well as potential inefficiency and fragmentation can thus be understood to serve a status- and reputation-reinforcing function" (von Staden & Ullmann, 2022, p. 1485), as depicted in the case of Norway.

Being a sincere committer means the state is prepared for the institutional criticism of the NHRI as an instrument that serves to enhance its work. Indeed, criticism towards the government constitutes the very fibre of NHRIs. Considering this, establishing an NHRI in a country not committed to the rule of law may seem counter-intuitive, as it can create a strong voice against the government. Yet, as shown above, this does happen. Adopting new legislation and establishing an NHRI allows non-sincere committers to achieve two goals at once: formally demonstrate their commitment to human rights and achieve the global Sustainable Development Goals (SDGs). With the 2030 Agenda on Sustainable Development, world leaders have pledged to establish A-status NHRIs in all UN member states by 2030. This is the formal indicator of the realisation of SDG 16a, related to effective, accountable, and inclusive institutions. This indicator also confirms the importance of the global NHRI club. At the same time, it puts pressure on the club gatekeepers, i.e., the integrity of assessing club membership applications. Furthermore, it may lead to the creation of "artificial" NHRIs with the sole purpose of acquiring the status.

It is now clear that this SDG-16 indicator will not be achieved by 2030. In 2015, when the 2030 Agenda was adopted, the OHCHR stated that to reach this indicator by 2030, member states must establish 10 new

A-status NHRIs per year (Danish Institute for Human Rights, 2019. p. 9). According to this plan, in 2024, there should already be 137 A-status NHRIs. However, as of July 2024, there are only 90 (GANHRI, n.d.-a). Looking ahead, starting with the current 90, 18 new A-status NHRIs should be added every year until 2030 to reach the global indicator. This is impossible to achieve. Considering the pace of progress since 2015, "it is highly unlikely that the Member States would suddenly start adopting complex laws such as those establishing NHRIs at such a speed to allow for this indicator to be reached" (Glušac, 2023, p. 49). Domestic negotiations for establishing an NHRI usually take years, particularly in developed countries like Norway or Sweden, because they affect the national human rights architecture (Glušac, 2022). This process can be quicker in countries with authoritarian governments, which can push for urgent law adoption more easily and without long parliamentary debates. Even in those cases, if an A-status accreditation is sought, the entire NHRI endeavour takes time to move from paper to reality. Hasty applications are most often deferred by the SCA for 12 or 18 months (based on recent SCA practice) to allow for assessing how the institution operates in practice.

There is another organisational reason why this indicator will likely not be achieved: The SCA holds only two sessions per year. At each session, besides assessing new applications, it also conducts re-accreditations (as each A-status NHRI is reassessed every five years) and often performs deferrals (postponed re-accreditations), accreditations alterations, and special reviews. An analysis of SCA reports from sessions held between 2020 and 2024 (available at GANHRI, 2024) reveals that only nine new NHRIs were accredited during this time period (with 66 NHRIs re-accredited), compared to the goal of 18 new institutions every year until 2030. This shows that the 2030 goal is far out of reach. Furthermore, the current agenda of the SCA sessions can already be regarded as overly ambitious, even without an influx of new accreditations, given the volume of documents associated with each case (Glušac, 2023, p. 50).

In light of this, one could ask why this SDG-16 indicator was adopted in the first place. OHCHR underlined that this indicator "is a tribute to the sound work which so many NHRIs are doing" (GANHRI, 2017, p. 33). Although this is certainly true, and these NHRIs deserve praise, the "so many NHRIs" part warrants attention. This suggests that not all NHRIs are performing well, yet the goal is to establish them in every country. Not only is this too ambitious, but also potentially counterproductive. An NHRI club is inclusive, but in order to preserve the integrity of the unique peer-review accreditation process, encouraging the broadest possible membership should not be the aim. Instead, the goal should be to elevate the ladder, scrutinise the work of NHRIs more closely, and prove that being an "A" institution indeed reflects the status and, with that, brings well-deserved stratified rights.

NHRIs that truly use their stratified rights and are vocal against their governments' human rights malpractices are exposed to various pressures, including attempts to capture them. In such situations, the survival of the NHRI depends on the mandate-holders' political skills and ability to deter the attack and attract international support. When NHRIs turn to their international peers, their governments may receive negative attention and harm their reputation. To prevent this, such regimes may seek to instrumentalise NHRIs. They might then appoint their agents as NHRI heads and immediately submit accreditation applications, putting pressure on the SCA. The OHCHR, which is in charge of reporting on the realisation of this indicator of SDG-16, also has an interest in increasing the number of A-status NHRIs. It can extend pressure on the SCA, acting as its secretariat. It is thus vital that the SCA exercises full integrity and uses the regular (five-year) cycles of re-accreditation of A-status NHRIs to keep the bar high, making sure that the commitment to having an NHRI is always matched by full compliance with the Paris Principles.

6. Conclusion

States desire a high status and are willing to invest in it. These investments can take a material form, with the road to status being paved through political, military, or economic wars. They can also be ideational in the sense that one's gain does not immediately translate into another's loss. This article supported the latter view, arguing that status is relational, but not necessarily construed as a zero-sum game. It reiterated that status-seeking behaviour may indeed be cooperative behaviour. It demonstrated this by using the example of establishing NHRIs compliant with the Paris Principles, adopted by the UN General Assembly. In this way, it contributed to the discussions on democracy and human rights as important status attributes, acting as structural incentives for states to adopt prevailing international norms. The article demonstrated the power of club membership in international relations, even when states may expose their deficiencies and wrongdoings through membership, since established NHRIs can report on the government's human rights violations to the international public. Being recognised as a country that deliberately establishes independent state entities that serve to scrutinise its behaviour has proven to be a rather surprisingly powerful motivation, owing to the esteem that comes with the status. This is true even when the stratified rights and privileges attached to club membership are not enjoyed by the governments that establish NHRIs but rather by the NHRIs themselves.

Some governments, however, attempt to influence how NHRIs exercise these stratified rights, by pressuring them to align their views and representation of the state's human rights record in international forums with those of the government. Considering this, the present article sought to shed more light on the role of domestic political dynamics in status-seeking, which has been a relatively neglected topic in the status literature. Furthermore, these considerations extended our understanding of the interplay between global aspirations, status-seeking, and the integrity of global institutions. World leaders have pledged to establish Paris Principles-compliant NHRIs in all member states by 2030. As demonstrated, this will be impossible to achieve. Although the author wholeheartedly supports the realisation of the 2030 Agenda, in the case of this particular SDG 16 indicator, underachievement might, in fact, be desirable. The global trend of democratic backsliding puts individual NHRIs at genuine risk of capture by the executive branch. This affects NHRIs both domestically and internationally. Further, if such a development is not identified and addressed in a timely manner, it may have long-term consequences for the integrity of the global NHRI club; GANHRI may become increasingly populated by government pawns rather than independent and critical NHRIs. As a result, the global and regional human rights forums would listen to government megaphones instead of independent human rights voices. An NHRI club must remain inclusive in terms of the clear membership criteria, but exclusive in terms of the rigorous application of these criteria.

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