FRA EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

NHRI ACCREDITATION STATUS AND MANDATES

UPDATE 2024

REPORT

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About this publication

Introduction

National Human Rights Institutions (NHRIs) continue to play a key role in upholding fundamental rights. The European Commission called NHRIs a “core element in the system of checks and balances” in its 2023 annual rule of law report. [1]

The mandate of the NHRIs is based on the UN General Assembly’s Paris Principles of 1993 ('Principles Relating to the Status of National Human Rights Institutions'). They provide the basis for assessing the independence and effectiveness of national human rights institutions. The Global Alliance of National Human Rights Institutions (GANHRI) uses the Paris Principles to determine the international accreditation status of national human rights institutions, distinguishing between A-level NHRI (full compliance) and B-level NHRI (partial compliance) with the Paris Principles.

Since the publication of its 2020 report Strong and effective national human rights institutions – challenges, promising practices and opportunities, the European Union Agency for Fundamental Rights (FRA) has been regularly tracking the accreditation status and the mandates of the NHRIs. This December 2023 Update covers not only the accreditation status (section 1) and the mandates (section 2), but also additional aspects, namely the role of NHRIs in the context of EU funds (section 3) and the use of the EU Charter of Fundamental Rights (section 4). In this latest Update, the data utilized for certain countries remains consistent with that provided in the December 2022 Update.

Methodology

The information contained in this report was collected through primary and secondary sources:

- Primary sources
  - Questionnaire sent to NHRIs
- Secondary sources
  - Desk research

FRA collected data through questionnaires sent to the 27 EU Member States and the three accession countries falling within FRA’s mandate – North Macedonia, Serbia and Albania. This was carried out between September and December 2023. All 35 NHRIs/ENNHRI members received FRA’s questionnaire; 31 responded, although some opted to not answer to all sections of the questionnaire. Additional desk research was conducted during the same period. In cases where no response was received, this is marked in the respective tables. [2]

1. Accreditation Status

Since December 2022, none of the National Human Rights Institutions (NHRIs) had a change in its accreditation status. In total, eleven NHRIs applied for accreditation or re-accreditation.

Both Romanian NHRIs, the Romanian People's Advocate and the Institute for Human Rights, have a pending status, meaning they have applied for accreditation. The Swedish Institute for Human Rights applied for accreditation and membership in GANHRI on 14 April 2023, but has not yet been ranked by the Sub-Committee on Accreditation (SCA). The Swedish Equality Ombuds institution, currently a B-status-member of GANHRI, has informed the SCA that it intends to withdraw its membership as soon as the membership for the Swedish Institute has been approved. Institutions possessing an A-status accreditation, such as the Portuguese Ombudsman, the Consultative Human Rights Commission of Luxembourg, the German Institute for Human Rights, the Finnish Human Rights Centre and Parliamentary Ombudsman, and the Ombuds institution of Spain have formally initiated the process of seeking re-accreditation for their respective statuses. The Belgian Federal Institute for the Protection and Promotion of Human Rights (FIRM) has submitted an application for the reaffirmation of its accreditation status, notwithstanding its current classification as a B-status institution.

Table 1 – Accreditation status of National Human Rights Institutions as of 1 December 2023

Country	Name of Institution	Accreditation status
Austria	Austrian Ombudsman Board	A-status
Belgium	Federal Institute for the Protection and Promotion of Human Rights (FIRM)	B-status *
Belgium	Interfederal Centre for Equal Opportunity and the fight against racism and discrimination (Unia)	B-status
Bulgaria	Commission for Protection against Discrimination	B-status
Bulgaria	Ombudsman of the Republic of Bulgaria	A-status
Croatia	Ombudswoman of the Republic of Croatia	A-status
Cyprus	Commissioner for Administration and the Protection of Human Rights	A-status
Czechia	Public Defender of Rights	Institution not accredited
Denmark	Danish Institute for Human Rights	A-status
Estonia	Chancellor of Justice	A-status
Finland	Finnish Human Rights Centre	A-status *
Finland	Parliamentary Ombudsman	A-status *
France	National Consultative Commission on Human Rights	A-status
Germany	German Institute for Human Rights	A-status *
Greece	Greek National Commission for Human Rights	A-status
Hungary	Office of the Commissioner for Fundamental Rights	B-status
Ireland	Irish Human Rights and Equality Commission	A-status
Italy	National Guarantor for the Rights of Persons Detained or Deprived of Liberty	Institution not accredited
Latvia	Ombuds institution's Office of the Republic of Latvia	A-status
Lithuania	The Seimas Ombudsmen's Office	A-status *
Luxembourg	Consultative Human Rights Commission of Luxembourg	A-status *

Country	Name of Institution	Accreditation status
Malta [3]	Human Rights and Equality Commission	Institution not accredited
Netherlands	Netherlands Institute for Human Rights	A-status
Poland	Commissioner for Human Rights	A- status
Portugal	Portuguese Ombudsman	A-status *
Romania	People's Advocate	Institution not accredited -Applied for accreditation *
Romania	Romanian Institute for Human Rights	Institution not accredited -Applied for accreditation *
Slovakia	Slovak National Centre for Human Rights	B-status
Slovenia	Human Rights Ombudsman of the Republic of Slovenia	A-status
Spain	Ombuds institution of Spain	A-status *
Sweden	Equality Ombudsman	B-status
Sweden	Institute for Human Rights	Applied for accreditation *
Albania	People's Advocate of the Republic of Albania	A-status
North Macedonia	Ombudsman of the Republic of North Macedonia	B-status
Serbia	Protector of Citizens of the Republic of Serbia	A-status

Note: * highlights (re)accreditation applications after the December 2022 update.

2. Mandates

Since FRA's December 2022 Update, some NHRIs have had a change in the tasks covered by their mandates. While the Irish Human Rights and Equality Commission now covers one new task, reporting on trafficking in human beings (EU directive), hate crimes were removed from its mandate. The Portuguese Ombudsman started covering equal treatment and monitoring of forced returns. Moreover, membership in the Portuguese Council of State is a new task covered by the mandate. The mandate of the Ombuds institution of Spain now also covers promotion and protection of human rights, national preventive mechanisms under OPCAT and maladministration.

Moreover, in 2023 the mandates of eight NHRIs changed to include monitoring of forced returns. The NHRIs concerned are the Ombudsman of the Republic of Bulgaria, the Cyprus Commissioner for Administration and the Protection of Human Rights, the Czech Public Defender of Rights, the Ombuds institution of the Republic of Latvia, the National Guarantor for the Rights of Persons Detained or Deprived of Liberty of Italy, the Portuguese Ombudsman, the People's Advocate of the Republic of Albania and the Protector of Citizens of the Republic of Serbia.

Some NHRIs saw their mandate under the category 'other mandates' expanded. In Austria, the Ombudsman Board reported a new mandate as Chair of the Pension Committee under the Pensions for Victims of Children's Homes Act. The Greek National Commission for Human Rights has a new mandate in the context of monitoring compliance of the use of EU funds with the EU Charter of Fundamental Rights, a "horizontal enabling condition" under the Common Provisions Regulation for eight major EU funds.

Mandates may also be reduced, as the case of Unia in Belgium demonstrates. Its previous role as national mechanism under the Committee on the Elimination of Racial Discrimination (CERD) was removed from its mandate. Other changes are rather of a structural nature: in Sweden, the Institute for Human Rights established an advisory body consisting of representatives from various human rights organisations thus contributing knowledge and experiences from civil society and the work of other actors to the Institute.

Table 2 – Tasks included in mandates of National Human Rights Institutions as of 1 December 2023

2023 Update of Annex III from report 'Strong and effective national human rights institutions – challenges, promising practices and opportunities'

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
Austrian Ombudsman Board	Yes	Yes	Yes	Yes					Yes
Federal Institute for the Protection and Promotion of Human Rights (FIRM) (Belgium)	Yes	Yes *							
Interfederal Centre for Equal Opportunity and the fight against racism and discrimination (Unia) (Belgium)				Yes	Yes			Yes	

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
Commission for Protection against Discrimination (Bulgaria)	Yes	Yes *		Yes	Yes			Yes	Yes
Ombudsman of the Republic of Bulgaria	Yes	Yes	Yes	Yes		Yes		Yes	
Ombudswoman of the Republic of Croatia	Yes	Yes	Yes		Yes				Yes
Commissioner for Administration and the Protection of Human Rights (Cyprus)	Yes	Yes	Yes	Yes	Yes	Yes			
Public Defender of Rights (Czechia)		Yes	Yes	Yes	Yes	Yes		Yes	

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
Danish Institute for Human Rights (Denmark)	Yes		Yes	Yes	Yes				
Chancellor of Justice (Estonia)	Yes	Yes	Yes	Yes	Yes				Yes
Finnish Human Rights Centre	Yes			Yes					
Parliamentary Ombudsman (Finland)	Yes	Yes	Yes	Yes					
National Consultative Commission on Human Rights (France)	Yes			Yes			Yes		Yes
German Institute for Human Rights	Yes			Yes			Yes		Yes

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
Greek National Commission for Human Rights	Yes								Yes *
Office of the Commissioner for Fundamental Rights ** (Hungary)	Yes		Yes		Yes				Yes
Irish Human Rights and Equality Commission	Yes			Yes	Yes		Yes	Yes	
National Guarantor for the Rights of Persons Detained or Deprived of Liberty ** (Italy)			Yes			Yes			
Ombuds institution 's Office of the Republic of Latvia	Yes	Yes	Yes	Yes	Yes	Yes			Yes

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
The Seimas Ombudsmen's Office (Lithuania)	Yes	Yes	Yes						
Consultative Human Rights Commission of Luxembourg	Yes			Yes			Yes		
Human Rights and Equality Commission ** (Malta)									
Netherlands Institute for Human Rights	Yes			Yes	Yes				
Commissioner for Human Rights (Poland)	Yes	Yes	Yes	Yes	Yes				
Portuguese Ombudsman	Yes	Yes	Yes	Yes	Yes *	Yes *			Yes

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
People's Advocate (Romania)	Yes		Yes						
Romanian Institute for Human Rights	Yes								
Slovak National Centre for Human Rights	Yes				Yes				
Human Rights Ombudsman of the Republic of Slovenia	Yes	Yes	Yes						
Ombuds institution of Spain	Yes	Yes *	Yes						
Equality Ombudsman (Sweden)	Yes				Yes				
Institute for Human Rights (Sweden)	Yes			Yes				Yes	

NHRI (or nearest equivalent)	Promotion and protection of human rights	Ombuds institutions with a mandate on maladmin- istration	National preventive mecha- nisms under OPCAT	National monitoring mecha- nisms under CRPD	Equality bodies with a mandate on equal treatment	Monitoring of forced returns (EU Returns Directive)	Reporting on trafficking in human beings (EU directive)	Protecting freedom of movement and mobility rights in the EU	Other mandates [4]
People's Advocate of the Republic of Albania	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ombudsman of the Republic of North Macedonia	Yes	Yes	Yes	Yes	Yes *		Yes		Yes
Protector of Citizens of the Republic of Serbia	Yes	Yes	Yes	Yes		Yes	Yes		Yes

Note: * highlights changes in mandate since the December 2022 update; ** highlights NHRIs that have not provided answers to the survey.

Source: FRA, December 2023.

Table 3 – Other tasks included in mandates of National Human Rights Institutions as of 1 December 2023

List of 'Other mandates' shown in Table 2 above and specified by the NHRI.

NHRI (or nearest equivalent)	Rights of the child	Freedom of information	Standing in front of constitutional court for review of legislation	Other
Austrian Ombudsman Board				Establishing and chairing the Pension Committee under the Pensions for Victims of Children`s Homes Act
Interfederal Centre for Equal Opportunity and the fight against racism and discrimination (Unia)(Belgium)				
Commission for Protection against Discrimination(Bulgaria)				Hate crime
Ombudsman of the Republic of Bulgaria	Yes		Yes	
Ombudswoman of the Republic of Croatia		Yes		External channel for the reporting of irregularities under the Act on the Protection of Persons Who Report Irregularities
Chancellor of Justice(Estonia)	Yes		Yes	
Finnish Human Rights Centre	Yes *			Corporate responsibility

NHRI (or nearest equivalent)	Rights of the child	Freedom of information	Standing in front of constitutional court for review of legislation	Other
National Consultative Commission on Human Rights (France)				• Corporate responsibility; LGBTI rights * • National commission for the implementation of international humanitarian law *
Greek National Commission for Human Rights				Compliance of EU funds with Fundamental Rights Charter, Member of the National Council against Racism and Intolerance, of the National Accessibility Authority, of the Special Committee for the Compliance with Fundamental Rights at the Ministry for Migration and Asylum, of the Monitoring Committee for the national programmes of EU migration funds
Office of the Commissioner for Fundamental Rights (Hungary)	Yes	Yes	Yes	
Irish Human Rights and Equality Commission		Yes		
Ombuds institution's Office of the Republic of Latvia	Yes			
Portuguese Ombudsman			Yes	Member of the Portuguese Council of state

NHRI (or nearest equivalent)	Rights of the child	Freedom of information	Standing in front of constitutional court for review of legislation	Other
Institute for Human Rights(Sweden)		Yes		
People's Advocate of the Republic of Albania	Yes			
Ombudsman of the Republic of North Macedonia	Yes			
Protector of Citizens of the Republic of Serbia	Yes			

Note: * highlights changes in mandate since the December 2022 update.

Source: FRA, December 2023.

3. NHRIs' use of the EU Charter of Fundamental Rights

Out of the 26 NHRIs which responded to this survey, 15 NHRIs used the Charter in 2023 in their work in the context of education/training and awareness raising. Application of the Charter provisions when advising government was indicated by 11 NHRIs: the Austrian Ombudsman Board, the Federal Institute for the Protection and Promotion of Human Rights (FIRM) (Belgium), the Interfederal Centre for Equal Opportunity and the fight against racism and discrimination (Unia) (Belgium), the German Institute for Human Rights, the Netherlands Institute for Human Rights, the Consultative Human Rights Commission of Luxembourg, the Chancellor of Justice (Estonia), the Ombudsman of the Republic of Bulgaria, the Ombudswoman of the Republic of Croatia, the Commissioner for Administration and the Protection of Human Rights (Cyprus) and the Irish Human Rights and Equality Commission. Five NHRIs indicated that they use the Charter in litigation before courts, namely the Ombudswoman of the Republic of Croatia, the Danish Institute for Human Rights, the Irish Human Rights and Equality Commission, the Ombudsman of the Republic of North Macedonia, and the Swedish Equality Ombudsman. The Commissioner for Administration and the Protection of Human Rights (Cyprus) is the only institution that indicated that it applies the Charter in the context of mediation.

The Swedish Institute for Human Rights refers to the Charter in its legal opinions on the government's legislative proposals. When it comes to accession countries, experiences differ. The EU Charter holds major significance for the People's Advocate of the Republic of Albania, primarily in the areas of awareness raising, processing complaints and advising government. Following its attainment of FRA observer state status, Albania, alongside its NHRI, has expeditiously and proactively incorporated the principles outlined in the EU Charter into its operational framework. In contrast, the Ombudsman of the Republic of Serbia, in its reply, indicated that the use of the EU Charter does not constitute a foundational aspect of its operational framework.

Table 4 – Institutions that used the Charter of Fundamental Rights in their work in 2023 and the context in which it was used:

NHRI (or nearest equivalent)	Education / Training	Awareness raising	Processing complaints	Advising government	Litigation before court	Mediation	Other activities [5]
Austrian Ombudsman Board	Yes	Yes	Yes	Yes			
Federal Institute for the Protection and Promotion of Human Rights (FIRM) (Belgium)				Yes			Research Policy related communication
Interfederal Centre for Equal Opportunity and the fight against racism and discrimination (Unia) (Belgium)				Yes			Opinion on the digital divide
Commission for Protection against Discrimination (Bulgaria)							
Ombudsman of the Republic of Bulgaria		Yes	Yes	Yes			Participation in a regional project on the topic.
Ombudswoman of the Republic of Croatia	Yes	Yes		Yes	Yes		Participation in a regional project on the topic.

NHRI (or nearest equivalent)	Education / Training	Awareness raising	Processing complaints	Advising government	Litigation before court	Mediation	Other activities [5]
Commissioner for Administration and the Protection of Human Rights (Cyprus)	Yes	Yes	Yes	Yes		Yes	Participation in a regional project on the topic.
Public Defender of Rights (Czechia)			Yes				Research Policy related communication *
Danish Institute for Human Rights			Yes	Yes	Yes		Equal treatment body
Chancellor of Justice (Estonia)		Yes	Yes	Yes			Supervision over conformity of acts of general application with constitutions and their legality (constitutional review)
Finnish Human Rights Centre	Yes	Yes					Statements to the ministries and parliamentary committees on legislative proposal Participation in FRA's Charter Expert Group

NHRI (or nearest equivalent)	Education / Training	Awareness raising	Processing complaints	Advising government	Litigation before court	Mediation	Other activities [5]
Parliamentary Ombudsman (Finland)		Yes	Yes				Yes *
National Consultative Commission on Human Rights (France)	Yes	Yes					
German Institute for Human Rights	Yes			Yes			
Greek National Commission for Human Rights	Yes						
Office of the Commissioner for Fundamental Rights (Hungary)	Yes	Yes		Yes			
Irish Human Rights and Equality Commission					Yes		Yes
National Guarantor for the Rights of Persons Detained or Deprived of Liberty **(Italy)							

NHRI (or nearest equivalent)	Education / Training	Awareness raising	Processing complaints	Advising government	Litigation before court	Mediation	Other activities [5]
Ombuds institution's Office of the Republic of Latvia	Yes	Yes					Participation in a regional project on the topic.
The Seimas Ombudsmen 's Office (Lithuania)			Yes				Yes *
Consultative Human Rights Commission of Luxembourg		Yes		Yes			Research Policy related communicat ion *
Human Rights and Equality Commission **(Malta)							
Netherlands Institute for Human Rights	Yes	Yes		Yes			
Commission er for Human Rights (Poland)	Yes	Yes					Participation in a regional project on the topic.
Portuguese Ombudsman			Yes				
People's Advocate (Romania)			Yes	Yes			
Romanian Institute for Human Rights	Yes	Yes		Yes			

NHRI (or nearest equivalent)	Education / Training	Awareness raising	Processing complaints	Advising government	Litigation before court	Mediation	Other activities [5]
Slovak National Centre for Human Rights	Yes	Yes					Participation in a regional project on the topic. Analysis
The Human Rights Ombudsman of the Republic of Slovenia	Yes	Yes					Participation in a regional project on the topic.
Ombuds institution of Spain		Yes	Yes				
Equality Ombudsman (Sweden)					Yes		
Institute for Human Rights (Sweden)	Yes	Yes		Yes			Yes
People's Advocate of the Republic of Albania		Yes	Yes	Yes			
Ombudsman of the Republic of North Macedonia					Yes		
Protector of Citizens of the Republic of Serbia							Yes

Note: * highlights changes in mandate since the December 2022 update; ** highlights NHRIs that have not provided answers to the survey.

Source: FRA, December 2023.

4. Fundamental rights monitoring of the use of EU funds at national level

The Common Provisions Regulation (2021/1060) on EU funds has opened up the possibility for NHRIs (along with Equality Bodies and Ombuds Institutions) to play a role in fundamental rights-related monitoring in the use of eight major EU Funds at the national level. ENNHRI issued a statement on the potential role of NHRIs in the context of the EU funds in 2022, and in December 2023 FRA released a major report on EU funds: Ensuring compliance with fundamental rights. The report includes recommendations for EU and national policy makers on how they could benefit from the expertise of NHRIs when implementing EU funds in a way that is compliant with the EU Charter of Fundamental Rights and the provisions of the Convention on the Rights of Persons with Disabilities, as required for the Funds governed by the Common Provisions Regulation for the programming period 2021–2027.

FRA collected information from NHRIs for the preparation of a 2020 report asking whether they are engaged in the monitoring of the EU funds implementation. Back then only three NHRIs reported such an involvement. In 2023, out of the 26 NHRIs that responded to this question, 13 NHRIs indicated they were engaged in the monitoring of fundamental rights compliance in the use of EU funds at national level. With regard to challenges, eight NHRIs indicated lack of capacity and resources and three NHRIs highlighted lack of impact, lack of knowledge and lack of resources as the main challenges in performing their role. Two NHRIs encountered challenges such as lack of clarity due to insufficient guidance by the European Commission. When responding to the survey, some NHRIs mentioned the unclarity of mandates of EU funds monitoring committees or decision-making on projects and their concrete involvement remaining quite abstract. Several NHRIs observed a need to raise the government's awareness of the obligations regarding the EU Charter of Fundamental Rights and four indicated challenges regarding interference into the independence of the institution.

On the positive side, some governments have reached out to the respective NHRI in their country, to seek training on the EU Charter of Fundamental Rights, while some NHRIs have issued guidance to the national authorities on monitoring the compliance of EU funds with fundamental rights.

Table 5 – NHRIs that are engaged in monitoring fundamental rights in the use of EU funds: challenges in performing their role

NHRI (or nearest equivalent)	Lack of capacity and resources	Lack of impact	Lack of knowledge	Interference into the independence or mandate of the institution	Other
Inter-federal Centre for Equal Opportunity and the fight against racism and discrimination (Unia) (Belgium)	Yes		Yes		
Ombudsman of the Republic of Bulgaria	Yes				
Ombudswoman of the Republic of Croatia	Yes	Yes	Yes		
Commissioner for Administration and the Protection of Human Rights (Cyprus)			Yes		
Finnish Human Rights Centre	Yes				Yes
Greek National Commission for Human Rights	Yes		Yes		
Irish Human Rights and Equality Commission	Yes	Yes	Yes	Yes	Yes
Ombudsman's Office of the Republic of Latvia **					
Commissioner for Human Rights (Poland)	Yes			Yes	

NHRI (or nearest equivalent)	Lack of capacity and resources	Lack of impact	Lack of knowledge	Interference into the independence or mandate of the institution	Other
Portuguese Ombudsman				Yes	
Romanian Ombudsman					
Human Rights Ombudsman of the Republic of Slovenia **					
Ombuds institution of Spain	Yes	Yes	Yes	Yes	

Note: ** highlights NHRIs that have not provided answers to the survey.
Source: FRA, December 2023.

For more information see: Supporting National Human Rights Institutions in monitoring fundamental rights and the fundamental rights aspects of the rule of law | European Union Agency for Fundamental Rights (europa.eu)

Table 6 – Reasons for NHRIs not to engage in monitoring fundamental rights compliance in the use of EU funds

NHRI (or nearest equivalent)	Not invited by the responsible authorities	Lack of human / financial resources	Lack of knowledge	Concerns regarding the independence or mandate of the institution	Not relevant for the institution	Other
Austrian Ombudsman Board	Yes	Yes	Yes	Yes	Yes	
Federal Institute for the Protection and Promotion of Human Rights (FIRM) (Belgium)						Yes
Public Defender of Rights (Czechia)					Yes	
Chancellor of Justice (Estonia)				Yes		Yes
Parliamentary Ombudsman (Finland)					Yes	
National Consultative Commission on Human Rights (France)	Yes	Yes				
German Institute for Human Rights		Yes		Yes		Yes
Office of the Commissioner for Fundamental Rights **(Hungary)						

NHRI (or nearest equivalent)	Not invited by the responsible authorities	Lack of human / financial resources	Lack of knowledge	Concerns regarding the independence or mandate of the institution	Not relevant for the institution	Other
The Seimas Ombudsmen's Office (Lithuania)	Yes	Yes			Yes	
Consultative Human Rights Commission of Luxembourg	Yes	Yes	Yes		Yes	
Netherlands Institute for Human Rights	Yes					
Slovak National Centre for Human Rights	Yes	Yes		Yes		
Equality Ombudsman (Sweden)					Yes	

Note: ** highlights NHRIs that have not provided answers to the survey.

Source: FRA, December 2023.

Endnotes

[1] European Commission, 2023 Rule of Law Report The rule of law situation in the European Union, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023DC0800

[2] Cells including ** in Tables 2, 4, 5 and 6 indicate NHRIs that have not provided answers to the survey.

[3] The Human Rights and Equality Commission Bill setting up the Human Rights and Equality Commission in Malta has not been adopted yet by the Maltese Parliament. See Malta, Parliament, Bill No. 97 – Human Rights and Equality Commission Bill.

[4] Other mandates are shown in Table 3.

[5] Other mandates are spelled out in Table 3.

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