

RECOMMENDATIONS

from the Preparatory Meeting of National Human Rights Institutions (ombuds institutions, commissions, institutes and other mechanisms) organised by the OSCE Office for Democratic Institutions and Human Rights

held in preparation to the OSCE Supplementary Human Dimension Meeting on
National Human Rights Institutions (ombuds institutions, commissions,
institutes and other mechanisms), 14-15 April 2011, Vienna

Vienna, 14 April 2011

RECOMMENDATIONS TO THE OSCE PARTICIPATING STATES

OSCE participating States are recommended to:

General

- fully acknowledge that National Human Rights Institutions (NHRIs) contribute to the protection and promotion of human rights, predominantly but not exclusively at the national level;
- establish, where they do not yet exist, National Human Rights Institutions that comply with the UN Principles Relating to the Status of National Institutions (Paris Principles) as further elaborated by the Sub-Committee on Accreditation of the International Coordinating Committee of NHRIs;
- establish NHRIs on a constitutional and/or legislative basis;
- ensure the establishment of functionally and institutionally independent NHRIs accountable to parliament;
- ensure an open, transparent, and inclusive selection process of the head (and members) of the NHRI;
- encourage NHRIs to seek accreditation with the International Coordinating Committee of NHRIs;

Legislative

- provide for a strong legislative framework ensuring a broad mandate and wide range of functions pertaining to the protection and promotion of human rights;
- ensure that the legislative mandate of the National Human Rights Institutions includes cooperation with civil society actors, acknowledging the importance of civil society in the promotion and protection of human rights;

Structural

- recognize that different types of NHRIs exist across OSCE participating States, all of which shall be mandated to protect and promote human rights;

Resources

- ensure that NHRIs are provided with sufficient human capital and financial resources to allow them to exercise their mandate effectively, especially when they are given additional tasks under national or international law;
- provide for secure and stable funding from central budget under a separate budget line for NHRIs, with parliamentary oversight;
- ensure that NHRIs are not disproportionately affected by budget cuts;

Operational

- ensure that annual and special reports from NHRIs are discussed in parliament in a timely manner and consider the establishment of parliamentary human rights committees to engage directly with NHRIs;
- commit to undertake all necessary steps to ensure that recommendations and initiatives of National Human Rights Institutions are given due consideration and are systematically implemented by governmental authorities;

Additional functions

- after consultation with and the consent of the NHRI, consider vesting the NHRI with additional functions under international agreements, such as the Optional Protocol to the United Nations Convention Against Torture or the United Nations Convention on the Rights of Persons with Disabilities, or national legislation such as anti-discrimination laws;
- when mandating NHRIs with additional functions, ensure that adequate additional resources are allocated.

RECOMMENDATIONS TO THE OSCE

OSCE institutions, such as the OSCE Office for Democratic Institutions and Human Rights, and OSCE field operations are recommended to:

- continue supporting the work of National Human Rights Institutions, in cooperation with the United Nations, the Council of Europe, other relevant international organizations and the International Coordinating Committee of NHRIs;
- acknowledge the existence of various institutional models of Paris Principle compliant NHRIs;
- ensure capacity building for and engagement with NHRIs is undertaken by field offices;
- support the establishment of regional NHRI secretariats;
- involve NHRIs in developing OSCE commitments;
- consider the information provided by NHRIs when drafting reports;
- engage NHRIs in collaborative awareness raising and educational initiatives;
- consider NHRIs as a source of expertise and experience, and foster exchange between institutions;
- consider NHRIs as important interlocutors on human rights issues;
- facilitate consistent participation of NHRIs at OSCE meetings, giving recognition to their special status as independent bodies.