

# Engagement of NHRIs in European Rule of Law Mechanisms

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Methodology paper

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# 1. Engagement of NHRIs in European Rule of Law mechanisms: taking stock and looking ahead

As permanent and independent state-mandated bodies with a broad human rights remit, National Human Rights Institutions (NHRIs) are in a key position to promote, protect and strengthen the rule of law, building on the close interconnection and mutually reinforcing relationship between the rule of law, democracy and human rights. This is reflected, among others, in ENNHRI's [Regional Action Plan on Promoting and Protecting Human Rights Defenders and Democratic Space](#).

As it is true with other international monitoring mechanisms, NHRIs' engagement in European Rule of Law mechanisms forms an integral part of their mandate to promote and protect human rights. By contributing to a more comprehensive and accurate assessment of the situation in each country, and recommending action needed to address challenges, NHRIs' engagement can help to enhance the impact of existing frameworks and related initiatives, and thus achieve better promotion and protection of human rights, rule of law and democracy. Similarly, regional mechanisms' awareness of NHRI reporting and recommendations in relation to rule of law can lead to enhanced follow-up to those recommendations, through multilateral or independent processes at regional level.

The contribution to European rule of law, democracy and human rights monitoring and enforcement frameworks has been identified since 2018 as one of the key thematic priorities for regional cooperation by ENNHRI's members. Recent developments at European level confirm the added value and the existence of key opportunities for the engagement of all ENNHRI's members in European rule of law monitoring initiatives.

Discussions among NHRIs, including at the November 2019 ENNHRI General Assembly and at the dedicated ENNHRI High-Level Seminar (February 2020), underlined the importance of a **united approach** for all NHRIs across ENNHRI's membership, applicable to the different processes relevant to EU Member States, Enlargement, Eastern Partnership and other countries. This engagement by ENNHRI and European NHRIs led to the publication in June 2020 of the **first ever regional ENNHRI [Report on the State of the Rule of Law in Europe](#)**, compiling European NHRIs' country submissions and an overview of trends. The report was used to feed European policy processes aimed at monitoring, promoting and protecting the rule of law, human rights and democracy within the EU and in third countries – such as the [EU rule of law review cycle](#), the [EU enlargement package](#) and human rights dialogues with third countries, including within the [Eastern Partnership framework](#).

Further developments over the past year marked an intensification of the EU's action to better promote and protect the rule of law, human rights and democracy across the spectrum of the EU's internal and external policy spheres. This has created new

opportunities to strengthen collaboration among NHRIs and regional bodies in this area. These come at a critical time when countries across Europe are faced with ongoing human rights, democracy and rule of law challenges exacerbated by the persisting impacts of the COVID-19 pandemic.

Against this background, a preliminary exchange between European NHRIs and regional actors was facilitated by ENNHRI through dedicated [Leadership Webinars](#) and at ENNHRI [Annual Conference](#) at the end of 2020. Discussions took stock of the impacts of the first 'trial' year of development and implementation of the common approach to NHRIs' reporting and participation to European rule of law mechanisms and looked at opportunities for a renewed strategic engagement stemming from newly adopted policy tools to enhance human rights, democracy and the rule of law in the region. Based on these discussions and on NHRIs' initial feedback collected by ENNHRI on the 2020 rule of law reporting exercise, the following **key takeaways** were identified:

- 1) NHRIs' independent reporting based on a common approach is of unique value to monitoring by EU and other regional actors of respect for human rights, democracy and rule of law across the region

NHRIs are recognised as playing a unique role in feeding the assessment by EU and other regional actors of the situation of human rights, democracy and rule of law at national level. Joint reporting by NHRIs across the region based on a common methodology and indicators has clear value added for regional actors in terms of consistency and timeliness of contributions. It is also beneficial for NHRIs themselves as a means to exchange information and inspire each other's action. Both NHRIs and regional actors agree on the value added of NHRIs' joint reporting and on the need of strengthening their cooperation in this area (individually, and collectively through ENNHRI). While ENNHRI and NHRIs are committed to turn the rule of law reporting into a regular exercise, this calls for more transparent and participatory regional reporting processes which further facilitate NHRIs' efficient and informed contribution and follow-up, as well as additional financial support from regional actors.

- 2) NHRIs have a key role to play in connecting to the national level efforts by EU and other regional actors on promoting and protecting human rights, democracy and the rule of law

Building on their role and mandate, NHRIs have a great potential to raise awareness, mobilise support and maximise impact of the efforts by EU and other regional actors to safeguard and advance human rights, democracy and the rule of law at national level. At the same time, giving a European dimension to national work on human rights, democracy and rule of law is an opportunity to foster NHRIs' mutual learning, enhanced solidarity and possible joint initiatives. Both NHRIs and regional actors recognise the unique potential of NHRIs to seize the strategic opportunities to enhance human rights protection at the national level offered by newly adopted regional policy

tools, through their monitoring role, their cooperation with state and non-state actors and as interlocutors between the state and general public. This implies targeted engagement and investment of resources on the part of NHRIs as well as of ENNHRI, including in terms of promoting NHRIs' involvement in policy processes and in fostering mutual learning – which regional actors should actively facilitate and support.

### 3) Fully independent and effective NHRIs are a key component of the European institutional architecture that serves to realise the rule of law, human rights and democracy in each country

Regional actors have shown an increasing [recognition](#) of NHRIs as a key component of the institutional architecture that serves to realise the rule of law, human rights and democracy. This is also reflected in recent policy documents such as the European Commission's [first report on rule of law in the EU](#), which states 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". It also identifies the work of NHRIs as an indicator of the rule of law and stresses that "checks and balances rely on ... effective independent authorities such as ombudsperson institutions or national human rights institutions". Chapters of the first rule of law report in the EU focusing on individual countries detail the accreditation status of NHRIs and refer to their role and independent reporting on the rule of law situation in their country.

Similarly, the [new EU Action Plan on Human Rights and Democracy](#) and the policy frameworks for [Eastern Partnership](#) and [Enlargement](#) also recognise NHRIs' unique contribution to the rule of law, human rights and democracy in each state. Such a recognition is key to drive progress towards the [establishment](#) and strengthening of fully independent and effective NHRIs across the region. As also underlined by the EU Agency for Fundamental Rights (FRA) in its [recent study on NHRIs](#), this is in turn essential to enable regional actors to rely on independent counterparts at national level and thus reinforce the quality and impacts of their efforts to promote and protect human rights, democracy and rule of law. Progress in this area, which ENNHRI promotes and supports as a core part of its mission, needs to be encouraged by making NHRIs' establishment and compliance with the UN Paris Principles a core objective of regional actors' efforts – to be matched by standard recognition, effective protection mechanisms for NHRIs under threat as well as political and financial support for NHRIs' effective and independent functioning.

### 4) Strengthening the cooperation across different organisations and exploring complementarities of existing mechanisms is key to enhance the protection of rule of law, human rights and democracy at the national and European levels

NHRIs and regional actors acknowledge that further development of complementarities and cooperation on the promotion and protection of rule of law, human rights and democracy among actors is needed to achieve positive impacts on the ground. This

refers, on the one hand, to the cooperation across regional and international organisations in key areas of concern - one being that of the protection of human rights defenders, in the context of increased attacks and challenges experienced during the COVID-19 pandemic. On the other hand, it relates to the need for strengthened complementarity between existing mechanisms, also reflecting the mutually reinforcing connection between the rule of law, human rights and democracy, as regularly stressed by ENNHRI and NHRIs (see, for example, its recent submissions on the [EU Action Plan on Democracy](#) and on the [effective application of the EU Charter of Fundamental Rights](#), as well as its [engagement](#) on the European Parliament's resolution on the Establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights).

ENNHRI is committed to further pursue its efforts to support and advise NHRIs and regional actors to best translate these takeaways into practice. The identification of opportunities for strengthened cooperation with and support from regional actors, as well as the promotion of mutual learning and exchange between NHRIs are part of these efforts, as is the coordination of a regular joint rule of law reporting exercise.

To that effect, this methodology illustrates the common approach to NHRI's reporting and participation to European rule of law mechanisms from a methodological perspective, as revised and updated in the light of the illustrated preliminary assessment and taking into account recent policy developments at regional level.

## 2. Common reporting and participation of NHRIs in European Rule of Law mechanisms

### 2.1 A united approach based on shared objectives

The key underlying features of ENNHRI's member NHRIs' engagement in European rule of law monitoring initiatives, as identified for the purpose of the first trial reporting exercise, remain valid. These are:

(1) NHRIs' contribution as **information providers**, to help regional actors have a more accurate picture of the national rule of law environment, based on reliable, objective and verifiable information. NHRIs can take advantage of their unique position to collect and provide input concerning both:

- (i) their own features and concrete functioning, i.e. their formal and functional independence, pluralism and effectiveness (NHRIs as rule of law indicators); and
- (ii) the human rights situation on the ground (NHRIs regular reporting on human rights with rule of law implications, e.g. access to justice, media pluralism, civic space, etc).

(2) NHRIs' contribution to **the identification and implementation of follow-up action** to address detected issues at the national level, including facilitating discussions with national parliaments and, when covered by their mandate, through court proceedings.

(3) NHRIs' role in the **active promotion of a rule of law culture**, including by raising awareness with the general public and cooperating with civil society stakeholders.

The compilation of country-specific rule of law reports on the basis of a structure and methodology common to all NHRIs, and the collation and publication of these as one regional report, to be coordinated by ENNHRI, remains the privileged approach with a view to, at once:

- supporting timely and coherent NHRI reporting under different EU mechanisms relevant to EU Member States, Enlargement, Eastern Partnership and other countries, and
- promoting enhanced NHRIs' impacts on at national and regional level, in a spirit of cooperation and solidarity.

### 2.2 Common frame for reporting by individual NHRIs

For each annual reporting exercise, a questionnaire is developed and intended to be used as a **common reporting structure** by all NHRIs in order to facilitate and streamline the collection of information by NHRIs on rule of law and to ensure that the

information collected are effectively conveyed to EU institutions and other regional or international actors in line with consultation requirements.

Taking into account the priority areas and indicators identified by European institutions and bodies for the different rule of law mechanisms, the common reporting structure develops questions targeted at information provision by all NHRIs related to:

- the NHRI as indicator of rule of law; and
- country-specific human rights reporting by NHRIs, with relevance to rule of law.

The questionnaires are developed in a **spirit of continuity** with the previous year's reporting exercise, while being adapted and integrated as appropriate to accommodate feedback on the previous reporting exercise(s) and having regard to relevant trends and policy developments. To that effect, insofar as the areas surveyed coincide with those included in the previous year(s), responses should include any relevant **updates/follow-up information** concerning the issues reported on in the previous year(s). There is no need to repeat information from the 2020 Report; only any relevant developments.

Each NHRI can consider (including on the basis of its mandate, capacity, and national context) whether it is feasible and appropriate to respond to all questions provided in the questionnaire. Room is provided for NHRIs to flag national specificities which may not be covered under the questions/areas identified.

The reporting structure is devised so as to encourage concise data provision, with reference to existing resources as appropriate. The information provided in the reporting structure should be in English, while resources referred to may be in the original language.

The **questionnaire for the 2021 reporting exercise** is annexed to this note (Annex I). The questionnaire mirrors the areas covered by the 2020 reporting exercise but further includes:

- a new set of questions to evaluate the impact of last year(s)' reporting exercise;
- additional questions concerning the independence and effectiveness of NHRIs;
- additional questions, in each of the areas covered, to showcase actions and initiatives taken by NHRIs to address the issues raised/to promote rule of law standards;
- additional guidance on issues that may be of relevance when answering questions.

While the impact of measures adopted to address the COVID-19 pandemic is again addressed through a dedicated question, NHRIs are encouraged to pay due attention to reflect the impact of the pandemic context, as relevant, throughout the questionnaire.

### 2.3 Collection of NHRI contributions by ENNHRI

ENNHRI Secretariat develops and distributes a **common reporting template** for NHRIs' to provide their country-specific contributions. NHRIs' contributions will be uploaded as



draft country reports on an online share point to facilitate their revision and finalisation. Members may be asked to give their agreement for their draft country reports to be made visible for other ENNHRI members, as a means to support members' peer exchange, provide inspiration, and contribute to solidarity across the ENNHRI membership. None of the data provided will be used publicly without prior consultation of the NHRI concerned.

The monitoring period is the same for all NHRIs (the previous calendar year). The provision of data would be foreseen by the end of the first quarter of the reference year (although anticipated deadlines may be set for regional groups of ENNHRI members to match EU consultation requirements).

Through ENNHRI, NHRIs will be informed when consultation requirements by European institutions and bodies develop, which could imply that NHRIs may be asked to review or update their contributions later in the year. The monitoring and reporting exercise is meant to be replicated for an initial period of at least 3 years.

## 2.4 Analysing and processing the information

### Verification and consistency checks

ENNHRI may approach NHRIs for the purpose of **verification and consistency checks**, asking for clarification or complementing relevant information included in their contribution prior to the collation and dissemination of contributions. ENNHRI may also flag out to members any apparent issues related to their data provided through the common reporting structure, in light of the guiding principles developed below (section 3). While ENNHRI may invite members to complement or review data provided based on the common reporting structure and guiding principles, the national information provision remains the responsibility of the NHRI concerned. The publication of the common ENNHRI report, based on the collation of the national reports, however, will be subject to ENNHRI's policy on common positions (membership or, as a minimum, Board approval). Any proposed changes to information retrieved from national reports will be verified with the NHRI concerned before publication of the common report.

### Highlighting trends

On the basis of the individual reports received, ENNHRI commits to analysing and processing the information provided by NHRIs for the purpose of identifying emerging trends. Members will be consulted on any trends identified and, if relevant reporting deadlines do not allow a full one-week consultation period, Board approval will be required as a minimum.

### Information on accreditation status and SCA recommendations

In line with the international recognition of NHRIs as rule of law indicator, and the acceptance of the Paris Principles as the international standards on the independent and effective functioning of NHRIs, ENNHRI Secretariat will include reference to the accreditation status and the latest SCA report with recommendations for each NHRI.

## 2.5 Collating and disseminating contributions

### Country reports

Each NHRI will be able to use its contribution provided in the common framework as its own reporting or advocacy product. The country reports can be used and disseminated at national level and/or distributed to European institutions or bodies to match relevant individual consultation requirements (which is the case, for example, for Eastern Partnership and Enlargement countries within the EU legal and policy framework).

### Sub-regional reports and comprehensive ENNHRI report

ENNHRI will collate, publish and disseminate NHRIs contributions according to relevant regional areas (e.g., EU, Eastern Partnership, Western Balkans) to feed into the various relevant European consultation processes concerning rule of law. When relevant in line with the European reporting requirements, ENNHRI will also provide an executive summary of the collations, highlighting regional trends. Members involved in any sub-regional reporting will be consulted in advance of submission and/or publication.

ENNHRI also commits to compiling and publishing an annual comprehensive ENNHRI report composed of:

- ◆ a collation of all country reports which result from NHRIs' contributions;
- ◆ an executive summary identifying and highlighting regional trends.

The publication of the comprehensive ENNHRI report will be subject to ENNHRI's policy on common positions, which entails at least one week's consultation with members.

The regional report will be made available to all ENNHRI members, will be published on ENNHRI's website and will be disseminated and used by ENNHRI for advocacy purposes with relevant stakeholders, including from the EU, Council of Europe, United Nations and civil society. Individual members can consider dissemination and use of the ENNHRI regional report and sub-regional collations, as appropriate.

## 2.6 Follow-up to reporting

### Member support and international representation

ENNHRI will function as regional focal point for NHRIs' participation to European rule of law mechanisms. The network will support, inform and consult members individually and collectively on relevant follow-up actions, as feasible and appropriate. ENNHRI will

maintain regular contacts with stakeholders to inform and consult NHRIs on relevant developments and in fostering synergies between regional processes. ENNHRI will represent NHRIs collectively in relevant international fora, either through a member or the Secretariat, and can share with stakeholders expertise on NHRI's standards, mandate and functioning.

Taking into account members' requests and available resources, ENNHRI will consider the further development of opportunities for exchange of good practices and capacity-building in this area.

### Support to NHRIs under threat

NHRIs' engagement in European Rule of Law mechanisms might produce unintended consequences which may negatively affect NHRIs' functioning and the environment in which they operate. Each NHRI is best placed to judge the likely risks, and take this into account within its country-specific reporting. However, ENNHRI will be mindful of potential developing risks and consult with each relevant NHRI for any new use of the information contained in its reporting. ENNHRI will assist NHRIs and stakeholders in the early identification of threats to NHRIs and in the identification and implementation of necessary safeguards and measures to prevent or react to such threats. ENNHRI will thereby take into account and build upon the [Guidelines](#) on ENNHRI support to NHRIs under threat.

## 2.7 Periodic evaluation of the common approach

ENNHRI will continue to regularly evaluate and adapt, as appropriate, the common reporting structure and guiding principles through member-wide consultation.

To that effect, following the first trial reporting exercise in 2020, targeted questions are included in the rule of law questionnaire to ENNHRI members' concerning the **impact and follow-up to the previous year(s) reporting exercise**.

The evaluation will take into account ENNHRI's sustainability, effectiveness and impacts of the common approach at international and national level, as well as the development of European policy processes.

## 3. Guiding principles for a strategic, impactful and safe engagement

### 3.1 Streamlining a human-rights based approach to rule of law

Following a human rights-based approach, the identification of thematic priorities underlying NHRIs' engagement in European Rule of Law mechanisms takes into account:

- ◆ **key topics and areas identified by EU institutions** for the different mechanisms, to ensure overall consistency with consultation requirements;
- ◆ **standards and recommendations stemming from other relevant processes at regional and international level** (in particular at Council of Europe level and the United Nations);
- ◆ **areas of concern identified by NHRIs themselves** as relevant to the rule of law situation, to reflect national and regional specificities.

The reporting questionnaires are accordingly structured around broad thematic clusters identified in line with this approach.

### 3.2 Building on NHRIs' existing functions and expertise

#### Framing NHRIs' engagement as integral component of NHRIs' mandate

NHRIs' engagement in European Rule of Law mechanisms is to be embedded as an integral part of NHRIs' mandate. This means that the scope and modalities of such engagement have to be framed **consistently with the scope of each NHRI's national mandate and with the overall frame provided by the UN Paris Principles**. NHRIs' will therefore:

- ◆ bear in mind the opportunities and limitations provided for by their national mandate and by the Paris Principles at each stage of their engagement (as information providers, contributing to the identification and implementation of follow-up measures, engaging in promotion initiatives), and
- ◆ consider synergies with their regular activities, for example, by taking advantage of regular monitoring exercises to integrate rule of law related aspects, and/or integrating relevant parts of their annual report in a thematic rule of law report.

#### Developing synergies with NHRIs' engagement at national and international level

As a means to ensure consistency and sustainability, NHRIs' engagement in European Rule of Law mechanisms will be developed in synergy with **NHRIs' relevant work at national and international level**. In concrete terms, this means that NHRIs engagement at the different stages will build on or feed into:

- General or thematic national reporting initiatives;
- General or thematic reporting to other international monitoring bodies;
- The formulation of and follow-up of recommendations to national authorities.

### 3.3 Valuing NHRIs' unique standing

#### Taking into account NHRIs' special features

NHRIs' engagement in European Rule of Law mechanisms reflects NHRIs' role as **impartial and reliable partners**, fulfilling their legal mandate to promote and protect human rights domestically in an independent manner. The common approach to Rule of Law monitoring by NHRIs will acknowledge the differences in NHRIs, including roles, functioning and environment across ENNHRI's membership, and their international accreditation status. The different characteristics, national environment and accreditation status of NHRIs are relevant to contextualise the scope and impact of NHRIs' contributions at each stage of the process.

#### Interaction with other national human rights defenders

Due consideration shall be given to the interaction with other human rights defenders when NHRIs engage in European Rule of Law mechanisms. Such interaction relates to a variety of aspects, for example:

- ◆ the engagement with other human rights defenders while **monitoring & reporting on their situation and including them as potential beneficiaries of follow-up measures**;
- ◆ the cooperation with other national human rights defenders as **a source of information and to check consistency of findings**;
- ◆ the cooperation with other national human rights defenders **to promote participation of civil society in European rule of law processes**;
- ◆ the cooperation with other national human rights defenders in the **identification and implementation of follow-up measures and for promotion initiatives**.

### 3.4 Safeguarding Confidential Information

NHRIs engaging in European Rule of Law mechanisms as information providers need to be able to secure and protect confidential and sensitive information. This is particularly true if their reporting contributions are based on documents and information that are classified or otherwise not public, or case files that may raise privacy concerns. The guiding principle to secure confidentiality in the regional reporting is to take a similar approach to confidentiality guarantees as is applicable for national reporting. Each NHRI is best placed to judge the likely risks, and take this into account within its country-specific reporting. However, ENNHRI is mindful of potential developing risks and will consult with each relevant NHRI for any use of the information contained in its reporting.

## Annex I – Questionnaire for the 2021 reporting exercise

Topic	Questions
<p><b>Impact of 2020 ENNHRI rule of law report</b></p>	<p>1. To your knowledge, has there been any follow-up action or initiative on the part of state authorities to address any of the issues reported on in the 2020 ENNHRI rule of law report as regards your country and/or, more generally, to foster a rule of law culture at national level (e.g. debates in national parliaments on the rule of law, awareness raising/public information campaigns on rule of law issues, etc.)?</p> <p>2. How has the 2020 ENNHRI rule of law report impacted on your institution’s work (for example, with regard to the institution’s priorities/strategic planning, the institution’s engagement with state authorities, with civil society organisations and/or with regional actors, or the impact on dissemination/awareness of your institution and its work)?</p> <p>If you have taken any specific follow-up initiatives based on the 2020 report (such as dedicated meetings with or briefings to state authorities and/or regional actors, public events, hearings, petitions, follow-up research/reports, cooperation with civil society, awareness raising/dissemination actions, public education/information initiatives), please briefly describe them. If not, please briefly explain why (for example, mandate limitations, lack of capacity/resources, practical hurdles, lack of access to/cooperation with state authorities and/or regional actors).</p> <p>3. Would you have any recommendations to ENNHRI or to regional actors on how to further facilitate impacts on the ground of NHRIs’ annual rule of law reporting and/or that could more generally support your institution’s work to promote and protect the rule of law in your country?</p>

<p><b>Independence and effectiveness of the NHRI</b></p>	<p>4. Has the national regulatory framework applicable to your institution changed since the 2020 report?</p> <p>5. Do you consider that state authorities sufficiently ensure enabling space for your institution to independently and effectively carry out its work (for example, as regards access to the legislative and policy process, or timely response and adequate follow-up to your institution’s recommendations, level of cooperation between different human rights actors/bodies)?</p> <p>6. Have significant changes taken place in the environment in which your institution operates that are relevant for the independent and effective fulfilment of your mandate (including, for example, challenges due to Covid-19), and/or are there any other challenges related to the rule of law environment in your country that impact on your institution’s functioning?</p> <p>Has your institution taken any action to address the problematic issues raised and/or to more generally increase your institution’s ability to fulfil its mandate in compliance with the Paris Principles and/or the impact of your institution’s work?</p>
<p><b>Human rights defenders and civil society space</b></p>	<p>7. Has your institution’s human rights monitoring and reporting found any evidence of laws, measures or practices that could negatively impact on civic space and/or reduce human rights defenders’ activities (for example, limitations on freedom of association, freedom of assembly, freedom of expression or access to information; evidence of attacks on human rights defenders, their work and environment; negative attitudes towards/perceptions of civil society and human rights defenders by public authorities and the general public)?</p> <p>8. Can you briefly describe the initiatives taken by your institution to promote and protect civic space and human rights defenders, including through institutional mechanisms (such as the human rights defender focal points) and/or provide examples of your engagement in this area, including with international and regional mechanism in support of human rights defenders and civil society?</p>

**Checks and  
balances**

9. Has your human rights monitoring and reporting found any evidence of laws, processes and practices that:

erode the separation of powers (including, for example, increased executive powers or insufficient parliamentary oversight);

- limit the participation of rightsholders, including vulnerable groups, and of stakeholders representing them, to legislative and policy processes (including, for example, by the use of expedited legislative processes, lack of scrutiny or consultation, non-publication of regulations);
- limit access to information from state authorities and to public documents;
- reduce the accountability of state authorities (including, for example, the lack of effective judicial or constitutional review on state laws, measures or practices);
- hinder the implementation of judgments of national or supranational courts (including the Court of Justice of the EU and the European Court of Human Rights);
- impair the independence and effectiveness of independent institutions (other than NHRIs);
- impact on the fairness of the electoral process.

10. Do you consider that state authorities sufficiently foster a high level of trust amongst citizens and between citizens and the public administration? If so, how?

11. NHRIs are recognised as an important component of the system of checks and balances in a healthy rule of law environment, including by regional actors. Can you provide examples of your engagement as part of the system of checks and balances and/or briefly describe the initiatives taken by your institution to address the problematic issues raised in that respect (including, for example, through participation in legislative and policy processes, litigation and/or interventions before courts, cooperation with regional actors)?

Have you encountered any particular obstacles in that respect (including, for example, mandate limitations, lack of capacity/resources, practical hurdles, lack of access to/cooperation with state authorities and/or with regional actors, insufficient data/inadequacy of data collection system)?



<p><b>Functioning of justice systems</b></p>	<p>12. Has your human rights monitoring and reporting found evidence of any laws, measures or practices that restrict access to justice and/or effective judicial protection (including, for example, as regards the independence and impartiality of the courts, the quality and efficiency of the justice system, the professionalism, specialisation and training of judges, the geographical accessibility of courts, access to legal aid, respect for fair trial standards, execution of judgments)?</p> <p>Has your institution taken any action to address the problematic issues raised and/or more generally promote access to justice and/or effective judicial protection in line with your institution’s mandate (including, for example, through legal advice, litigation and/or interventions before courts, through handling complaints concerning the courts and their functioning)? If not, please briefly explain why (for example, mandate limitations, lack of capacity/resources, practical hurdles, lack of access to/cooperation with state authorities and/or with regional actors, insufficient data/inadequacy of data collection system).</p>
<p><b>Media pluralism</b></p>	<p>13. Has your human rights monitoring and reporting found any evidence of laws, measures or practices that could restrict a free and pluralist media environment? (including, for example, as regards insufficient protection of journalists’ and media independence, adequacy of resources, evidence of attacks on journalists, their work and environment (including legal harassment), negative attitudes towards/perceptions of journalists and media by public authorities and the general public, protection of journalist sources, independence and effectiveness of media regulatory bodies, transparency of media ownership, disinformation).</p> <p>Has your institution taken any action to address the problematic issues raised and/or more generally promote a free and pluralist media environment in line with your institution’s mandate? If not, please briefly explain why (for example, mandate limitations, lack of capacity/resources, practical hurdles, lack of access to/cooperation with state authorities and/or with regional actors, insufficient data/inadequacy of data collection system).</p>

<p><b>Corruption</b></p>	<p>14. Has your human rights monitoring and reporting found any evidence of laws, measures or practices relating to corruption, or significant inaction in response to alleged corruption, and which could have an impact on human rights (including, for example, as regards the protection of whistleblowers, conflicts of interest, procurement rules and their implementation, respect for the principles of good administration)?</p> <p>Has your institution taken any action to address the problematic issues raised and/or more generally promote a strong framework for combating corruption in line with your institution’s mandate? If not, please briefly explain why (for example, mandate limitations, lack of capacity/resources, practical hurdles, lack of access to/cooperation with state authorities, lack of access to/cooperation with regional actors, insufficient data/inadequacy of data collection system).</p>
<p><b>COVID 19 measures</b></p>	<p>15. What are the most significant impacts of the COVID-19 outbreak and the measures taken to address it for rule of law and human rights protection in your country (eg emergency measures not time-limited, lack of access to the courts, limited judicial review (including constitutional review), limited oversight by parliament of emergency regimes and measures taken, disruptions in the activities of the parliaments, measures affecting human rights that are not legitimate or proportionate to the threats posed)? Are you aware of any good practices set in place by state authorities aimed at mitigating these challenges?</p> <p>16. More generally, which long term implications do you see arising from the COVID-19 outbreak and the measures taken to address it for rule of law and human rights protection in your country?</p> <p>Has your institution taken any action to address the problematic issues raised and/or more generally promote and protect rule of law and human rights in the crisis context, in line with your institution’s mandate (such as, for example, dedicated meetings with or briefings to state authorities and/or regional actors, public events, hearings, petitions, follow-up research/reports, cooperation with civil society, awareness raising/dissemination actions, public education/information</p>

	<p>initiatives)? If not, please briefly explain why (for example, mandate limitations, lack of capacity/resources, practical hurdles, lack of access to/cooperation with state authorities and/or with regional actors, insufficient data/inadequacy of data collection system).</p> <p>17. What have been the most important challenges for your NHRI's functioning due to COVID-19? More specifically, were you able to carry out/resume visits and inspections to different institutions, including as National Preventive Mechanism?</p>
<p><b>Other relevant areas</b></p>	<p>18. Are there any pressing challenges in the field of human rights that you came across in your work, or any other relevant developments or issues, that you would like to report on in the light of their impact on the national rule of law environment (including, for example, systemic human rights violations, or systemic gaps in state accountability for unlawful laws, measures or practices)?</p>