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Council of Europe Commissioner for Human Rights – stock-taking and perspectives

Reply to Recommendation¹: Recommendation 1816 (2007)
Committee of Ministers

1. The Committee of Ministers has examined the Parliamentary Assembly's [Recommendation 1816 \(2007\)](#) and [Resolution 1581 \(2007\)](#) and welcomes the Assembly's desire to support and develop the role of the Commissioner for Human Rights.

2. In this, the year of the tenth anniversary of the institution of the Commissioner, the Committee of Ministers' assessment of the Commissioner's contribution to the effectiveness of the Council of Europe as a whole is unambiguously positive. The institution has matured rapidly and assumed an authoritative and recognised role in the promotion and defence of human rights. The Committee seizes the opportunity presented by this reply to pay tribute to the two architects of this role: the first Commissioner, Álvaro Gil-Robles, who laid the foundations, and his successor Thomas Hammarberg, who has continued to develop the edifice, adapting it to new needs and expectations.

3. The Committee of Ministers recalls in this connection that in the Declaration of Madrid adopted at its 119th Session on 12 May 2009, in paragraph 4 it declared that the Commissioner "carries out his mandate in an outstanding way through action in the field and sustained dialogue with member states. The Commissioner's activity has become fundamental, including in times of crisis. We shall continue to lend him our active support ...".

4. In the light of this assessment, the Committee responds to the specific observations formulated by the Assembly as follows:

- as regards the Assembly's injunction to respect the Commissioner's independence at all levels (1.1), the Committee wishes to assure the Assembly that it is strongly attached to the notion of independence as an important means of maintaining the Commissioner's effectiveness in the exercise of his role;
- as regards the allocation of funds (1.2), the Committee notes that new lines of action and new expectations are making calls on the resources available to the Commissioner, particularly as he has completed the cycle of country assessment visits and intends henceforth to make his activities more targeted and more proactive. Recalling that, as a result of the progressive implementation of Chapter V of the Warsaw Action Plan, the Commissioner's budget has increased, the Committee expresses its determination to be highly attentive to the future needs of the Commissioner, keeping in mind both the ongoing contribution and the new expectations mentioned above;
- as regards the Annual Tripartite Meeting (1.3), informal but substantive contacts were held in 2008 between the Chair of the Ministers' Deputies, the Commissioner and the Rapporteur of the Assembly's Sub-Committee on Human Rights. Participants discussed the possible role of tripartite meetings, the contribution that each party should bring to them and the necessary limitations on such contributions, and the expected benefits of such tripartite consultation. The matter will be taken up again;

1. adopted at the 1062nd meeting of the Ministers' Deputies (1 July 2009)



- having regard to the need for support for national human rights structures (1.4), this is an important element in the Council of Europe's policy on the promotion and protection of human rights in member states, and one in which the Commissioner himself plays a leading role, in the context both of his visits and of annual round tables. Since the inception of his Office, the Commissioner has increasingly become the centre of a continental network of national human rights institutions and the Committee has yet to be convinced that the synergies thus created would be improved by the adoption of a normative text.