

The Role of NHRIs in Helping Citizens Finding Redress In Cases Of Violations Of Fundamental Rights



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Human Rights Institutions

National Human Rights Institutions (NHRIs)



- **NHRI - an independent State-sponsored and State-funded organisation**
- **With a constitutional or legal basis**
- **Governed by UN Paris Principles**
- **Broad human rights mandate**

National Human Rights Institutions (NHRIs)



- **A/ B/ C Status institutions – NB in UN Universal Periodic Review process**
- **Key national actors in EU Member States**
- **Functions include legislative review, research, policy, promotion, education, training, legal intervention, inquiries, complaint handling**

Redress for the citizen



- **Meaning of “redress”**
- **Human Rights – e.g. Articles 2, 3, 5, 13 ECHR, Article 2 ICCPR, ICESCR**
- **Individual Measures – compensation, *restitutio in integrum***
- **General Measures – structural issues**
- **Recommendations/ binding decisions**

Confusion on sources of redress



- **Nationally: need to strengthen links between independent national bodies and with domestic tribunal/ court systems**
- **NHRI Capacity and mandate difficulties – how EC can assist**
- **Strengthening respect for Charter in domestic law**
- **EU accession to ECHR – monitoring implementation and execution of Judgments**

Recommendations



- **Increased information-sharing**
- **Increased knowledge of Charter and its relationship with ECHR**
- **Increased technical assistance from EC**
- **Increased national capacity – All EU states to establish timetable for 27 “A” status NHRIs**
- **Increased engagement with EG NHRIs**
- **EU to identify pro-active means to ensure ECHR “subsidiarity” through EU legislation/ practice**

European Group NHRI priorities



- **Ensure ECHR and UN convention implementation**
- **Deepen interaction with EU:**
 - **Through CDDH-UE negotiations on accession**
 - **Through CRPD engagement**
 - **Through EU legislative review – Commission and Parliament**
 - **Through amicus curiae intervention in European Court**
 - **Through monitoring EU implementation of ratified treaties – CRPD/ ECHR including execution of Judgments – Rule 9 submissions.**

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