

**OSCE SUPPLEMENTARY HUMAN DIMENSIONS MEETING  
SESSION 1**

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The European Group of National Human Rights Institutions was established in 2003 to coordinate NHRIs from across Europe. Today, it consists of 35 NHRIs from across Europe, 22 of which are fully accredited as 'A' status institutions in compliance with the UN *Paris Principles*.<sup>1</sup> The European Group is one of four Regional Groups comprising the global network of NHRIs – the International Coordinating Committee of NHRIs (ICC) – which is supported by the United Nations Office of the High Commissioner for Human Rights (OHCHR). The International Coordinating Committee comprises almost 100 NHRIs from around the world.

NHRIs are increasingly emerging as leading human rights actors at the national level. For this reason, I particularly welcome the opportunity to speak to you today, as we in the European Group of NHRIs look forward to increased engagement with the OSCE in coming years.

NHRIs have broad mandates which cover the entire range of human rights: civil, political, economic, social and cultural. They are key national actors in providing advice and comment to States on the human rights dimension of their legislation and administrative practice because they are mandated to promote the harmonisation of national legislation, regulations and practices with international and regional human rights instruments. In undertaking this function, NHRIs cooperate with international and regional human rights bodies.

The European Group of NHRIs operates within the most developed regional structure for human rights protection of the four regions of the ICC. NHRIs are among the most recent additions to this system and the European Group has worked to develop strong relationships with regional bodies. These relationships are extremely important, not only for NHRIs themselves, but also we consider for the work of the regional bodies in promoting human rights, democratisation and rule of law.

It is vital that Governments, as well as regional bodies such as the OSCE constructively engage and support NHRIs. In this short presentation, I will outline some examples of

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<sup>1</sup> **The 'A' status institutions** are: Albania, Armenia, Azerbaijan, Bosnia-Herzegovina, Croatia, Denmark, France, Germany, Georgia, Great Britain, Greece, Ireland, Luxembourg, Northern Ireland, Norway, Poland, Portugal, Russian Federation, Scotland, Serbia, Spain, Ukraine. The **'B' status institutions** are: Austria, Belgium, Moldova, Netherlands, Slovakia, Slovenia, Switzerland. The **'C-status institutions** are: Romania. **Institutions engaging with the European Group but without current ICC accreditation status:** Bulgaria, Hungary, Kosovo, Latvia, Sweden.

the challenges which we face as NHRIs in such engagement and some of the opportunities for improved interaction.

The first issue I wish to highlight is the **importance of the *Paris Principles***. These Principles are the internationally recognised standards for independent NHRIs and the requirements for NHRIs set out in the *Principles* ensure that NHRIs are strong, have a broad mandate, sufficient capacity, and above all, are independent in their operation. Governments, and regional and international organisations must support and uphold the Paris Principles.

In particular, the importance of the *Paris Principles* and the NHRI accreditation process carried out by the ICC with the support of the OHCHR should also be recognised by all regional mechanisms and by Governments. Regional Mechanisms must ensure that in engaging with NHRIs, they focus on those that are compliant with the Paris Principles, while encouraging the strengthening of non-compliant institutions.

Governments and Regional Mechanisms must also focus on strengthening NHRIs at the national level. Strong NHRIs are those that are:

- Fully independent;
- Have pluralistic representation in their membership;
- Have adequate and sufficient capacity & resources;
- Have secure and stable funding from the central budget
- Have a broad range of functions;
- Have a mandate covering all human rights issues;
- Are linked to parliament;
- Have provision for strong engagement with NGOs and Civil Society;
- And the ability to make recommendations on national legislation, practice and policy.

Governments should also ensure that the recommendations made by the NHRI are received and considered in a systematic manner. They should also support the strengthening of their NHRI through supporting the implementation of recommendations made as part of the NHRI accreditation process.

We have unfortunately seen a trend in recent years for States not to support a strengthening of NHRIs, but rather in some countries to reduce funding and support given to NHRIs. It is important to recall that the Paris Principles require that NHRIs have sufficient funds to carry out their functions. The increasing level of responsibilities being given to NHRIs at the international level must be matched by resources at the national level.

In addition, Governments must ensure that there is no merging of institutions that would result in a reduction in capacity or scope of human rights protections at the national level.

Finally, I would encourage Governments to include support for NHRIs as an element of their overseas development aid programmes.

At the OSCE level, I would strongly encourage the OSCE to continue its capacity building work with NHRIs, which is particularly undertaken at field office level at present.

There are significant opportunities for increased and improved interaction between the European Group of NHRIs and the OSCE. NHRIs can play a key role in supporting regional mechanisms in reinforcing international human rights standards and in expanding international standards in the regional context. As institutions which see the day-to-day realities on the ground, and which monitor the implementation of international and regional standards at the national level, NHRIs *must* be key interlocutors with the OSCE.

Practical areas of engagement may include;

- early involvement on regional initiatives including the preparation of new regional Conventions, commitments, standards, principles or policy;
- promoting best practice initiatives between international and regional mechanisms which may act as templates for the promotion of human rights in other regions;
- joint work on awareness raising and educational activities;
- use of NHRI expertise and experience in monitoring missions and capacity building for national human rights mechanisms;
- involvement on visits to states, and follow-up activities;
- consistent participation or observer status at meetings, conferences and events with a recognised role for NHRIs;
- and the formal recognition of the role of *Paris Principle* compliant NHRIs by regional bodies.

I would also take this opportunity to strongly encourage systematic co-operation between the OSCE and other regional and international mechanisms in their engagement with NHRIs. At present, there is a lack of strong systems in place to avoid overlapping initiatives and thus reduce their draw on the capacity of NHRIs and maximise resources. The lack of systemised cooperation means that we have sometimes seen overlapping initiatives or different approaches taken by the different regional mechanisms to the same issue. In addition, there can often be overlap between regional approaches to a particular issue and the initiatives taken at the UN Level.

**I would also take this opportunity to encourage both Participating States and the OSCE to support the establishment of a European Group permanent secretariat.** A regional secretariat for the European Group will significantly enhance the role of NHRIs within Europe and will considerably strengthen the overall human rights infrastructure within Europe. The European NHRIs share the view, reinforced by over four years' experience of the Irish Human Rights Commission as the Chair of the Group, that a secretariat for the Group is urgently needed to ensure that NHRIs within Europe are strengthened at the national level and can play a strong role in the promotion and

protection of human rights at the regional level. It is clear to us from our experience that a successful secretariat can be established with minimal outlay and a small number of specialised staff.

The secretariat will support and strengthen the capability of the European Group and enhance its role within the European human rights infrastructure. Concretely, it will pursue the following activities with the Group Membership and under the supervision of its Chair:

1. **Coordinate common policy making initiatives and common statements** on issues of regional significance, as well as at the international level;
2. **Support joint litigation initiatives**, in particular as *amicus curiae* before the European Court of Human Rights and the European Court of Justice in cases that have regional significance;
3. **Coordinate human rights impact assessment of EU legislation**;
4. **Ensure consistent, long-term co-operation and engagement between the Group and regional and international partners**, and ensure 'institutional memory', supporting common responses from European NHRIs as well as becoming a focal point for contact by regional partners;
5. **Create effective and efficient systems for sharing information and expertise** and strengthening co-ordination among the Group;
6. **Support the establishment and accreditation of new NHRIs in Europe and assist existing NHRIs in the re-accreditation processes**;
7. **Provide technical assistance** to OHCHR/UNDP/EU/OSCE in undertaking capacity building with NHRIs and support existing NHRIs in carrying out their roles and functions under the *Paris Principles* including assisting in gaining 'A' accreditation status.

The mid-term goal of the Secretariat will be to support the establishment of A-status NHRIs in every European country and to position NHRIs as key human rights actors at the regional level.

We were delighted to welcome both Participating States and representatives from the OSCE's Office of Democratic Institutions and Human Rights to a meeting on the establishment of a Secretariat held in Geneva in February, and look forward to their support in the coming period.

I would like to thank the OSCE once again for this invite, and the OSCE institutions and Participating States to adopt a strong set of commitments promoting the strengthening of NHRIs across participating states.

Thank You