

Fifth European meeting of National Institutions for the promotion and protection of human rights

Resolutions

The fifth European meeting of National institutions for the promotion and protection of human rights (NHRIs) took place on November 26 and 27 in Berlin, Germany. The event was co-organized by the French National Consultative Commission for Human rights, president of the European coordinating group of NHRIs, and by the German Institute for Human Rights, host of the meeting.

Were present at the meeting:

- The fully accredited European NHRIs
- Other European NHRIs invited as observers
- The office of the United Nations High Commissioner for Human Rights, the office of the High Commissioner for Human Rights of the Council of Europe, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), the Directorate-General for Justice, Freedom and Security of the European Commission, the EU Monitoring Centre on Racism and Xenophobia, the EU network of independent experts on fundamental rights.

It was decided to:

1. Adopt the activity report 2002-2004 of the European coordinating group of NHRIs, presented by its president.
2. . Form the new European Co-ordination Committee for two years with the fully accredited NHRIs of Denmark, France, Greece, Ireland, which will represent the European group at the ICC ;
 - . Renew the mandate of the French institution's presidency;
 - . Renew the mandate of the Danish institution as representative of the European group to the accreditation committee of the ICC;
 - . Entrust the four members of the European Committee to draft these resolutions.
3. Adopt the conclusions of the third roundtable of NHRIs with the office of the High Commissioner of the Council of Europe, called the « Berlin declaration ».

Thematic Resolutions

A/ Cooperation with the liaison office within the Council of Europe Commissioner for Human Rights

4. After having acknowledged the proposals put forward by the director of the Office of the Commissioner for Human Rights, NHRIs agreed to :
 - Assist the Commissioner for Human Rights within the negotiations held at the Council of Europe ;
 - Ask the Commissioner to continue to promote the participation of NHRIs in the work of all the relevant bodies of the Council of Europe dealing with human rights issues;
 - Ask the presidency of the European group to continue coordinating for the involvement of NHRIs in the work of the Council of Europe, and to try to find common positions, where appropriate.

B/ Cooperation with the National Institutions Unit of the High Commissioner for Human Rights of the United Nations

5. After having acknowledged the report and analysis of the chief of unit, it was:
 - Noted with satisfaction the improvement prospects for the involvement of NHRIs within the annual session of the Commission for Human Rights of the U.N.
 - Wished that NHRIs be able to participate to the work of other human rights bodies of the U.N. ; and NHRIs committed to participate actively and in a constructive way if need be;
 - Suggested to continue and enhance the alert procedure for the case where a national institution is being threatened to disappear or be arbitrarily modified;
 - Proposed to ask our respective governments to grant voluntary contributions –of a substantial amount- for the functioning and operations carried out by the Commissioner for Human Rights in support of NHRIs.
 - Wished that training and information programs for NHRIs be strengthened.

C/ Cooperation with the OSCE

6. After having acknowledged the presentation of the director of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), it was agreed to :
 - Set up a regular and institutionalized cooperation with the ODIHR, as well as with the high Commissioner on national minorities and the representative on freedom of the media ;
 - Ask the ODIHR to create a liaison with NHRIs, and cooperate with the European coordinating committee ;
 - Participate to the thematic activities of the OSCE, with observer status ;
 - Organise common thematic events (roundtables, seminars,...) on current issues (such as racism, antisemitism and islamophobia) ;
 - To provide input to the OSCE, upon request, regarding the human rights and democracy situation in our countries, particularly regarding electoral processes.

D/ Cooperation with the future Agency on Fundamental Rights of the European Union

7. After having acknowledged the information submitted by the Directorate-General for Justice, Freedom and Security of the European Commission, and by the director of the EU Monitoring Centre on Racism and Xenophobia (EUMC), and after having heard the coordinator of the EU network of independent experts on fundamental rights, it was agreed to:
 - Actively participate in the consultation and negotiation process launched by the European Commission ;
 - Support the extension of the mandate of the EUMC in view of its conversion into a Fundamental Rights Agency of the European Union, independant and well-anchored at national level with National Human Rights Institutions, in compliance with the Paris principles;
 - Subscribe to the current positions of the European Commission regarding :
 - The need to avoid the duplication with activities carried out by other regional and international bodies ;
 - The need to put aside any competency to deal with individual complaints ;
 - The mission of data analysis, and that of proposal, as a tool for decision-making within the European Union ;
 - The need to include the activities of the EUMC as a priority subject matter for the future Agency.
 - Pursue the drafting of a common position of European NHRIs, which is to be submitted promptly to the European Commission.

Motions

Establishment of Independent National Human Rights Institution in Turkey

We, European National Human Rights Institutions, acknowledge with appreciation the initiative to develop a truly independent national human rights institution in Turkey.

We urge all those involved in this initiative to ensure such an institution in full compliance with the Paris Principles.

Democratic process in Ukraine

We, European National Human Rights Institutions, express our concern facing the events that took place during the two rounds of the presidential election in Ukraine.

According to the information submitted by international observers, multiple serious and massive frauds occurred. We consequently recommend that all legal and institutional procedures in place be used in order to fully respect the will of the people, in the prospect of reinforcing democracy and the rule of law.

Within this context, we regret the fact that the Ukrainian human rights institution did not take position.

We hope that Ukraine will find promptly a pacific solution respectful the principles of democracy and human rights that we, Human rights Institutions, promote in Europe and in the world.

Tribute to Mrs Margareta Wadstein

The National Human Rights Institutions present in Berlin, pay with emotion a tribute to Mrs Margareta Wadstein, Swedish Ombudsman against ethnic discrimination, who passed away recently.

They recall her presence within all of the activities of the European group, ever since the creation of the group, and her active participation marked by her wisdom, intelligence, competence, and discretion.

They express their most sincere condolences to her family, friends, and colleagues.