

# 10 reasons to engage with NHRIs on human rights and democracy

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## A Guide for European Union External Action

In collaboration with:



**National Human Rights Institutions (NHRIs)** are state-mandated bodies, **independent of government**, with a broad constitutional or legal mandate to promote and protect human rights at the national level. NHRIs are [accredited](#) with an internationally accepted quality label on the basis of their compliance with the [UN Paris Principles](#), which are standards for independence, pluralism and effectiveness.

The EU has increasingly valued the role of NHRIs, as recognised in various European policy instruments. For instance, the [EU Action Plan on Human Rights and Democracy 2020-2024](#) calls for support of and engagement with independent and Paris Principles-compliant NHRIs, including in the context of human rights dialogues, as well as support and encouragement of peer exchange through regional networks. It also underlines the need for regular dialogue with NHRIs.

Similarly, the [EU Guidelines on human rights defenders](#), and their associated internal Guidance, call for support of NHRIs as a practical way to protect human rights defenders in third countries. Indeed, as NHRIs are formally recognised as Human Rights Defenders, all references to human rights defenders in EU policy documents include NHRIs.

In line with internal-external coherence, the [2019 Council Conclusions on the Charter of Fundamental Rights after 10 Years](#) recognise NHRIs as national guardians of fundamental rights and a 2020 EU Agency for Fundamental Rights (FRA) [study](#) calls upon the EU to ‘draw more consistently on NHRIs as crucial actors for the implementation of fundamental rights, including by ensuring independent and effective fundamental rights monitoring’.

It has been recognised that the EU should establish stronger and more structured cooperation with NHRIs from third countries. Given the unique characteristics of NHRIs, this document sets out **10 key reasons** and associated advice for engaging with them, and thus progressing actions for human rights and democracy.

## UN Paris Principles and accreditation

The [UN Paris Principles](#) were endorsed by the UN General Assembly in 1993, setting out the main criteria for NHRIs. Among others, a NHRI is required to meet high standards of formal and functional independence and pluralism, and to have a strong legal basis – under primary law or the Constitution – providing the institution with a broad human rights mandate.

NHRIs are periodically accredited by reference to the UN Paris Principles before the Sub-committee on Accreditation (SCA) of the Global Alliance of NHRIs (GANHRI). As a result of this process, NHRIs receive recommendations for improvements and are accredited with:

- **A status** – fully compliant with the UN Paris Principles;
- **B status** – only partly compliant with the UN Paris Principles;
- **No status** – not compliant with the UN Paris Principles.

The accreditation process tests an NHRI's independence, pluralism, accountability and effectiveness, and assists NHRIs in enhancing their work. NHRIs with A status have independent participation rights in international and regional mechanisms. The accreditation process can also guide EU Delegations (EU DELs) in their engagement with NHRIs.

In some cases, the lack of an enabling environment can prevent full compliance with the UN Paris Principles, but a B-status NHRI can still take important actions for the promotion and protection of human rights.

The European Commission and the [European Parliament](#) have recognised NHRIs as indicators, information providers and safeguards for the rule of law. In its [annual rule of law report](#), the European Commission takes into account the accreditation status, SCA recommendations and enabling environment for NHRIs.

# 1

## NHRIs have a broad human rights mandate

NHRIs have local expertise on human rights in-country. Each NHRI will have its own strategic goals, based on objective criteria, including the most pressing human rights issues arising in-country. As each country has only one NHRI, it will have a broad overview. NHRIs also [support conflict prevention](#), and place human rights at the heart of conflict management, conflict resolution and peacebuilding.

- EU DELs can engage with the NHRI on any human rights issue, including on promoting the ratification of treaties.
- EU DELs' work with NHRIs can address all thematic areas covered by the [EU Action Plan on Human Rights and Democracy](#), including civil, political, economic, social and cultural rights.
- EU DELs can closely engage NHRIs in the working process and preparations of the Human Rights and Democracy Country Strategies and their implementation process.
- The European External Action Service (EEAS), at HQ and DEL levels, could establish stronger and more structured opportunities for cooperation with NHRIs from third countries.



## 2

### All NHRIs monitor the national implementation of human rights standards

NHRIs' monitoring work provides reliable information on the human rights situation in-country. NHRIs monitor legislation, policies, and their implementation, including the implementation of national human rights action plans, as well as places (such as places of detention) and events (such as elections and demonstrations). NHRIs often have additional mandates, such as [National Preventive Mechanism](#) (OPCAT) or [Independent Monitoring Mechanism](#) (CRPD). NHRIs publish reports on their findings, including recommendations for action to respect human rights.

- NHRIs' monitoring reports and experience can assist EU DELs in prioritising actions for human rights, the rule of law and democracy, and in reporting back to Brussels.
- EU DELs can review the state's progress in implementing NHRI recommendations and provide support for action.



## NHRIs both protect and promote human rights

NHRIs protect human rights through monitoring, receiving complaints, undertaking strategic litigation or providing legal assistance. NHRIs promote human rights through advising the executive and the legislature on human rights compliance, and promoting a culture of rights (awareness raising and human rights education).

- EU DELs can engage in joint projects with NHRIs that cover the full cycle of human rights implementation.
- EU DELs' work with NHRIs can help to address structural human rights concerns, as well as to support action against some individual human rights violations.
- NHRIs are good partners for awareness raising campaigns on human rights and democracy and for human rights education programmes targeting various segments of society, including the government and official bodies in third countries.



# 4

## NHRIs cooperate with both state actors and civil society

NHRIs have an official mandate to advise state actors on compliance with human rights standards. They take a collaborative and solution-focused approach, and must have a pluralistic composition so that they are representative of all sections of society. They also cooperate with other national or specialist bodies working on human rights, such as decentralised institutions in a federal state. At the same time, under the [UN Paris Principles](#), NHRIs must cooperate with and support civil society actors, including human rights defenders, as recognised by the [GANHRI Marrakech Declaration](#). As such, NHRIs provide a bridge between civil society and the state.

- NHRIs can help EU DELs to convene a broad spectrum of national and local actors.
- EU DELs can include NHRIs at meetings with state actors and around Human Rights Dialogues for locally-mandated, independent expertise on human rights. In this context, engagement with NHRIs is particularly relevant in “Local Human Rights Dialogues”, led by EU DELs.
- EU DELs can help boost NHRIs’ focal points in support of human rights defenders, and can engage with civil society actors to assess the level of trust in the institution.

# 5

## NHRIs are human rights defenders and can come under threat

A-status accredited NHRIs are formally recognised as human rights defenders (HRDs), and are included within the EU Guidelines. While NHRIs support democratic space and other HRDs, attacks on NHRIs also occur as a result of their work on human rights. Given that they often take a critical stance towards state actors in relation to human rights, NHRIs can come under threat. These threats might include attempts at political interference such as weakening of mandate, appointing weak leadership, depriving access to policy making processes, budget cuts, legal threats or physical threats and attacks against NHRI staff.

- The EU can support NHRIs if they come under threat and join other actors to protect the independence and functioning of the NHRI under the EU Human Rights Defenders Mechanism. EU DELs can issue public statements and/or raise concerns with the government/parliament behind closed doors to show support and indicate the standards states should follow.
- EU DELs can provide direct funding to NHRIs to ensure they can fulfil their mandates effectively and liaise between NHRIs and European HRD mechanisms, or endorse NHRIs' proposed activities.
- EU DELs can strengthen NHRIs through capacity building.
- EU DELs can take actions in favour of an enabling space for NHRIs to carry out their work effectively and independently, encouraging national authorities to cooperate with NHRIs and respect their mandate in accordance with national law, and regional and international standards.

## NHRIs participate in international and regional mechanisms

All NHRIs must engage in international and regional human rights mechanisms, where they have formal [participation rights](#). NHRIs report on their human rights monitoring at the national level, and reinforce multilateral structures. The human rights mechanisms can then act on this information to help achieve impact on the ground.

- The EU can engage with NHRIs in advance of UN or regional processes relating to that state, such as the Universal Periodic Review, treaty monitoring review and visits of independent experts, and benefit from their significant technical expertise and capacity.
- The EU can engage with regional networks of NHRIs in relation to actions with regional mechanisms, and with GANHRI on UN processes.



## Each NHRI is mandated by the national constitution or primary law

Working with an NHRI helps ensure state ownership of recommendations and initiatives in support of human rights.

- Working in partnership with an independent state body, such as an NHRI, can ensure that EU actions are embedded in local initiatives, while supporting international human rights standards.
- The EU can urge state authorities to ensure a higher level of implementation of NHRIs' recommendations, which can serve as a benchmark for progress in human rights and democracy.
- It is a state responsibility to provide adequate resources for an NHRI to fulfil its mandate(s) effectively. The EU can encourage sufficient state financing for an NHRI, and can also consider financial support to NHRIs for specific projects or activities.



## NHRIs are reviewed periodically to test their independence

An A-status NHRI is internationally accredited as formally independent of government, through a strong enabling regulatory framework, as well as being able to carry out its functions independently in practice. A B-status NHRI only partially meets the standards set out by the UN Paris Principles, including due to a lack of a sufficiently broad human rights mandate, or a lack of independence. Where NHRIs have B status, or are working towards A status accreditation, the EU can support its strengthening in line with the UN Paris Principles and the SCA recommendations through technical assistance and regional cooperation.

- EU DELs should always consider engaging directly with an NHRI, and not through a ministry, especially given the independent status of A-status NHRIs.
- EU DELs can support NHRIs' independence and effectiveness, including by supporting the follow-up of SCA recommendations. EU DELs should stress the importance of the accreditation process and of the implementation of SCA recommendations with the respective parliament and/or government.
- If there are serious or continued concerns about an NHRI's independence or compliance with the UN Paris Principles, the SCA or one of the NHRI networks can be informed.

## No NHRI? Each state should have an A-status NHRI by 2030

The existence of an NHRI in compliance with the UN Paris Principles is a [global indicator](#) under Sustainable Development Goal 16. Each Universal Periodic Review and UN Treaty Body session includes recommendations for an A-status or strengthened NHRI. The EU has also [recognised](#) the existence of an A-status NHRI as an indicator for the rule of law, [stating](#) that ‘checks and balances rely on (...) effective independent authorities such as ombudsperson institutions or national human rights institutions’, and that NHRIs ‘play an important role as rule of law safeguard and can provide an independent check on the system in a rule of law crisis’. A list of accredited NHRIs can be found on [GANHRI’s website](#).

- EU DELs can support the establishment and strengthening of an NHRI with technical assistance, in cooperation with NHRI networks, the UN and regional mechanisms.
- Through supporting the establishment and strengthening of an NHRI, the EU can advance peaceful, just and inclusive societies that support [human rights, democracy and the rule of law](#).

## NHRIs cooperate with each other across borders

Regional networks of NHRIs, and the Global Alliance of NHRIs (GANHRI), provide platforms for NHRIs to cooperate, strengthen through exchange of good practices, and build a common voice on regional or global human rights concerns. The EU Action Plan on Human Rights and Democracy calls for the EU to support and encourage peer learning through regional NHRI networks. The EU is also contributing to building the capacity of NHRIs and their networks through the NHRI-EU project and bilateral project funding.

- EU DELs can support capacity building and peer exchanges of NHRIs through their regional networks or GANHRI.
- The EU can seek further information on NHRIs, the UN Paris Principles, and NHRI engagement in international and regional mechanisms here:
  - Africa – Network of African National Human Rights Institutions ([nanhri.org](http://nanhri.org))
  - Americas – Network of National Institutions for the Promotion and Protection of Human Rights in the Americas ([rindhca.org](http://rindhca.org))
  - Asia Pacific – Asia Pacific Forum of National Human Rights Institutions ([asiapacificforum.net](http://asiapacificforum.net))
  - Europe – European Network of National Human Rights Institutions ([ennhri.org](http://ennhri.org))
  - Global – Global Alliance of National Human Rights Institutions ([ganhri.org](http://ganhri.org))

## EU Delegations' checklist for engagement with NHRIs

### Encourage compliance with UN Paris Principles

- ✓ Support the establishment of NHRIs in compliance with the UN Paris Principles
- ✓ Support NHRIs to follow up on SCA recommendations, and in particular for B-status NHRIs to become fully compliant with UN Paris Principles
- ✓ Encourage state actors to take the necessary steps to enable NHRIs to be compliant with the UN Paris Principles
- ✓ Reinforce to state actors the importance of the NHRI mandate, its independence and the implementation of SCA recommendations
- ✓ Inform the SCA or NHRI networks if there are serious or continued concerns about an NHRI's independence or compliance with the UN Paris Principles

### Cooperate with NHRIs (particularly A-status NHRIs)

- ✓ Have regular meetings with NHRIs and provide them with relevant contacts
- ✓ Closely engage NHRIs in the development and implementation of the Human Rights and Democracy Country Strategies
- ✓ Engage in joint projects with NHRIs that cover the full cycle of human rights implementation: monitoring, advising on draft legislation, reporting, supporting individuals and promoting a culture of human rights and democracy
- ✓ Include NHRIs in initiatives on human rights defenders  
Support initiatives on human rights education and training for various audiences

- ✓ Include NHRIs at meetings with state actors and around Human Rights Dialogues
- ✓ Encourage NHRIs in their efforts to promote enabling civic space, and engage the NHRI when supporting human rights defenders
- ✓ Encourage the establishment of a human rights defenders focal point within NHRIs
- ✓ Engage with NHRIs in advance of UN or regional processes relating to that state, in cooperation with NHRI networks
- ✓ Include information on the NHRI in briefings for Human Rights Dialogues and country visits, and in annual reporting

### Strengthen and support NHRIs

- ✓ Urge state authorities to ensure a higher level of implementation of NHRIs' recommendations, and endorse NHRI activities or reports
- ✓ Support capacity assessments and institution building efforts
- ✓ Provide direct funding to NHRIs to ensure they can fulfil their mandates effectively
- ✓ Respond to smear campaigns, pressure and intimidation targeting NHRIs by reaffirming their important role and speaking out against attempts to stigmatise NHRIs and their staff – either publicly or in private meetings with state actors
- ✓ Enable access of NHRIs at risk to urgent support mechanisms, such as ProtectDefenders.eu, and the EU Emergency Fund for human rights defenders at risk
- ✓ Connect to existing regional and global NHRI networks (also considering programmes supported by the EU)
- ✓ Support regional NHRI networks to facilitate peer exchange between NHRIs

## Further information



**ENNHRI** brings together over 40 NHRIs from the EU and wider Europe to enhance the promotion and protection of human rights in the region. The network provides a platform for collaboration and solidarity in addressing human rights challenges and a common voice for NHRIs at the European level. ENNHRI works to: strengthen NHRIs by facilitating the exchange of information and good practices and organising capacity-building activities; support NHRIs with their compliance with the UN Paris Principles during their establishment, accreditation and when they come under threat; and connect NHRIs to European institutions by engaging with regional mechanisms, raising NHRIs' visibility and intervening on regional legal and policy developments.



**APF** is a network of 25 NHRIs from all corners of the Asia Pacific region. Unlike the other regions in the world, there is no regional court or protection system covering the Asia Pacific that people can turn to when their human rights are violated. This makes the role of NHRIs in the region even more critical. The APF provides practical support and advice to its members in order to help them to be as effective as possible. The APF also provides advice and expertise to governments and civil society groups in the region to support the establishment of independent NHRIs that meet the UN Paris Principles. The APF brings its members together, and build partnerships with others, in order to tackle some of the most serious and complex human rights challenges facing the region.



**NANHRI** brings together 46 NHRIs from across the African continent. NANHRI supports the establishment and strengthening of African NHRIs in addition to facilitating cooperation among them and with key regional and international human rights actors, such as the African Union (AU). This includes joint initiatives to support African NHRIs in advising AU states on the implementation of human rights commitments. NANHRI's key priority areas include prevention of torture, business and human rights, sexual orientation, gender identity and expression, child rights, rights of people living with disability, migration, conflict management, conflict resolution and peace building.



**RINDHCA** brings together the 18 NHRIs of the Americas. The objective of RINDHCA is to promote a culture of respect for human rights, to strengthen the protection of human rights, to contribute to democratic development, and to support the establishment and development of NHRIs in accordance with the UN Paris Principles.



**GANHRI** is the global alliance of NHRIs, mandated to support the establishment and strengthening of NHRIs in all regions, in line with the UN Paris Principles. GANHRI encourages and facilitates cooperation among NHRIs from all regions, including through hosting global meetings of NHRIs and by acting as knowledge broker for NHRIs. GANHRI is the global voice of NHRIs, contributes to UN global policy development, facilitates NHRIs' engagement with the UN system, and coordinates partnerships on NHRIs at the global level.

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