Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1998 (2014)[1]
Final version

Improving co-operation between national human rights institutions and parliaments in addressing equality and non-discrimination issues

Parliamentary Assembly

1. Parliaments and national human rights institutions (NHRIs) play a key role in the promotion and protection of equality and non-discrimination at the national level. Within their respective remits and responsibilities, they develop law and policy, interact with the population, exercise oversight over the government, raise awareness of and investigate human rights violations.

2. Recalling the principles relating to the status and functioning of national institutions for the protection and promotion of human rights (Paris Principles), as founding elements of the independence of NHRIs, the Parliamentary Assembly underscores that close co-operation between parliaments and NHRIs is mutually beneficial and can increase their impact on the effective implementation of human rights standards.

3. In this context, the Assembly welcomes the adoption in 2012 of the Belgrade Principles on the relationship between national human rights institutions and parliaments and encourages their implementation, on the understanding that such co-operation will not undermine the NHRIs' independence.

4. The Assembly also recalls the Brighton Declaration adopted at the High Level Conference on the Future of the European Court of Human Rights, which called for consideration of the establishment of an independent national human rights institution in Council of Europe member States, if they had not already done so.

5. In the light of these considerations, the Assembly calls on member States to:

5.1. establish, where it does not yet exist, an independent national human rights institution in full compliance with the Paris Principles;

5.2. actively engage with NHRIs, while respecting their independence, on equality and non-discrimination issues, seek advice and take their findings and recommendations into consideration when developing law, policy and practice;

5.3. ensure that national human rights institutions have appropriate funding and staffing to enable them to fulfil their mandate, and avoid budgetary cuts that would undermine their independence and hinder their ability to carry out their functions.

6. The Assembly also calls on national parliaments of the member States to:

6.1. set up, where it does not yet exist, a parliamentary committee responsible for human rights, equality and non-discrimination issues;

6.2. develop formal co-operation channels with NHRIs, with full respect for their independence;

6.3. utilise the NHRIs' reports and data, and hold a debate on the annual report of their activities and their reports on the situation of human rights in the country;

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1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 23 May 2014 (see Doc. 13506, report of the Committee on Equality and Non-Discrimination, rapporteur: Ms Katherine Zappone).

6.4. seek advice from NHRIs in the preparation of draft legislation and use them as sources of information on equality, human rights and non-discrimination, including by inviting NHRI representatives to give evidence during parliamentary hearings and discussions;

6.5. seek advice from NHRIs in ensuring compliance with international human rights treaties and the decisions of their supervisory bodies and mechanisms, including the judgments of the European Court of Human Rights;

6.6. implement the basic principles for parliamentary supervision of international human rights standards contained in Assembly Resolution 1823 (2011) "National parliaments: guarantors of human rights in Europe";

6.7. monitor and scrutinise any new legislation regarding NHRIs or proposed changes to existing legislation which could undermine their full independence from the State, and seek information from the NHRIs on any threats to their independence or functioning.

7. The Assembly encourages national human rights institutions to:

7.1. submit to parliament a yearly report on the situation of equality, human rights and non-discrimination in the country and request a parliamentary debate on the key issues identified;

7.2. submit reports on specific situations or on cases that reveal systemic human rights issues, in particular in the field of equality and non-discrimination;

7.3. send all published reports to parliamentarians as a matter of routine;

7.4. provide, when requested, comments on draft legislation and prepare human rights impact assessments of proposed legislation;

7.5. organise information sessions on human rights, equality and non-discrimination for members of parliament, thus contributing to their ability to act on these issues;

7.6. support the enhancement of parliamentary oversight of the executive by providing targeted information and advice to parliamentarians;

7.7. seek opportunities to meet with parliamentarians to discuss human rights concerns, including requests to brief parliamentary committees and/or individual parliamentarians;

7.8. organise conferences on the implementation of the recommendations of the Council of Europe monitoring mechanisms, concluding observations of United Nations treaty bodies and the outcome of the Human Rights Council Universal Periodic Review.

8. With a view to increasing the effectiveness of their exchange for tangible results, the Assembly calls on parliaments and NHRIs to:

8.1. promote and implement the Belgrade Principles and develop the understanding of these principles at the national level;

8.2. identify opportunities for joint initiatives and hold joint events to raise awareness of equality and non-discrimination issues;

8.3. share information on equality and non-discrimination issues;

8.4. appoint an officer dedicated to co-operation between parliaments and NHRIs;

8.5. establish partnerships for reporting to United Nations treaty bodies;

8.6. explore partnerships on human rights issues by engaging with supranational bodies, including intergovernmental organisations and international financial institutions, in particular in the field of equality and non-discrimination.