

Joint statement from expert meeting on strengthening independence of national human rights institutions in OSCE region in Warsaw

On 28 and 29 November 2016, representatives from global and regional bodies organized, together with the Office of the Commissioner for Human Rights in Poland, an expert meeting with representatives of National Human Rights Institutions (NHRIs) and academics to discuss the strengthening of the independence of NHRIs in the OSCE region.

The bodies were:

- the Council of Europe;
- the European Network of National Human Rights Institutions (ENNHRI);
- the International Ombudsman Institute (IOI);
- the Office of the United Nations High Commissioner for Human Rights; and
- the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

They recall that the independence of NHRIs is a fundamental aspect of the Paris Principles and should be guaranteed by provisions in the enabling legislation of an NHRI, and also be guaranteed in practical and functional terms.

They emphasize that a strong and independent NHRI is a necessary feature of any state that underpins good governance and justice, as well as human rights. Strong and independent NHRIs can enable governments to take all appropriate action to implement international human rights obligations at the national level.

They underline the importance of the Paris Principles setting out the normative framework and the international minimum standards for the status, mandate, composition and methods of operations of NHRIs.

They acknowledge the challenges faced by NHRIs across the OSCE region regarding their independence, for example with regard to the need for:

- adequate funding and financial autonomy;
- pluralism, through decision-making bodies, human resources and cooperation;
- a broad mandate to promote and protect all human rights, including monitoring the implementation of universal human rights norms;
- functional immunity and security of tenure for members;
- clear rules for selection, appointment, reappointment and dismissal of members; and
- effective annual reporting and accountability.

They underline that NHRIs are designed to be critical partners of their governments, whenever necessary. NHRIs play a vital role in times when human rights and fundamental freedoms are under threat, as strong and independent NHRIs base their findings and recommendations on international human rights norms and represent the public interest through their impartiality and pluralistic representation.



They call upon governments and all relevant actors to safeguard the independence of strong NHRIs, which act as a cornerstone of national human rights protection systems and as a bridge between government and civil society, as well as between the national and international systems.

They encourage NHRIs to be proactive in reaching out to other actors and informing them about the function of NHRIs in promoting and protecting human rights in the national context, to ensure broad support for their independence in society.

They reiterate their commitment to strengthening the independence of NHRIs, such as through advocacy, capacity building, technical assistance, and by enabling peer-exchanges between NHRIs, including through the organization of platforms that, in the words of Polish Commissioner for Human Rights Adam Bodnar, ‘‘help NHRIs to be better equipped to address present and future challenges’’.