ENNHRI Submission to the consultation on EU's next long-term budget (MFF) – EU funding for civil protection, preparedness and response to crises, May 2025

In the current challenging geopolitical, economic and security context in and around the European Union (EU) where the number of people affected, the length, scale and complexity of crises, as well as projections of upcoming emergencies have increased exponentially in recent years, the European Network of National Human Rights Institutions (ENNHRI) welcomes the specific consultation on EU Funding for civil protection, preparedness and response to crisis as part of the consultation on EU's next long-term budget.

ENNHRI brings together 49 National Human Rights Institutions (NHRIs) covering the EU and wider Europe. NHRIs monitor states' responses to crisis, while advising governments and parliaments on human rights standards and informing the public about their rights during crisis. NHRIs are recognised by the European Commission as safeguards of the rule of law, and as key actors to advance the implementation of fundamental rights and the EU Charter of Fundamental Rights. At the global level, UN Sustainable Development Goal 16 embraces strong and independent NHRIs in compliance with the UN Paris Principles as indicators of and contributors to peaceful, just and inclusive societies.

Based on our members' official mandates and experience (including during the Covid-19 pandemic and following the outbreak of the war against Ukraine), ENNHRI highlights the importance of a human rights-based approach to crisis preparedness and response; one anchored in the EU treaty values of fundamental rights, democracy and the rule of law. An approach that integrates these strengthens public participation and trust, social cohesion, and institutional accountability, ultimately making societies more resilient to crises. ENNHRI's submission draws attention to the need for a human rights based approach as an overarching and key component – before, during and in the aftermath of crisis; to strengthen resilience, promote long-lasting solutions and sustain stability and peace.

Strengthened efforts related to civil protection, preparedness and response to crises will imply that greater budgets are devoted to this area in the coming months and years. At the same time, **ENNHRI highlights the importance to ensure dedicated funding for upholding the EU values and ensuring human rights-based approach in preparedness and crisis management efforts**

in the next EU Multiannual Financial Framework to shape an effective and strategic EU budget.

Further, this submission sets out how **ENNHRI and NHRIs can support** a human rights-based approach in this context and identifies areas where further cooperation can contribute to prevention, preparedness and response to crises while ensuring respect for human rights.

ENNHRI remains available to cooperate with the European Commission in this area. As European NHRIs, we are committed to promoting and protecting human rights, democracy and the rule of law and stand ready to act in solidarity with all to advance human rights during crisis and beyond.

The role of NHRIs

NHRIs are independent state-mandated bodies with a broad mandate to protect and promote human rights at the national level. NHRIs' **oversight, advice, and engagement with policymakers at domestic and European or international level** helps ensure that crisis preparedness and response efforts align with legally binding EU values and the UN Sustainable Development Goal 16, while effectively addressing evolving crises. NHRIs act as key safeguards of democracy, promoting a human-rights based approach to crisis preparedness and response, and ensuring that measures taken do not erode fundamental rights, democracy and the rule of law.

The Council of Europe Recommendation CM/Rec(2024)7 of the Committee of Ministers to Member States on the effective protection of human rights in situations of crisis encourages Member States to ensure the timely, meaningful and inclusive consultation and participation of independent oversight mechanisms, including national human rights institutions, in crisis-related decision-making processes.

The European Council and European Commission have recognised the key role of independent and effective NHRIs in ensuring human rights compliance of national policies and as part of checks and balances and a healthy environment for democracy and the rule of law.

NHRIs are often referred to as bridge-builder between the state and civil society. Through human rights impact assessments, NHRIs can contribute to rights-compliant and sustainable crisis preparedness and response, including with particular attention for impacts on vulnerable groups in society. As pluralistic bodies, NHRIs can also support the participation of those whose fundamental rights are particularly affected in the development of crisis preparedness and response, which will contribute to their effectiveness and reliability.

In view of rising tensions and polarisation across the European continent, ENNHRI's broad membership can help address such challenges, including in the context of Enlargement and the Eastern Neighbourhood. ENNHRI with its members in EU and non-EU countries plays a key role in facilitating solidarity to advance human rights-based approaches to crisis preparedness and response.

Key areas for engagement

Human Rights-Based Approach to preparedness and responses to crisis

During the Covid – 19 pandemic, NHRIs proved the importance of their role in advising our governments and parliaments on human rights standards and informing the public about their rights during this crisis to ensure the protection of human rights in responses to crisis. Responses and solutions lacking the human rights-based approach, including human rights impact assessment can hamper their effectiveness, deepen divisions and undermine trust in democratic institutions, ultimately making societies less secure and resilient. Thus, ENHHRI and its members proposed the following principles that should be embedded in each response to crisis: human rights in force in a time of crisis, legally-based, proportionate and time-limited measures without discriminatory impacts, broad public debate, scrutiny by parliaments, recognition of situations of vulnerably groups and engagement with engage with NHRIs.

From this perspective, ENNHRI welcomes that the call considers further reflection upon the involvement of wider range of stakeholders, including affected groups and groups in vulnerable situations in preparedness and crisis management issues. During COVID- 19 pandemic, ENNHRI members developed documents on ensuring the protection of fundamental rights of vulnerable groups in time of crisis.

NHRIs' Added Value in Situations of Conflict and Post-Conflict

In the context of the war against Ukraine, the work of the Ukrainian Parliament Commissioner for Human Rights shows the importance of maintaining and investing in respect for human rights, democracy and rule of law, including in times of active armed conflict. The NHRI contributes to human rights approaches to security in many ways, including through fact-finding and reporting on war crimes, supporting the rights of internally displaced persons and refugees fleeing the war, and taking care of the rights of civilians remaining in Ukraine such as their right to housing or access to information about missing persons. It also invests in the rights of national minorities, contributing to social cohesion of a country at war and avoiding internal conflict.

The international standards on NHRIs (UN Paris Principles and their General Observations 2.5 and 2.6) clarify that during a state of emergency, it is expected that an NHRI will conduct itself with a heightened level of vigilance and independence, and in strict accordance with its mandate. NHRIs are expected to promote and ensure respect for human rights, democratic principles and the strengthening of the rule of law in all circumstances and without exception. While the scope of the mandate of an NHRI may be restricted for national security reasons, it should not be unreasonably or arbitrarily applied and should only be exercised under due process.

The impacts of the war against Ukraine have been occurring across Europe, and NHRIs have addressed emerging challenges, including through cooperation under ENNHRI's umbrella. They have particularly supported the rights of refugees fleeing the war, including the transposition of the EU Temporary Protection Directive across EU Member States. They have also learned from each other, cooperated with peers across borders, and showed solidarity with their Ukrainian counterpart, including through the delivery of emergency support at the outbreak of the war.

Strong and independent NHRIs are also key actors for building sustainable peace in their society. They can take a holistic approach towards addressing human rights violations – often both a cause and consequence of violent conflict – and can support the prevention, management and resolution of conflict as well as peacebuilding. ENNHRI developed a Guide on the role of NHRIs in situations of (post-)conflict, which aims to support NHRIs' role in these situations. The Guide helps strengthen NHRIs' work to enhance the promotion and protection of human rights in conflict and fragile contexts and includes a focus on internal displacement, economic and social rights, terrorism and counter-terrorism, and peacebuilding.

Terrorism and Counter-Terrorism

NHRIs are uniquely positioned to address the breadth of human rights issues arising in the context of terrorism and counter-terrorism. Terrorist actions are inherently characterised by human rights abuses and require immediate and coordinated responses from state authorities. NHRIs are instrumental in ensuring that counter-terrorism measures and law enforcement actions align with human rights, thereby reinforcing public trust, supporting societal cohesion and institutional accountability. Following terrorist attacks in the EU in the last decades, NHRIs have taken a wide variety of actions, including providing advice on human rights compliance of anti-terrorism measures, publishing fact-finding reports with recommendations, or addressing the impacts on polarisation of society following terrorist attacks.

Emerging Technologies, Including AI, and Disinformation

While new technologies such as Artificial Intelligence (AI) provide important advantages and are increasingly used by state authorities and in people's daily lives, they also present risks for security, and for upholding rule of law, democracy and human rights, including through the amplification of disinformation.

NHRIs address these risks, including through raising awareness of society about the human rights challenges related to the use of new technologies, and by contributing to ensuring public oversight and accountability within the context of AI and digitalisation. This role of NHRIs has also been reflected in the context of the EU Artificial Intelligence Act, where various NHRIs in EU Member States are appointed as fundamental rights body contributing to fundamental rights impact assessments under the Act. Through ensuring evidence-based reporting, and through their promotional mandates, NHRIs also address disinformation which undermines democracy, undermines trust in democratic institutions, and fosters polarisation.

Human Rights-Based Approach to Border Management

A human rights-based approach to border management contributes to enhancing security while addressing the risk of trafficking of human beings, smuggling and violation of human rights, especially those of migrant groups in vulnerable situations. A rights-based approach to migration is essential as it promotes the realisation of migrants' rights while assisting states in fulfilling their legal obligations under international and EU law. This approach maximises the positive impacts of migration for both migrants and receiving communities, promotes integration and the rule of law, and strengthens accountability and migration governance.

NHRIs play a key role in monitoring, promoting and protecting migrants' rights, particularly at borders. At the same time, they help ensure accountability when violations occur. Several NHRIs also regularly monitor and report on immigration detention facilities and reception centres, while alongside this they may investigate complaints. Some NHRIs have been already appointed as independent monitoring mechanisms foreseen in article 10 of the EU Screening Regulation. ENNHRI and its members also closely collaborate with the Frontex Fundamental Rights Officer to strengthen fundamental rights compliance at borders.

About ENNHRI

ENNHRI is the European Network of National Human Rights Institutions. We bring together 49 National Human Rights Institutions (NHRIs) to enhance the promotion and protection of human

rights in Europe. Our network provides a platform for collaboration and solidarity in addressing human rights challenges and a common voice for NHRIs at the European level.