

# Advancing Human Rights, Democracy and Rule of Law at a Critical Time in Europe: The Role of NHRIs and ENNHRI

Debbie Kohner's Concluding Remarks: 10 October 2023

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This conference takes place in the context of ENNHRI's 10 year anniversary.

I feel privileged to have been part of the European Group of NHRIs' work to establish a formal network, and honoured to have been involved in ENNHRI's journey from then to where we are today.

Despite this commitment, passion and belief, I wasn't very keen to have a big celebration for the anniversary. I felt that we should be focusing on content, as we have so much to do in these challenging times for human rights in Europe. I felt that we should not use too many resources, as funding is so scarce. I felt that ENNHRI is still developing, and we have much more to do...

However, listening to the rich discussion throughout this conference, I realise that we are indeed correct to mark this milestone - to celebrate what we have become, and to look towards what we can achieve in the future.

I would like to recall the challenging context in which we are operating, as set out by our speakers. There is devastating war in Europe and its neighbourhood, as well as frozen conflicts, and increasing securitisation across the continent. There is a huge displacement of individuals into or within Europe, including from conflict, and yet states are trying to opt-out of human rights protections -human rights defenders offering support are being criminalised, while pushbacks are being 'legalised'.

We are living in divided societies, with increasing tensions, a breakdown in societal coherence, a rejection of 'the other', and a rise in identity politics. We are experiencing a cost-of-living crisis, inflation and yet lower social protections. Populist governments are on the rise across Europe, with a breakdown in rule of law and a backsliding on human rights to the extent that even the legitimacy of our regional mechanisms are in question [we heard that over 40% of judgments from ECtHR are not implemented].

Alongside our ongoing human rights concerns, we heard about our emerging and developing challenges – and sometimes opportunities – of artificial intelligence, and of climate change.

## How can we celebrate in these times?

We must celebrate, as in these times ENNHRI- a strong network of NHRIs – is needed more than ever. We have spent the last 10 years preparing for the times we face ahead. [to come].

We heard from each keynote speaker that we need a strong and independent NHRI in each and every European state. ENNHRI is working to achieve this goal, and we are getting there – it is within our reach.

## As an effective network, ENNHRI can help European NHRIs to fulfil their potential.

We can facilitate: peer exchange and support; capacity building for staff; leadership development; institutional strengthening; and support for NHRIs under threat – which we heard is so much needed. We work with states for a full understanding of the NHRI mandate, and for respect of the Paris Principles and regional standards. We work for the highest standards of independence and effectiveness.

But ENNHRI's work, our mission, is not only about 'institutions'. NHRIs are not the ends, but the means. We are working for the promotion and protection of human rights for all individuals across Europe

We have heard today how the strengthening of NHRIs and of ENNHRI has an important **multiplier effect:**

First, **each NHRI is working for the implementation of all human rights standards**, responding to the challenges set out by our speakers today.

Secondly, as we heard, **a strong NHRI is a safeguard for rule of law**. NHRIs work with and to protect civil society, to increase civic space. They also work constructively with state actors and regional mechanisms to have real impacts on the ground. Just today we had a workshop with environment defenders who described the repression faced.

Thirdly, **through ENNHRI, European NHRIs can have an impact on regional developments**. They use their united voice, in solidarity, to advise on the human rights impacts of European policy and legislative initiatives – initiatives that will have impacts on the national level, particularly with direct effect from the EU. We critique and provide recommendations, which should ultimately be helpful to individuals' enjoyment of rights, and I was delighted to hear today that these submissions are also invaluable to the European Commission.

Again, through ENNHRI, European NHRIs help ensure strong human rights protections in standard setting at the Council of Europe. We heard the Commissioner for Human Rights acknowledge our principled position on Oviedo, and the same is true for the draft Framework Convention on AI, human rights democracy and rule of law; and indeed the drafting group on the environment and human rights. These discussions might at times be difficult, but they are constructive – as noted by the Commissioner, we remain professional while continuing to push.

Finally, **through ENNHRI, NHRIs provide common reporting or intervene as one before our regional mechanisms to show country-specific situations, as well as regional trends.**

Examples include our annual rule of law reporting, and our amicus curiae before the European Court of Human Rights. These have been welcomed by the EU and the Council of Europe, and support them in producing evidence-based reports and recommendations. It also, through solidarity among NHRIs, reinforces the collective responsibility of European states for human rights.

Therefore, it is important that we celebrate fully the establishment and the decade of work of ENNHRI. We need to mark the distance travelled, and its ongoing work to unlock the huge potential of NHRIs to achieve meaningful change for individuals in Europe.

ENNHRI is committed to develop its work, and we heard a pertinent question today of ‘**how can we be better?**’ Some speakers provided a response, and I would like to recall them now.

We heard that we should be quicker. It is true that ENNHRI has already worked on each of the areas discussed today, so **we have a foundation from which to respond.** We also have 10 years of learning from our mistakes, and what to avoid. However, I believe it is not always the best to be quicker. Sometimes we need to slow down, to reflect more, and be smarter.

We also heard that we should be able to adapt. The Commissioner noted that, as proved during COVID, ENNHRI and NHRIs can rise to their role in a crisis. I believe that **we have adapted well to the most pressing human rights concerns, while remaining true to our core mandate.** In addition, we heard this afternoon of some further tools and roles that could assist in the emerging challenges.

We heard that, to be better, we should be truly independent – this is the crux and focus of all of our work.

We heard that ‘team is key’, and indeed my team has created an incredible event today. In the broader team of ENNHRI, **the solidarity and strengthened relationships help to build resilience of the network,** as referred to by our Chair. Whether it is Heads of Institutions, Working Groups, NHRI Academy alumni or beyond, a strong network will survive.

Finally, almost every speaker referred to the **importance of partnerships and cooperation**. Beyond our longstanding and valued partners, we also heard suggestions for new partnerships, and working with the less obvious stakeholders. Indeed, we need synergies and reinforcing actions to face the challenges ahead.

**I invite you all, existing partners and new, to join us in our mission to enhance the promotion and protection of human rights across Europe.**

The discussions today have provided rich inspiration for how we can achieve this together.

I invite you to continue these discussions at a drinks reception at Agora Magritte, immediately following the close of this conference.

I would like to thank each of the speakers on the panels and from the floor, the moderator, our wonderful members, the Board and all of the Secretariat team.

I look forward to our ongoing discussions with refreshments and to **continuing ENNHRI's journey, together.**

Thank you.