

National human rights institutions: guaranteeing fundamental rights compliance during COVID-19 and beyond



“National human rights institutions are guardians of human rights. But too often, they cannot deliver on their true potential,” says FRA Director [Michael O’Flaherty](#). “Governments and Parliaments should free NHRIs from unnecessary constraints and grant them the power and resources they need to do their job properly. As the Coronavirus pandemic affected or limited many rights, it is especially important that we have strong and independent NHRIs to champion people’s fundamental rights during and after COVID-19.”

NHRIs are independent organisations set up by states to promote and protect human rights within their countries in line with the [United Nations \(UN\) guiding “Paris principles”](#) and [Goal 16 of the Sustainable Development Goals](#).

This new FRA report on [Strong and effective NHRIs: challenges, promising practices and opportunities](#) reviews their situation across the EU, North Macedonia, Serbia and the United Kingdom. It identifies various ways how NHRIs could further promote and protect fundamental rights:

- **Sufficient powers:** NHRIs often have wide mandates. They cover many areas of EU law where the EU's bill of rights, the [Fundamental Rights Charter](#), applies. This includes monitoring fundamental rights, handling complaints, investigating rights violations, advising policy makers, as well as liaising with other rights bodies nationally and internationally. To boost their impact, Member States, both governments and Parliaments, should formally consult NHRIs, follow up on their recommendations and answer their specific queries.
- **Enhanced role at EU level:** The EU is steadily hardwiring fundamental rights into EU law and funding and could draw further on NHRIs when monitoring the implementation of fundamental rights commitments under EU law, including the EU's legally binding Fundamental Rights Charter. It could also regularly engage with them on fundamental rights issues, such as the rule of law or use of the Charter.
- **Compliance with the UN Paris Principles:** Sixteen NHRIs in the EU are now fully compliant with the UN's guiding principles, up from nine since FRA published its [first NHRI overview in 2010](#). Six other countries have non-compliant NHRIs and the remaining five are creating NHRIs, seeking accreditation and compliance. A European network (ENNHRI) now also supports, strengthens and connects NHRIs. All Member States should draw on such support and ensure their NHRIs are fully compliant with the UN's principles.
- **Protection and independence:** Almost half of the NHRI leaders have legal protection against criminal and civil liability. Thirteen NHRIs reported that their staff faced threats and harassment at work. Member States need to protect NHRIs, their members and staff, including by law, and safeguard NHRIs' full independence to work.
- **Diversity:** Engaging with a wide cross section of society can help raise rights awareness and make NHRIs more effective. This also includes building closer ties with civil society as well as regions and cities.
- **Adequate resources:** Many NHRIs continue to lack staff considering their multiple mandates. Member States should therefore equip NHRIs with the necessary financial and human resources to carry out their mandates effectively.

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