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STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)

**CDDH Report on its examination of the implementation
of Recommendation [CM/Rec\(2019\)6](#) of the Committee of Ministers
to member States on the development of the Ombudsman institution
and Recommendation [CM/Rec\(2021\)1](#) of the Committee of Ministers on the
development and strengthening of effective, pluralist and independent national
human rights institutions**

(as adopted by the CDDH at its 104th meeting, 30 June – 3 July 2026)

I. Introduction

1. In 2019, the Committee of Ministers adopted Recommendation [CM/Rec\(2019\)6](#) to member States on the development of the Ombudsman institution (Recommendation on Ombudsperson Institutions or CM/Rec(2019)6), acknowledging that Ombudsperson institutions “constitute an important feature of democratic governance” and “play a key role in the protection and promotion of human rights and the rule of law in the vast majority of Council of Europe member States.”¹

2. The Appendix to CM/Rec(2019)6 sets out principles to be implemented by Council of Europe member States for the development of the Ombudsperson institutions. These principles concern: (i) the establishment and fundamental characteristics of Ombudsperson institutions; (ii) their main tasks; and (iii) co-operation and dialogue. The Recommendation calls for the examination of its implementation.²

3. In 2021, the Committee of Ministers adopted Recommendation [CM/Rec\(2021\)1](#) to member States on the development and strengthening of effective, pluralist, and independent national human rights institutions (NHRIs) (Recommendation on NHRIs or CM/Rec(2021)1). This Recommendation recalls the important role of NHRIs as pillars of respect for human rights, the rule of law, and democracy, and underlines their considerable impact and potential for the promotion and protection of human rights in Europe, in particular for the effective implementation of the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5, the Convention).³

4. The Appendix to CM/Rec(2021)1 sets out principles to be implemented in relevant domestic law and practice of Council of Europe member States. These principles concern: (i) the establishment of NHRIs; (ii) the strengthening of NHRIs; (iii) securing and expanding a safe and enabling environment for NHRIs; and (iv) co-operation and support. This Recommendation also calls for the examination of its implementation.⁴

5. In its [Terms of Reference for 2024-2027](#), the CDDH has been mandated to report on its examination of the implementation of CM/Rec(2019)6 and CM/Rec(2021)1. The CDDH has decided to examine these two Recommendations jointly, notably because many institutions across the region hold multiple mandates, including the Ombudsperson and NHRI mandate together in one institution. NHRIs can take different institutional forms and be given different institutional titles, including Ombudsperson institutions, human rights commissions and institutes. In the European context, many NHRIs have been established on the basis of pre-existing institutions, such that virtually all European NHRIs are multi-mandated. Regardless of institutional form or nomenclature, and even where an institution holds additional mandates, the core characteristics of an NHRI remain the same. Out of the 36 Council of Europe member States with an accredited NHRI, 23 hold both the NHRI and the Ombudsperson mandates⁵. As a result, in certain countries, a single institution performs essential functions of both types. Nonetheless, within the national human rights framework, the Ombudsperson mandate and that of an NHRI are distinct. According to the Venice Principles, the mandate of the Ombudsperson covers prevention and correction of maladministration, and they have an important role in the protection and promotion of human rights and fundamental freedoms

¹ CM/Rec 2019(6), preamble.

² CM/Rec 2019(6), para. 4.

³ CM/Rec 2021(1), preamble.

⁴ CM/Rec 2021(1), para. 8.

⁵ Information provided by the ENNHRI Secretariat: Albania, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Estonia, Finland, Georgia, Hungary, Latvia, Lithuania, Republic of Moldova, Montenegro, North Macedonia, Poland, Portugal, Serbia, Slovenia, Spain, Ukraine

through complaints and on own initiative. In line with the Paris Principles, NHRIs carry a broad mandate to promote and protect all human rights, and are internationally accountable and recognised through an accreditation system, which periodically assesses their compliance with international standards

6. To examine the implementation of CM/Rec(2019)6 and CM/Rec(2021)1, the CDDH relied on multiple sources of information, including: (i) the [Workshop on “Ombudsperson Institutions and National Human Rights Institutions: Implementation of Committee of Ministers Recommendations and other International Standards,”](#) held during the 103rd Plenary Meeting of the CDDH in Strasbourg;⁶ (ii) replies to a questionnaire from CDDH members and observers on developments since 2019;⁷ (iii) responses to a survey from other Council of Europe bodies and (iv) documents provided by the European Network of National Human Rights Institutions (ENNHRI).⁸ The CDDH also paid particular attention to the Council of Europe ON Forum held on 12-13 March 2026,⁹ linking the implementation of the two Recommendations to the New Democratic Pact for Europe of the Secretary General of the Council of Europe.¹⁰

7. These sources collectively form the basis of the CDDH’s examination, which was conducted to evaluate the effectiveness, challenges, and progress in the implementation of Recommendations CM/Rec(2019)6 and CM/Rec(2021)1. The report outlines challenges faced and good practices observed in the development and strengthening of Ombudsperson institutions and NHRIs across member States. The present report also contains CDDH’s conclusions and recommendations based on the trends identified in the implementation of both CM/Rec(2019)6 and CM/Rec(2021)1.

II. Examination of the implementation of CM/Rec(2019)6 and CM/Rec(2021)1

1. Dissemination of the Recommendations

8. Both Recommendations call for their wide dissemination among the competent authorities and stakeholders to ensure that their standards are integrated into national practice.¹¹

9. The CDDH observes that, since 2019 and 2021 respectively, member States have employed a variety of methods to ensure that the Recommendations reach their intended audiences.

⁶ See [Proceedings of the Workshop](#) “Ombudsperson Institutions and National Human Rights Institutions: Implementation of Committee of Ministers Recommendations and Other International Standards,” 25 November 2025 (“Proceedings of the 2025 Workshop”). See also the [webpage of the Workshop](#).

⁷ [CDDH\(2025\)10](#), Questionnaire to Member States on the implementation of Committee of Ministers Recommendations CM/Rec(2019)6 (Ombudsperson Institutions) and CM/Rec(2021)1 (NHRIs); [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire.

⁸ See [CDDH\(2025\)24](#), Compilation of replies to the internal survey; ENNHRI, Baseline Overview on [“Implementing the Council of Europe Recommendation on National Human Rights Institutions: The State of Play,”](#) May 2023 (“ENNHRI Baseline Study”). The [ENNHRI Baseline Study](#) was presented to the CDDH during the plenary meeting in November 2023. ENNHRI’s 2025 Cross Regional Findings on the Implementation of the 2021 Recommendation complement and update findings of the 2023 Baseline Study. See also [ENNHRI’s Key Suggestions for Follow-Up to the Reykjavik Declaration](#), September 2023.

⁹ See the [Programme of the Council of Europe ON Forum](#) – High-level conference with Ombudsperson institutions and National Human Rights Institutions (NHRIs), 12-13 March 2026.

¹⁰ See Report of the Secretary General of the Council of Europe, [“Towards a New Democratic Pact for Europe,”](#) 2025.

¹¹ [CM/Rec\(2019\)6](#), para. 3; [CM/Rec\(2021\)1](#), para. 7.

10. Several states have translated the Recommendations into national languages to increase accessibility. For example, **Moldova** and **Montenegro** translated the Recommendations and published them on the official website of the Ombudsperson institution (Moldova)¹² and the Office of the Representative of Montenegro before the European Court of Human Rights (the Court). In both cases, the texts were also disseminated among competent authorities, including the relevant ministries.¹³ **Poland** translated CM/Rec(2019)6 and published it on the official website of the Ministry of Foreign Affairs; it was subsequently shared with various entities, including Ombudsperson institutions, legal professions, the National Freedom Institution, and relevant departments within the Office of the Prime Minister and several ministries. While CM/Rec(2021)1 was not translated into Polish, it was nonetheless disseminated.¹⁴ **San Marino** translated both Recommendations and transmitted them to the Ministry of Justice.¹⁵ **Türkiye** published unofficial translations on the website of the Human Rights and Equality Institution of Türkiye and shared them with relevant authorities.¹⁶

11. Several member States used formal channels to notify relevant public bodies, namely the competent ministries, while others published the Recommendations on official websites (see paragraph 10 of this study). Dissemination has also been linked to educational initiatives. For instance, **Ukraine** reported that CM/Rec(2019)6 was discussed during internal trainings and expert consultations, and was utilised in capacity-building activities.¹⁷

12. Despite these efforts, a number of member States indicated that the Recommendations had neither been translated nor disseminated.¹⁸ Some reported that translations were not yet available or were in progress,¹⁹ while others noted that the Recommendations were disseminated in their original language without translation.²⁰

13. While many member States have adopted diverse measures to disseminate the Recommendations, gaps remain in accessibility and outreach. The CDDH considers that broad dissemination – including translation and communication to all relevant stakeholders – is essential for ensuring the full implementation and impact of the Recommendations.

2. Legal Basis and Constitutional Status

14. Both recommendations call on member States to establish Ombudsperson institutions and NHRIs. CM/Rec(2019)6 stipulates that Ombudsperson institutions should be in place in all member States,²¹ while CM/Rec(2021)1 calls on member States to take all necessary measures to establish and maintain and strengthen an independent NHRI in accordance with

¹² See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 81.

¹³ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 102.

¹⁴ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 112.

¹⁵ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 126.

¹⁶ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 153.

¹⁷ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 158-159.

¹⁸ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 8, 32, 44, 48, 56, 60, 85-86, 106, and 129.

¹⁹ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 37, 70-71, and 73-74.

²⁰ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 16, 37, 52, 135, 158-159 and 166.

²¹ CM/Rec(2019)6, Appendix I.1.

the Paris Principles,²² which set out minimum standards for independence, pluralism, and effectiveness of NHRIs.²³

15. Member States are further encouraged to adopt a robust legal basis for these institutions, preferably at the constitutional level, and/or by legislation that clearly defines their main tasks and guaranteeing their independence.²⁴ The Recommendations expressly reference the Principles on the Protection and Promotion of the Ombudsman Institution, adopted by the European Commission for Democracy through Law (Venice Commission) and endorsed by the Committee of Ministers in 2019,²⁵ and the Paris Principles and their interpretation by the Global Alliance of National Human Rights Institutions (GANHRI)'s Sub-Committee on Accreditation (SCA).²⁶

16. The ENNHRI 2023 Baseline Study recalls that CM/Rec(2021)1 expresses a preference for constitutional entrenchment of the legal basis for NHRIs, as this serves as a safeguard for the continuity of an NHRI's effective functioning and mandate. **Estonia** reported that adherence to the constitutional framework is the strongest measure to guarantee the independence of the Chancellor of Justice. In addition, the institution has a constitutional right to participate in government sittings with the right to speak.²⁷ Nonetheless, only around half of states covered by the study have provided for the existence or enshrined the legal basis of their NHRI in the constitution²⁸.

17. The CDDH observes a steady positive trend across the Council of Europe regarding the institutional landscape. Since the adoption of CM/Rec(2019)6 in 2019, the vast majority of member States have maintained or reinforced the legal foundation of their Ombudsperson institutions, frequently embedding them in national constitutions. For example, the Ombudsperson institution is a constitutional authority in **Bulgaria**, with power to petition the Constitutional Court directly.²⁹ The independence of the Chancellor of Justice is similarly guaranteed in the **Estonian** Constitution.³⁰ **France's** *Défenseur des droits* and **Greece's** Ombudsman are likewise embodied in their respective constitutions.³¹ **Andorra** consolidated relevant legislation in 2024 to further strengthen the independence and competence of the *Raonador del Ciutadà*.³² **Malta** introduced constitutional and legislative amendments in 2020 related to the Office of the Ombudsman. Its constitution now includes provisions on the appointment of the Ombudsman, the removal of the Ombudsman from office, and the manner in which investigations may be initiated.³³ **Monaco** amended legislation in 2024 to bring the

²² CM/Rec(2021)1, para. 1 and Appendix I.1. citing the Principles relating to the status of national institutions ("the Paris Principles"), adopted by the United Nations General Assembly on 20 December 1993 in its Resolution 48/134 on national human rights institutions for the promotion and protection of human rights and interpreted by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI) in its General Observations.

²³ See [Proceedings of the 2025 Workshop](#), Intervention made by Tamar Gvaramadze, p. 42.

²⁴ CM/Rec(2019)6, Appendix I.2 ; CM/Rec(2021)1, para. 2 and Appendix I.2.

²⁵ CM/Rec(2019)6, Appendix I.2.

²⁶ CM/Rec(2021)1, Appendix I.2.

²⁷ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 54-55.

²⁸ See [ENNHRI Baseline Study](#), pp. 17 and 18, referring to Albania, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Finland, Georgia, Hungary, Lithuania, Moldova, Montenegro, North Macedonia, Poland, Portugal, Serbia, Spain and Ukraine.

²⁹ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 37-38.

³⁰ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 54-55.

³¹ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 57 and 62.

³² See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 3.

³³ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 78.

powers and mandate of the *Haut Commissaire* in line with international standards, including CM/Rec(2021)1 and CM/Rec(2019)6.³⁴

18. Since the adoption of CM/Rec(2021)1, there has been a notable growth in the establishment and accreditation of NHRIs, which are increasingly aligning with the Paris Principles.³⁵ Currently, 36 of the 46 Council of Europe member States have NHRIs with GANHRI accreditation,³⁶ of which 29 have A-status (full compliance with the Paris Principles) and 7 B-status (partial compliance with Paris Principles).³⁷ 7 of the 46 Council of Europe member States have an institution working towards GANHRI accreditation³⁸, while in 3 member States, there are no clear developments towards the establishment of such an institution.

19. The Paris Principles do not prescribe a single institutional model for NHRIs, which may take various forms, including the commission model, Ombudsperson model, consultative council model, or research institute model.³⁹ In several member States, Ombudsperson institutions also serve as GANHRI-accredited NHRIs.⁴⁰

20. Recent progress is evident from a number of developments. During the CDDH Workshop, it was reported that **Iceland**, **Sweden**, and **Switzerland** have established new institutions since 2021.⁴¹ **Switzerland** moved from a university-based model to a statutory NHRI, which began its work in 2023.⁴² **Czechia** established a NHRI on 1 July 2025 through amendments to the Public Defender Act, thereby adopting an Ombuds-type NHRI model.⁴³

21. Since 2021, some member States have supported institutions to obtain A-status accreditation. In 2022, the accreditations of the Commissioner for Administration and the Protection of Human Rights in **Cyprus** and the **Austrian Ombudsman Board** were upgraded from B to A-status, the institution in **Sweden** was accredited for the first time with A-status in 2024, and the NHRI in **Türkiye** was accredited for the first time with B-status.⁴⁴ In this period, in the majority of member States, the GANHRI SCA confirmed the full compliance of accredited NHRIs with the UN Paris Principles.⁴⁵ For instance, the Public Defender of **Georgia** recently underwent a fourth accreditation process and maintained A-status.⁴⁶ However, it was reported during the CDDH Workshop that seven member States still have NHRIs with B-status.⁴⁷

³⁴ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 85.

³⁵ See [ENNHRI Baseline Study](#), pp. 8 and 15. See also [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 31.

³⁶ **Italy** and **San Marino** are the two Council of Europe member States without an ENNHRI member. See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 32.

³⁷ See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 31. See also [ENNHRI Baseline Study](#), p. 15, indicating that in 2023, 28 Council of Europe member States had an NHRI accredited with A-status.

³⁸ Andorra, Czech Republic, Iceland, Liechtenstein, Monaco, Romania, and Switzerland.

³⁹ See [Proceedings of the 2025 Workshop](#), Intervention made by Tamar Gvaramadze, p. 43.

⁴⁰ See [Proceedings of the 2025 Workshop](#), Intervention made by Marta Hirsch-Ziembinska, p. 19, stating that 13 European Union Ombudsperson institutions are NHRIs accredited by GANHRI.

⁴¹ See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 32.

⁴² See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 143 and 145.

⁴³ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 44-45.

⁴⁴ See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 32. See also [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 8, p. 42, p. 140 and p. 155.

⁴⁵ Information provided by ENNHRI Secretariat and [SCA sessions reports](#). Since 2021, 24 NHRIs have been (re)accredited with A-Status.

⁴⁶ See [Proceedings of the 2025 Workshop](#), Intervention made by Tamar Gvaramadze, p. 44

⁴⁷ See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 31 citing **Azerbaijan**, **Belgium**, **Hungary**, **Montenegro**, **North Macedonia**, **Slovak Republic**, and **Türkiye**.

22. The establishment of consolidated and central NHRIs remains pending in **Italy, San Marino and Malta**, despite several years of discussion.⁴⁸ Government action is also needed to adopt necessary legislative amendments to ensure that existing NHRIs have a broad mandate to promote and protect human rights, that pluralistic considerations at different levels are applied, and that safeguards are in place to allow them to operate independently, in line with the Paris Principles.⁴⁹

23. The Venice Commission plays a central role in supporting implementation of the Recommendation on Ombudsperson institutions. It may also support the implementation of the Recommendation on NHRIs, when the institution concerned carries an Ombuds mandate. Since 2019, it has adopted opinions on laws affecting Ombudsperson institutions in seven member States.⁵⁰ These opinions have identified risks to independence, such as reliance on government offices for personnel matters and holding budget negotiations with the executive, rather than within Parliament.⁵¹ The Venice Commission has emphasised that any institutional model adopted, including mergers with equality bodies, must “strengthen the institution” and not diminish its ability to carry out its mandate.⁵²

24. In light of these findings, the CDDH underlines the need for the remaining member States to establish independent and effective NHRIs, with a view to seeking GANHRI A-status accreditation. Member States should also remain vigilant to prevent backsliding (which may result in a downgrading from A to B status),⁵³ strengthen compliance of existing B-status institutions with international standards, and ensure that NHRIs possess the legislative protections necessary to operate as independent pillars of the rule of law (see below, section 3 of this report).

3. Independence and Selection Procedures

25. Both Recommendations emphasise that member States should take all necessary measures to maintain and strengthen Ombudsperson institutions and NHRIs.⁵⁴ CM/Rec(2019)6 stipulates that the process for selecting and appointing the head of an Ombudsperson institution should safeguard its independence, requiring candidates of high moral authority and recognised competence in the field of the rule of law, democratic governance, and human rights.⁵⁵ Similarly, CM/Rec(2021)1 calls for appointments based on competence, transparency, and participation, grounded in clear, predetermined, objective, and publicly accessible criteria.⁵⁶

26. Despite these standards, Ombudsperson institutions and NHRIs across the Council of Europe face shortcomings in appointment processes, security of tenure, and scope and clarity of mandates, as well as in their powers of investigation and the effectiveness of their institutional oversight – even where constitutional or legislative provisions are in place.⁵⁷ The

⁴⁸ See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 32.

⁴⁹ See [Proceedings of the 2025 Workshop](#), Intervention made by Beate Rudolf, p. 32 citing **Belgium, Malta, Montenegro, North Macedonia, Romania, and the Slovak Republic**.

⁵⁰ See [Proceedings of the 2025 Workshop](#), Intervention made by Delphine Freymann, p. 27, citing **Andorra, Armenia, Hungary, Kazakhstan, Malta, Moldova, and the United Kingdom**.

⁵¹ See [Proceedings of the 2025 Workshop](#), Intervention made by Delphine Freymann, pp. 27-28.

⁵² See [Proceedings of the 2025 Workshop](#), Intervention made by Delphine Freymann, p. 28.

⁵³ See [Proceedings of the 2025 Workshop](#), Intervention made by Council of Europe Commissioner for Human Rights, p. 16.

⁵⁴ CM/Rec(2019)6, para. 2; CM/Rec(2021)1, para. 1.

⁵⁵ CM/Rec(2019)6, Appendix I.3.

⁵⁶ CM/Rec(2021)1, Appendix II. 4.

⁵⁷ See [Proceedings of the 2025 Workshop](#), Intervention made by Marta Hirsch-Ziembinska, p. 23.

ENNHRI 2023 Baseline Study identifies NHRIs' leadership selection and appointment as one of the least well implemented standards, frequently lacking transparency, participation, and objective criteria.⁵⁸ Over 70 percent of accredited ENNHRI members have received a recommendation from the SCA to address shortcomings in the selection and appointment process.⁵⁹

27. Delays in the appointment of leadership also threaten institutional effectiveness, with some institutions remaining vacant or led by interim heads for prolonged periods.⁶⁰ ENNHRI suggests transitional arrangements to be foreseen in NHRIs' enabling laws, as they would ensure continuity of their work to promote and protect human rights while the leadership position is vacant.⁶¹ While transitional arrangements are not explicitly addressed in the Recommendations, it sets out that safeguards should be in place to avoid leadership posts in the NHRI remaining vacant for any significant period of time.⁶² Independence, pluralism, and effectiveness should also be ensured at all times.⁶³

28. According to ENNHRI, constitutional entrenchment of key principles for the independent selection and appointment of leadership is the preferable avenue, while other regulations or binding administrative guidelines may further specify the process.⁶⁴ It is further outlined that parliament or parliamentary bodies, rather than the executive, are more often responsible for these appointments, which are supported by safeguards to avoid that the decision lies solely in the hands of the majority or governing party.⁶⁵ ENNHRI calls for the implementation of CM/Rec(2021)1 standards to guarantee a merit-based, transparent, and participatory approach.⁶⁶

29. ENNHRI also found that the majority of European states have adequate safeguards in place for objective dismissal procedures of NHRI leadership. Nonetheless, in some member States the criteria for dismissal are too broad or open to potential misuse, or there is a lack of formalisation of detailed procedures for dismissal, representing a risk to institutional independence.⁶⁷ The dismissal process should contain sufficient safeguards to avoid arbitrary or politically motivated removals.⁶⁸ Good practices include requiring a qualified majority of votes following a debate and prior hearing with the head of the institution (as in **Spain** and **Albania**) or a confirmation by an independent body.⁶⁹

30. While notable progress has been made in establishing legal and procedural frameworks, the CDDH notes that persistent risks remain. Transparent and participatory processes for leadership selection, appointment, and dismissal are essential to ensuring the genuine independence of Ombudsperson institutions and NHRIs and for achieving the aims of the Recommendations. However, these alone are not sufficient – functional autonomy, adequate financial resources, and effective protection from external threats are also critical components of independence (see below, sections 4 and 5 of this report).

⁵⁸ See [ENNHRI Baseline Study](#), pp. 9 and 24.

⁵⁹ See [ENNHRI Baseline Study](#), p. 24.

⁶⁰ See [Proceedings of the 2025 Workshop](#), Intervention made by Council of Europe Commissioner for Human Rights, p. 17.

⁶¹ See [ENNHRI Baseline Study](#), p. 27.

⁶² CM/Rec(2021)1, Appendix II. 4.

⁶³ See [ENNHRI Baseline Study](#), p. 26.

⁶⁴ See [ENNHRI Baseline Study](#), p. 25.

⁶⁵ See [ENNHRI Baseline Study](#), p. 25.

⁶⁶ See [ENNHRI Baseline Study](#), pp. 25-26.

⁶⁷ See [ENNHRI Baseline Study](#), p. 27.

⁶⁸ See [ENNHRI Baseline Study](#), p. 27.

⁶⁹ See [ENNHRI Baseline Study](#), p. 28.

4. Effective Mandates and Powers

31. CM/Rec(2019)6 calls on member States to ensure that Ombudsman institutions operate in a conducive environment that allows them to carry out their mandate over relevant public service providers independently, in an effective manner and in a climate of impartiality.⁷⁰ The Recommendation on Ombudsperson Institutions invites member States to provide them with the power to require co-operation from administrative authorities and other relevant entities, enjoy unfettered access to all relevant premises – including to places of detention – and access to relevant persons and information, subject to legitimate legal restrictions only. These powers are considered essential for the credible and effective handling of complaints received.⁷¹

32. The Recommendation also emphasises that Ombudsperson institutions should be empowered to act on complaints or their own initiative to protect individuals against maladministration, violation of rights, unfairness, abuse, corruption, or injustice. Member States are further encouraged to ensure that the mandate given to Ombudsman institution allows them to propose reforms, co-operate with a broad range of stakeholders, and actively promote and protect human rights, fundamental freedoms, the rule of law, and democratic governance.⁷² Member States are urged to consider granting further competences to Ombudsperson institutions, such as serving as National Preventive Mechanisms (NPMs) under the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and/or as independent monitoring bodies under the United Nations Convention on the Rights of Persons with Disabilities (CRPD). These additional competences should be accompanied with adequate resourcing.⁷³

33. CM/Rec(2021)1 encourages member States to provide NHRIs with the broadest mandate possible, in line with the Paris Principles, including monitoring and assessing human rights situations, publishing reports, making recommendations, engaging in education and awareness-raising activities, and freely addressing public opinion. NHRIs should be able to address all alleged human rights violations by state and, where applicable, private entities, have access to all necessary premises and individuals, monitor legislation and policies for human rights impacts, and play a central role in promoting and supervising the implementation and ratification of international human rights treaties. NHRIs should also contribute to their effective implementation, as well as related judgments, decisions and recommendations, and monitoring states' compliance with them.⁷⁴

34. Across the Council of Europe, most NHRIs are multi-mandated institutions; some function as Ombuds-type NHRIs or have other hybrid mandates, and some are accorded specific or thematic human rights mandate responding to requirements under international human rights conventions.⁷⁵ This can pose challenges due to the specificities of each mandate.⁷⁶ Many institutions have additional responsibilities such as acting as NPMs, monitoring bodies for the CRPD, as Equality Bodies (including under relevant European Union (EU) Equality Directives for member States who are also EU member States), or protecting

⁷⁰ CM/Rec(2019)6, Appendix I.4.

⁷¹ CM/Rec(2019)6, Appendix I.5.

⁷² CM/Rec(2019)6, Appendix II.8.

⁷³ CM/Rec(2019)6, Appendix II.10.

⁷⁴ CM/Rec(2021)1, Appendix II. 3.

⁷⁵ See [ENNHRI Baseline Study](#), pp. 15 and 19.

⁷⁶ See [Proceedings of the 2025 Workshop](#), Intervention made by Marta Hirsch-Ziembinska, p. 20.

whistleblowers.⁷⁷ NHRIs play a key role in protecting civil society space, supporting human rights defenders, and their mandate may extend to children's rights where a dedicated Ombudsperson does not exist. Where mandates differ or overlap, the CDDH supports the need for coordinated and complementary mandates.⁷⁸ Where NHRIs exercise such additional responsibilities, they should be accompanied with adequate resourcing.

35. According to member States' replies to the CDDH questionnaire, many Ombudsperson institutions and NHRIs fulfil their mandates independently and within an enabling environment. The ENNHRI 2023 Baseline Study, indicates that there is compliance with respect to the implementation of CM/Rec(2021)1, which entrusts NHRIs to monitor and analyse the human rights situation in the country, to freely address public opinion, raise public awareness of human rights, and carry out education and training programmes.⁷⁹ Furthermore, it is reported that the vast majority of NHRIs across the Council of Europe generally have good access to information, policy-makers and legislators; this right is enshrined in the mandates of NHRIs in many member States.⁸⁰ ENNHRI further reports that in some countries, enforcement measures, including legislative requirements for national authorities to respond to NHRI's requests or recommendations in a timely manner, have been provided even in cases of lack of cooperation with NHRIs, citing the examples of **Estonia, Portugal and Slovenia**.⁸¹ However, challenges in access to information and policy-making processes remain, particularly when NHRIs engage in the context of sensitive human rights issues.⁸²

36. However, ENNHRI found that, while most NHRIs meet standards for monitoring and awareness-raising, roughly one third face challenges with legislative mandates that do not enable them to fully address all alleged human rights violations. This is mainly due to limitations in the breadth of the mandates assigned to the institutions, such as in relation to national security or actions of the private sector, or restrictions which prevent them from being granted unfettered access to all relevant premises and individuals. Challenges in relation to this function are particularly relevant among B-status institutions.⁸³ While access to information and policymakers is generally strong, as noted above, some implementation gaps remain, especially regarding proactive NHRI involvement in legislative and policy consultation, which should occur before, during, and after adoption of measures affecting institutional mandates or independence.⁸⁴

37. NHRI's contribution to justice is reflected in various forms. Some of these include the power, in some states, to initiate or join strategic litigation or to intervene before courts,⁸⁵ including constitutional court, a capacity considered highly effective by ENNHRI and recommended by the Venice Commission's Principles.⁸⁶ According to ENNHRI, this recommendation is amongst the three best implemented principles across the member States.⁸⁷

⁷⁷ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 10, 14-15, 26-29, 32, 40, 42, 46, 51, 55, 65, 73, 75, 77, 102, 109, 113, 114, 118-119, 121, 134, 137, and 154. See also [Proceedings of the 2025 Workshop](#), Intervention made by Marta Hirsch-Ziembinska, p. 19; [ENNHRI Baseline Study](#), p. 19.

⁷⁸ See [Proceedings of the 2025 Workshop](#), Intervention made by Tamar Gvaramadze, p. 45.

⁷⁹ See [ENNHRI Baseline Study](#), pp. 19-20.

⁸⁰ See [ENNHRI Baseline Study](#), p. 30.

⁸¹ See [ENNHRI Baseline Study](#), p. 30.

⁸² See [ENNHRI Baseline Study](#), p. 31.

⁸³ See [ENNHRI Baseline Study](#), pp. 20-21.

⁸⁴ See [ENNHRI Baseline Study](#), p. 31.

⁸⁵ See [ENNHRI Baseline Study](#), pp. 21-22.

⁸⁶ See [ENNHRI Baseline Study](#), p. 22. See Venice Commission, [Principles on the Protection and Promotion of the Ombudsman Institutions](#) ("the Venice Principles"), Opinion no. 897/2017.

⁸⁷ See ENNHRI Baseline Study, p. 22.

38. Ombudsperson institutions and NHRIs also serve as important “ambassadors for the Convention,” engaging in its effective implementation both internationally and domestically. This role is emphasised by the 2023 Reykjavik Declaration, whereby Heads of State and Government expressly recognise the role of national human rights institutions in monitoring compliance with the Convention and the Court’s judgments.⁸⁸ In this regard, they may participate in third-party interventions before the Court,⁸⁹ submit communications to the Committee of Ministers regarding the execution of the Court’s judgments, or co-operate with the Execution Coordinators’ Network.⁹⁰ At the national level, they may cooperate with government agents and other coordinators of the execution of the Court’s judgments. Their expertise is essential for promoting subsidiarity and fostering the effective domestic implementation of international human rights standards.⁹¹ In this capacity, they provide up-to-date information about challenges and shortcomings in the implementation of the Court’s judgments.⁹² For example, in **Greece**, the Greek National Commission on Human Rights has submitted third-party interventions in proceedings before the Court and the role of the Ombudsman in responding to Court judgments against Greece for violations of the Convention was highlighted.⁹³ In **Poland**, the Commissioner has joined or initiated proceedings before administrative and common courts in numerous cases, as well as submitted third-party intervention before the ECtHR. The Commissioner is also involved, on a permanent basis, in the work of the inter-ministerial Committee for matters of the European Court of Human Rights dealing with the execution of the Court’s judgments.

39. At the national level, Ombudsperson institutions and NHRIs may cooperate with domestic courts and other authorities, provide expertise, proposals, and opinions, and contribute to the implementation of human rights standards within their own jurisdictions. For example, in **Latvia**, at the domestic level, the Ombudsperson is entitled to request information about court proceedings and submit applications before the Constitutional Court, and frequently provides opinions to it.⁹⁴ **Montenegro’s** Protector is empowered to initiate civil court proceedings, with the consent of victims, where there are sufficient indications of discrimination.⁹⁵ In **Poland**, the Commissioner has initiated proceedings before the Constitutional Tribunal, brought extraordinary appeals before the Supreme Court, and filed cassation appeals in criminal cases.⁹⁶

40. Despite these positive developments, the impact of recommendations issued by Ombudsperson institutions and NHRIs remains uneven. Although CM/Rec(2019)6 and CM/Rec(2021)1 encourage member States to establish a legal obligation for all addressees of recommendations to provide a reasoned reply within an appropriate timeframe and to develop processes to facilitate follow-up,⁹⁷ such obligations exist in only about half of member States.⁹⁸

⁸⁸ See [Reykjavik Declaration: United around our values](#), adopted at the 4th Summit of Heads of State and Government of the Council of Europe, 17 May 2023, p.19.

⁸⁹ See Article 36, paragraph 2, of the [Convention](#).

⁹⁰ See Article 46, paragraph 2, of the [Convention](#). See also [Rules of the Committee of Ministers for the Supervision of the execution of judgments and of the terms of friendly settlements](#), adopted by the Committee of Ministers on 10 May 2006 at the 964th meeting of the Ministers’ Deputies and amended on 18 January 2017 at the 1275th meeting of the Ministers’ Deputies and on 6 July 2022 at the 1439th meeting of the Ministers’ Deputies, Rule 9.2; CM/Rec(2021)1, preamble.

⁹¹ See High-level conference with Ombudspersons Institutions and National Human Rights Institutions, [Opening speech by the President of the Court, Mattias Guyomar](#), p. 3.

⁹² *Idem*.

⁹³ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 61 and 62.

⁹⁴ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 71.

⁹⁵ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 102.

⁹⁶ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 113.

⁹⁷ CM/Rec(2019)6, Appendix II.9 ; CM/Rec(2021)1, Appendix II.9.

⁹⁸ See [ENNHRI Baseline Study](#), p. 11.

In **Latvia**, for example, approximately 70% of Ombudsperson recommendations are fulfilled;⁹⁹ however, in many states, recommendations issued by Ombudsperson institutions and NHRIs are often disregarded.¹⁰⁰ According to ENNHRI, there are widespread challenges in follow-up by state authorities to NHRI recommendations, compounded by the growing use of fast-track policy and legislative processes which do not allow for meaningful consultation and follow-up with NHRIs or other stakeholders¹⁰¹. The Recommendations also call for effective follow-up procedures and legal powers to address instances where no response is provided.¹⁰² In some countries, NHRIs are accorded such power, including in **Austria, Belgium, Estonia, Montenegro, Portugal, Serbia and Ukraine**. In **Portugal**, the NHRI has a mandate to address the parliament at any time, and on its own initiative, on the grounds that public administrative authorities are failing to implement its recommendations or refuse to cooperate with the institution.¹⁰³ Despite these provisions, practical implementation is said to remain insufficient.¹⁰⁴ One of the key avenues to trigger follow-up to NHRIs' recommendations, and a requirement under the Paris Principles, consists in the presentation of annual NHRI reports before parliament, allowing key findings and recommendations to be formally discussed, considered and addressed.¹⁰⁵ However, in some member States, difficulties persist in debating these reports, which undermines the NHRIs' work and may pose a threat to their independence.¹⁰⁶ In some member States, NHRIs are legally empowered to follow up on a lack of response by state authorities.¹⁰⁷

41. Both Recommendations call for the protection of Ombudsperson institutions and NHRIs from threats, harassment, and intimidation, and for violations to be promptly addressed by member States.¹⁰⁸ Though a number of member States report sufficient legal and constitutional safeguards,¹⁰⁹ ENNHRI reports that around a quarter of European NHRIs face intimidation, harassment or threats, including online abuse, often related to politically sensitive issues,¹¹⁰ and physical attacks¹¹¹. These may even involve government officials. In addition, NHRIs often face structural challenges that threaten their independence. This includes sudden and/or disproportionate budget cuts, legislative amendments which narrow institutional independence, and obstruction or lacking engagement with the institution.¹¹¹ NHRIs are recognized as human rights defenders and contribute to the promotion and protection of other HRDs; as such, protection of NHRIs from attacks has been recognized as an important pillar toward supporting democratic societies. The Council of Europe Commissioner for Human Rights has further recognized NHRIs and Ombudsperson institutions as crucial elements of a state's human rights and democratic architecture and urged member States to ensure that they operate independently, effectively and in line with international standards. The Commissioner also highlighted the demonisation of institutional leadership, particularly

⁹⁹ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 71.

¹⁰⁰ See [ENNHRI Baseline Study](#), pp. 10-11.

¹⁰¹ See [ENNHRI 2025 Cross-regional findings](#), p. 9

¹⁰² CM/Rec(2019)6, Appendix II.8.c.; CM/Rec(2021)1, Appendix II.9. See also [ENNHRI Baseline Study](#), p. 32.

¹⁰³ See [ENNHRI 2025 Cross-regional findings](#), p. 13

¹⁰⁴ See [ENNHRI Baseline Study](#), p. 33.

¹⁰⁵ See [ENNHRI Baseline Study](#), p. 33.

¹⁰⁶ See [ENNHRI 2025 Cross-regional findings](#), pp. 12-13

¹⁰⁷ See [ENNHRI Baseline Study](#), p. 33.

¹⁰⁸ CM/Rec(2019)6, Appendix I.7; CM/Rec(2021)1, Appendix III.13.

¹⁰⁹ See for instance [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 52, 74, 102, 129, and 161.

¹¹⁰ See [ENNHRI 2025 Cross-regional findings](#), p. 14

¹¹¹ See ENNHRI 2025 Report on the state of the Rule of Law in the EU

misogynistic attacks against female leaders.¹¹² Intimidation targeting specific thematic work (such as minority, LGBTQ+, gender, or migration rights) is also noted.¹¹³

42. Genuine independence should also be grounded in robust functional autonomy. Ombudspersons and NHRIs should neither receive nor follow instructions from any authority, and should benefit from functional immunity for the discharge of their duties, extending beyond their term of office. Legal and practical protections are not always consistent. Functional immunity and strong legal protections are critical, however, there is still a lack of specific measures to more holistically protect NHRIs and their staff from the increasingly wide array of other forms of threats, attacks and harassment, as reported by the majority of ENNHRI members, and investigations rarely result in prosecution.¹¹⁴

43. In addition, new challenges have emerged since the Recommendations were adopted, including risks from foreign interference,¹¹⁵ disinformation campaigns, and the rapid development of artificial intelligence. Against this background, NHRIs across the region face increasing challenges and threats to their operating environment, including attacks to NHRI leadership, political pressure or interference in their mandated activities, and online harassment¹¹⁶. These issues, which were not fully anticipated in the original Recommendations, now require innovative responses and may necessitate both adapted mandates and additional resources.

44. The CDDH recalls that engagement with youth merits particular attention was highlighted during the 2026 Council of Europe High-level Conference with Ombudsperson institutions and NHRIs.¹¹⁷ Promoting good practices that ensure Ombudsperson institutions and NHRIs communicate and collaborate effectively with younger generations can play a significant role to the continuing relevance and effectiveness of Ombudsperson institutions and NHRIs. In this regard, several institutions have developed mechanisms for cooperation with universities (for example, **Greece** and **Türkiye**),¹¹⁸ or have organised frequent meetings with university students to raise awareness of Ombudsperson institutions and human rights (**Türkiye**).¹¹⁹

45. In summary, Ombudsperson institutions and NHRIs across member States continue to strengthen their mandates and operational effectiveness, and they play a vital role in protecting human rights and democratic governance. However, persistent gaps remain in access, follow-up, protection from threats, and adaptation to new challenges, underscoring the need for continued action by member States to ensure their full capacity and resilience.

5. Adequacy of Resources and Institutional Resilience

46. In order to function effectively, Ombudsperson institutions and NHRIs should be provided with adequate, sufficient, and sustainable resources to carry out their mandates,

¹¹² [Proceedings of the 2025 Workshop](#), Intervention made by Council of Europe Commissioner for Human Rights, p. 16.

¹¹³ See [ENNHRI Baseline Study](#), p. 37.

¹¹⁴ See [ENNHRI 2025 Cross-regional findings](#), p. 15.

¹¹⁵ See Session no. 1 – Foreign interference in democratic processes, [second edition](#) of the High-level Conference with Ombudsperson Institutions and National Human Rights Institutions.

¹¹⁶ [ENNHRI Rule of Law Report 2025](#)

¹¹⁷ See Session no. 3 – Youth involvement, [second edition](#) of the High-level Conference with Ombudsperson Institutions and National Human Rights Institutions.

¹¹⁸ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 60 and 149.

¹¹⁹ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 150-151.

including appropriate financial and human resources.¹²⁰ Both Recommendations encourage member States to ensure that these institutions have the authority to determine their staffing profiles and recruit their own staff.¹²¹

47. Despite these standards, resource constraints are reported in more than two thirds of Council of Europe member States. According to the ENNHRI 2025 Cross-regional overview, this is the most consistently recurring problem for implementation across the region. The majority of NHRIs in the Council of Europe member states reported that the resources provided to their institutions are not sufficient to discharge the full breadth of their mandates. In exceptional cases, budget cuts are so fundamental that they risk preventing the NHRI from carrying out even the core mandate.¹²² Addressing the gap between assigned mandates and available resources, as well as mitigating the effects of austerity and crisis measures, should be a priority.

48. Common issues include Ombudsperson institutions and NHRIs receiving additional mandates without a corresponding increase in funding and insufficient human and financial resources.¹²³ Frequently, the assignment of new responsibilities – such as acting as NPMs or, for instance, monitoring roles deriving from Council of Europe frameworks as well as UN and EU regulation, such as the Council of Europe Istanbul Convention, the Anti-Trafficking Convention, or the EU Artificial Intelligence Act for Council of Europe member States who are also EU Member States as well as the EU Screening Regulation under the EU Migration Pact – has not been accompanied by the necessary increase in financial or human resources, as highlighted by the ENNHRI 2025 Cross-regional findings on the state of implementation of the CM/Rec(2021)1.¹²⁴

49. For example, **Bosnia and Herzegovina** reports that, despite legislative provisions requiring the functional independence of the Ombudsman's newly established NPM mandate in 2023, the legal provisions for the required budgetary arrangements have not yet been applied in practice.¹²⁵ By contrast, **Austria's** *Volksanwaltschaft* maintains adequate and sustainable resources despite nationwide budget cuts.¹²⁶ In **Armenia**, constitutional law prohibits cuts to the budget of the Human Rights Defender.¹²⁷

50. ENNHRI underlines the importance of ensuring adequate funding for NHRIs in all circumstances.¹²⁸ It further calls for a transparent, predetermined budgetary process, including meaningful consultation with the NHRI concerned.¹²⁹ In addition, ENNHRI suggests that, in line with the Paris Principles, funding be assigned to a dedicated budget line exclusively for the NHRI, released on a regular basis, and in a manner that does not disrupt its operations, day-to-day management, or staff retention. However, it is not only the level of budget, but also the power to allocate the budget autonomously according to self-defined priorities that is crucial for the NHRIs' independence and effectiveness.¹³⁰ This is necessary as a guarantee of its overall freedom to determine its priorities and activities.¹³¹

¹²⁰ CM/Rec(2019)6, Appendix I.6; CM/Rec(2021)1, Appendix II.6.

¹²¹ CM/Rec(2019)6, Appendix I.6; CM/Rec(2021)1, Appendix II.7.

¹²² See [ENNHRI 2025 Cross-regional findings](#), p. 11.

¹²³ See [ENNHRI Baseline Study](#), p. 10. See also [Proceedings of the 2025 Workshop](#), Intervention made by Marta Hirsch-Ziembinska, p. 23.

¹²⁴ See [ENNHRI 2025 Cross-regional findings](#), p. 11.

¹²⁵ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 32.

¹²⁶ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 8.

¹²⁷ See [ENNHRI Baseline Study](#), p. 29.

¹²⁸ See [ENNHRI 2025 Cross-regional findings](#), p. 11.

¹²⁹ See [ENNHRI Baseline Study](#), p. 29.

¹³⁰ See [ENNHRI Baseline Study](#), p. 10.

¹³¹ See [SCA General Observations](#), p. 29.

51. The CDDH considers that persistent resource constraints undermine the effectiveness and resilience of Ombudsperson institutions and NHRIs in several member States and impede the full implementation of the Recommendations. Ensuring reliable funding, responsive to expanding mandates and institutional needs, as well as budgetary autonomy over the allocation of financial and human resources, are essential for safeguarding their independence and enabling their full contribution to human rights protection and democratic governance across the Council of Europe region.

6. Cooperation, Dialogue and International Engagement

52. The Recommendations emphasise the importance of active communication, cooperation, and networking by Ombudsperson institutions and NHRIs. Both call for Member States to foster co-operation among all relevant public authorities in relation to the mandate and role of NHRIs at national level,¹³² and to facilitate engagement with counterpart institutions, civil society, other human rights structures, and international and regional organisations, especially those of the Council of Europe.¹³³

53. Joint activities – such as consultative councils¹³⁴ and awareness-raising events – are essential for fostering pluralism, exchanging experiences, and bridging civil society and the state.¹³⁵ For example, **Türkiye** has set up “Ombudsman Clubs” in over 150 universities and organises regional and local outreach activities.¹³⁶ The ENNHRI 2023 Baseline Study notes continued improvement in NHRI cooperation.¹³⁷ For example, **Greece**’s National Commission for Human Rights has established several cooperation mechanisms with NGOs, universities, research institutions, and trade unions.¹³⁸

54. The Recommendations also call for the development of co-operation programmes with the Council of Europe to promote knowledge-sharing among Ombudsperson institutions and NHRIs and to strengthen implementation of the Convention and other relevant instruments.¹³⁹ The Council of Europe’s support and engagement with these institutions has expanded over time, including close co-operation with the EU, particularly in the context of the EU’s neighbourhood policy.¹⁴⁰

55. The 2023 Reykjavik Declaration represents a key milestone, recognising NHRIs as essential counterparts for the Council of Europe. Heads of State and Government have committed to increased transparency, reinforced cooperation, and meaningful engagement with NHRIs and civil society, calling for a review and further reinforcement of outreach and participation mechanisms.¹⁴¹

¹³² CM/Rec(2019)6, Appendix III.11; CM/Rec(2021)1, Appendix III.12.

¹³³ CM/Rec(2019)6, Appendix III.11; CM/Rec(2021)1, Appendix IV.15.

¹³⁴ See [ENNHRI Baseline Study](#), p. 41, underlining that many NHRIs in Europe have formalised their cooperation with a variety of civil society actors, especially human rights NGOs through the setting up of consultative councils.

¹³⁵ See [ENNHRI Baseline Study](#), p. 40.

¹³⁶ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, pp. 150-151.

¹³⁷ See [ENNHRI Baseline Study](#), p. 36.

¹³⁸ See [CDDH\(2025\)11](#), Compilation of the replies to the questionnaire, p. 60.

¹³⁹ CM/Rec(2019)6, Appendix III.13; CM/Rec(2021)1, Appendix IV.15-16.

¹⁴⁰ See [ENNHRI Baseline Study](#), p. 42.

¹⁴¹ See [Reykjavik Declaration: United around our values](#), adopted at the 4th Summit of Heads of State and Government of the Council of Europe, 17 May 2023, p. 8.

56. According to the CDDH's internal survey, NHRI involvement through ENNHRI includes observer status in most of the Council of Europe' intergovernmental committees whose mandates cover issues most likely to be of interest to NHRIs.¹⁴² The CDDH considers that there may be scope for further developing engagement with NHRIs and ENNHRI in standard-setting activities. It recalls that since the Committee of Ministers' renewal of the terms of reference of intergovernmental committees in November 2025, there has been greater emphasis on observer status in particular committees being obtained through application by interested parties, rather than granted by prior decision of the Committee of Ministers. The CDDH would encourage ENNHRI to take advantage of this opportunity to apply for observer status in any other committees engaged in relevant work.

57. In co-operation activities, ENNHRI is engaged in five out of eight sectors that replied to the survey.¹⁴³ NHRIs, including those with an Ombudsperson mandate, also contribute to the vast majority of Council of Europe monitoring mechanisms,¹⁴⁴ including the European Commission against Racism and Intolerance (ECRI), the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), the European Committee on Social Rights and the Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM).¹⁴⁵ The Council of Europe Commissioner for Human Rights regularly speaks with and in support of NHRIs and promotes their independence.¹⁴⁶

58. The Council of Europe convenes high-level conferences with Ombudsperson Institutions and NHRIs – most recently in Strasbourg in March 2026, within the framework of the New Democratic Pact for Europe – bringing them together with their networks and fostering exchange.¹⁴⁷

59. Regular updates and exchanges also occur between ENNHRI and the Execution Co-ordinators Network (ExCN), the network of national coordinators for the execution of judgments of the Court.¹⁴⁸ Most recently, the Execution Coordinators' Network and ENNHRI took part in a joint conference in Berlin in June 2026, at which further co-operation was discussed. NHRI engagement now spans most Council of Europe procedures,¹⁴⁹ and there are frequent contributions to execution of judgments.

60. Despite these advances, ENNHRI considers that there are gaps in the scope and structural consistency of support for NHRIs. It describes assistance as being largely focused on thematic issues, (such as combating discrimination, supporting migrants' rights, Roma rights, or addressing sexual exploitation of children), rather than building institutional capacity or broader standards implementation. Despite NHRIs' widespread and varied engagement with different Council of Europe bodies, ENNHRI considers that formal mechanisms for engagement are lacking, and information about participation opportunities and their outcomes

¹⁴² See [CDDH\(2025\)24](#), Compilation of replies to the internal survey, pp. 2-6.

¹⁴³ See [CDDH\(2025\)24](#), Compilation of replies to the internal survey, pp. 7-11.

¹⁴⁴ See [CDDH\(2025\)24](#), Compilation of replies to the internal survey, pp. 11-17. See also [Proceedings of the 2025 Workshop](#), Intervention made by Clare Ovey, pp. 10-11.

¹⁴⁵ See [ENNHRI Baseline Study](#), p. 43.

¹⁴⁶ See [ENNHRI Baseline Study](#), p. 39.

¹⁴⁷ See the [second edition](#) of the Council of Europe High-Level Conference with Ombudsperson Institutions and National Human Rights Institutions, 12-13 March 2026; See also the [first edition](#) of the High-level Conference for Ombudsperson institutions and National Human Rights Institutions, 27-28 March 2025.

¹⁴⁸ See [CDDH\(2025\)24](#), Compilation of replies to the internal survey, p. 20.

¹⁴⁹ See [ENNHRI Baseline Study](#), p. 43. According to ENNHRI, NHRIs interact with at least 13 different Council of Europe bodies.

remains fragmented and difficult to access and navigate.¹⁵⁰ In relation to technical support, various ENNHRI members positively acknowledged the relevance of ongoing Council of Europe support programmes, particularly when an office is located in-country. However, some NHRIs indicated a lack of proper engagement in the development and implementation of these programmes, highlighting the need for more consistent consultations. More broadly, and in the current increasingly challenging context for NHRIs, ENNHRI members emphasised the importance of more structured dialogue and meaningful co-operation, and consistent support from the Council of Europe. This should include clearly recognising the role of NHRIs as key partners, including in informing Council of Europe monitoring, standard-setting and capacity building activities, disseminating information on the situation of NHRIs in the Secretary General's reports on the State of Democracy, Human Rights and the Rule of Law, and establishing rapid-response procedures in the event that NHRIs face threats.¹⁵¹

61. Beyond the Council of Europe, NHRIs are increasingly active at the international level, particularly with the UN Human Rights Council via written and oral submissions and participation in thematic or country debates.¹⁵² At the European level, collaboration between Ombudsperson institutions is facilitated by the European Network of Ombudsmen (ENO), which supports parallel investigations and jointly reviews issues of shared competence between the EU and member States, strengthening non-judicial protection mechanisms.¹⁵³

62. In light of the New Democratic Pact for Europe, the CDDH notes that Ombudsperson institutions constitute an important part of democratic governance NHRIs are among the pillars of respect for human rights, the rule of law and democracy. They are both essential pillars, acting as democratic oversight bodies.¹⁵⁴ NHRIs, including those with Ombudsperson mandates, shape individual case law and systemic reform when submitting third-party interventions to the Court and participating in the execution of judgments of the Court.¹⁵⁵ ENNHRI's observer role in the CDDH and its subordinate bodies ensures the collective NHRI voice is heard and contributes to regional human rights law and governance.¹⁵⁶

63. The CDDH notes that some challenges remain. ENNHRI identifies an ongoing lack of meaningful participation rights for NHRIs in certain Council of Europe decision-making bodies. Opportunities for engagement are sometimes ad hoc, and ENNHRI considers that the value of NHRIs as independent authorities is not always fully recognised. Drawing on UN practice, ENNHRI proposes dedicated mechanisms within the Council of Europe – including a focal point for NHRIs, a participation notification system,¹⁵⁷ and clear rules allowing NHRIs to contribute independently of government delegations.¹⁵⁸ These innovations would presumably be in addition to the existing relationships based on specific activities and the coordination of individual NHRIs' engagement by ENNHRI.

¹⁵⁰ See [ENNHRI Baseline Study](#), p. 13.

¹⁵¹ See [ENNHRI 2025 Cross-regional findings](#), p. 20 and 21.

¹⁵² See [Proceedings of the 2025 Workshop](#), Intervention made by Vladen Stefanov, p. 49 noting that at the three Human Rights Council sessions in 2025, 147 such statements were delivered by 56 NHRIs, 14 of which – including Ombudsperson institutions – were from Council of Europe member States.

¹⁵³ See [Proceedings of the 2025 Workshop](#), Intervention made by Marta Hirsch-Ziembinska, pp. 21-22.

¹⁵⁴ See SG/Inf(2025)14, [Roadmap Towards a New Democratic Pact for Europe](#) – Building a resilient, inclusive and agile democracy, 29 April 2025, p. 9.

¹⁵⁵ See [ENNHRI Baseline Study](#), p. 43.

¹⁵⁶ See [ENNHRI Baseline Study](#), p. 43.

¹⁵⁷ See [ENNHRI Baseline Study](#), p. 45.

¹⁵⁸ See [ENNHRI Baseline Study](#), p. 44. See also [Proceedings of the 2025 Workshop](#), Intervention made by Vladen Stefanov, p. 50.

64. Finally, ENNHRI encourages further steps to ensure participation before Council of Europe decision-making bodies, including the Parliamentary Assembly and the Committee of Ministers.¹⁵⁹ While participation is already foreseen in the context of supervision of the execution of judgments, ENNHRI has suggested that member States could be required to respond to NHRIs' submissions or that NHRIs be given the right to intervene orally at the Committee of Ministers.¹⁶⁰ The CDDH recalls that, as a politically independent statutory body, any changes to the rules of procedure of the Assembly are a matter for that institution alone.

III. Conclusions and Recommendations

65. The examination of the implementation of Recommendation CM/Rec(2019)6 on Ombudsperson institutions and Recommendation CM/Rec(2021)1 on NHRIs confirms the central importance of these bodies to the protection and promotion of human rights, democratic governance, and the rule of law across Council of Europe member States. The CDDH further notes that the observance of rule of law standards by member States is both a condition and a guarantee of the effective functioning of Ombudsperson institutions and NHRIs. The erosion of the principle of the rule of law constitutes a significant threat to the institutional independence of such bodies.

66. The review of national practices and developments concerning the implementation of both Recommendations demonstrates significant progress made since their adoption, particularly with the establishment or strengthening of Ombudsperson institutions and NHRIs. Many member States have adopted or reinforced constitutional and legislative frameworks to support the independence, pluralism, and operational capacity of these institutions, thereby enhancing their contribution to the protection of human rights, democratic governance, and the rule of law. Good practices have emerged in the dissemination of the Recommendations, the expansion of mandates in response to evolving challenges, cooperation with civil society, and the growing involvement in third-party interventions before courts, including the Court.

67. At the same time, the assessment identifies outstanding challenges which require further action. These include resource constraints, gaps in transparency and merit-based procedures for the selection and dismissal of institutional leadership, insufficient follow-up to recommendations, and risks to independence such as political interference and online attacks. The assignment of new mandates is not always matched with adequate resources. While engagement with civil society is growing, structural and operational gaps remain in ensuring meaningful participation of Ombudsperson institutions and NHRIs in national and Council of Europe decision-making. Engagement at the international and European levels is generally increasing, but formal participation rights, access to information, and dedicated institutional support need further improvement.

68. New and emerging challenges, such as foreign interference, disinformation, and artificial intelligence, require both innovative responses and, where necessary, adapted mandates and resources. Institutional resilience is not only a matter of adequate financial support, but also necessitates robust legal protection and immunity for staff. More attention to public engagement, including with young people, and outreach strategies are increasingly recognised as essential for future effectiveness.

69. The Council of Europe Secretary General's New Democratic Pact for Europe calls for reinforcing checks and balances, safeguarding institutional integrity, and strengthening mechanisms that uphold the rule of law. Ombudsperson institutions and NHRIs are at the

¹⁵⁹ See [ENNHRI Baseline Study](#), p. 13.

¹⁶⁰ See [ENNHRI Baseline Study](#), pp. 44-45.

heart of this vision, translating the Pact's commitments into practice and ensuring that public power is exercised with responsibility, transparency, and respect for human rights. The Recommendations provide essential technical guidance and help member States deliver the commitments set out in the New Democratic Pact.¹⁶¹

70. The Reykjavik Declaration of 2023, adopted after the Recommendations, marks a key milestone when member States explicitly recognised NHRIs as essential counterparts for the Council of Europe, committing to increased transparency, reinforced cooperation, and meaningful engagement with NHRIs and civil society. This political commitment further strengthens the report's findings and recommendations for enhanced NHRI participation and resourcing.

71. In light of its assessment, the CDDH encourages further cooperation among member States, in partnership with the Council of Europe and other relevant actors including ENNHRI and GANHRI, to address remaining challenges in an effective and consistent manner. By learning from positive practices and aligning national frameworks with the Recommendations and other relevant international standards, notably the Paris Principles and the Venice Principles, member States can continue to reinforce the independence and effectiveness of NHRIs and Ombudsperson institutions respectively. This includes ensuring an enabling legal, financial, and policy framework, robust safeguards for independence, and resources proportional to institutional mandates. Pluralism, meaningful cooperation with civil society, protection for staff, and adaptability to new societal and technological developments also merit continued prioritisation.

72. The Council of Europe is committed to supporting member States in this effort, fostering knowledge-sharing, facilitating independent participation in standard-setting and decision-making processes, and offering cooperation and capacity-building activities. The CDDH will continue to take into account questions of Ombudsperson and NHRI participation in standard-setting throughout its work as relevant.

73. In view of the findings of this report and the continuing challenges identified, the CDDH encourages member States to pursue their efforts to:

- Ensure the widest possible dissemination and accessibility of both Recommendations, including translation, where relevant, and training for all relevant stakeholders;
- Maintain and enhance the independence, pluralism, and operational capacity of Ombudsperson institutions and NHRIs, including through robust legal frameworks;
- Guarantee transparent and merit-based selection and appointment procedures, and adequate financial and human resources, commensurate with their mandates and responsibilities;
- For those member States whose NHRI has B-status GANHRI accreditation, take steps or continue working towards reform of the legal frameworks with a view to compliance with the Paris Principles and application for A-status accreditation;
- For the three remaining member States that have not yet established NHRIs, take all necessary steps without further delay to establish independent, Paris Principles-compliant NHRIs and seek their accreditation;
- Guarantee a timely response to the recommendations made by these institutions, through legislation, and ensure effective follow-up to these recommendations;
- Support the meaningful involvement of these institutions in policy development, standard-setting, and the execution of judgments of the Court;

¹⁶¹ See [Proceedings of the 2025 Workshop](#), Intervention made by Krista Oinonen, p. 7.

- Respond proactively to structural, contemporary and emerging challenges and secure and expand the enabling environment in which NHRIs operate, adapting mandates in cooperation with the institutions concerned, ensuring adequate resources, and developing cooperation frameworks as necessary, particularly to address threats identified in the New Democratic Pact for Europe;
- Promote meaningful dialogue and cooperation with civil society, youth, other human rights defenders, and international partners, empowering Ombudsperson institutions and NHRIs to act as democratic intermediaries and guardians of the rule of law, human rights, and democracy, in line with the commitments set out in the New Democratic Pact for Europe; and
- Encourage the development of co-operation programmes with the Council of Europe to ensure permanent knowledge-sharing among NHRIs and Ombudsperson institutions, in order to strengthen their contribution to the effective implementation of the European Convention on Human Rights and other relevant instruments.

74. The Council of Europe is also encouraged:

- to strengthen its co-operation with Ombudsperson institutions and NHRIs, including through practical measures to facilitate their participation in all relevant activities and ensure systematic and timely access to information and opportunities; and
- in line with the commitments set out in the Reykjavik Declaration, to explore all possible means for further enhancing its meaningful engagement with and participation of NHRIs and ENNHRI, including by considering establishing dedicated mechanisms or arrangements, such as a focal point for NHRIs, tailored information provision,–and consistent recognition of the distinct status and role of NHRIs .