



REPUBLIC OF
SLOVENIA



HUMAN
RIGHTS
OMBUDSMAN

Bled Conference on the Effectiveness of Ombudsman Institutions and NHRIs

.....
Tackling Contemporary Challenges

5 and 6 December 2024, Bled, Slovenia

Celebrating
the 30th Anniversary
of the Human Rights
Ombudsman
of the Republic
of Slovenia

This publication gathers together the summaries of the reflections and perspectives of speakers and moderators of the Bled Conference on the Effectiveness of Ombudsman Institutions and National Human Rights Institutions (NHRIs), held on 5 and 6 December 2024. The aim of the publication is to make the key takeaways more accessible to all participants and to encourage debate on the wide range of issues raised during the conference.

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Bled Conference on the Effectiveness of Ombudsman Institutions and NHRIs

Tackling Contemporary Challenges



5 and 6 December 2024, Bled, Slovenia



Dear Colleagues, dear Participants,

This high-level conference aims to celebrate the 30th anniversary of the Human Rights Ombudsman of the Republic of Slovenia by bringing together heads of institutions and other international and national experts, practitioners, and policy-makers to discuss the effectiveness of Ombudsman institutions (OIs) and National Human Rights Institutions (NHRIs) in addressing contemporary human rights challenges.

The main objectives of the conference are to assess the current effectiveness of OIs and NHRIs, to explore innovative approaches and strategies to enhance the impact of these institutions and to promote cooperation and coordination among national and international human rights mechanisms. The aim is to identify and address emerging human rights challenges, including those related to digital transformation, artificial intelligence, climate crises, migration, and ageing societies. In this context the high-level conference also aims to provide a platform for the exchange of best practices, successful case studies, and innovative strategies to enhance the effectiveness and the impact of these institutions in the promotion and protection of human rights.

Our role within Ombudsman and National Human Rights Institutions has never been more important, especially amidst the evolving landscape marked by growing challenges such as rising populism, nationalism, digitalisation, and threats to human rights defenders. Despite these challenges to our independence and effectiveness, it is incumbent upon us to face them head on, adapt, and seize the opportunities they present. The conference will provide a platform for heads of institutions and other participants to engage in substantive discussions against the inspiring backdrop of Bled, Slovenia.

I wish you a pleasant stay in Bled, Slovenia, as well as fruitful discussions and exchange of views during. My colleagues and I, who have been organizing this conference, believe that it will foster an even stronger commitment among all of us to the promotion and protection of human rights.

Peter Svetina,

Human Rights Ombudsman of the
Republic of Slovenia

Bled Conference on the Effectiveness of Ombudsman Institutions and NHRIs

Tackling Contemporary Challenges

Rikli Balance Hotel, Bled, Slovenia, 5 and 6 December 2024

Agenda

Thursday, 5 December 2024

13:30–14:30 **Registration**

14:30–14:45 **Opening**

Peter Svetina, Human Rights Ombudsman of the Republic of Slovenia, President of the Association of Mediterranean Ombudsmen (AOM) and Regional Director for Europe of the International Ombudsman Institute (IOI)

H.E. Urška Klakočar Zupančič, President of the National Assembly of the Republic of Slovenia

Prof. Michael O'Flaherty, Commissioner for Human Rights of the Council of Europe (video address)

14.45–15.00 **Keynote address**

H.E. Dr. Marko Bošnjak, President of the European Court of Human Rights

15:00–16:30 **Panel 1: Effective Human Rights Advocacy: Is there a need to enhance the impact and effectiveness of Ombudsman Institutions and NHRIs?**

Dr. Milan Brglez, State-Secretary at the Ministry of Justice of the Republic of Slovenia and former Member of the European Parliament

Dr. Andreas Pottakis, Greek Ombudsman, former President of the Association of Mediterranean Ombudsmen (AOM) and former President of the European Board of Directors of the International Ombudsman Institute (IOI)

Maria Lúcia Amaral, Portuguese Ombudsman, Professor at the Nova School of Law, former Vice-President of the Constitutional Court, former Regional Director for Europe of the International Ombudsman Institute (IOI) and of the Board of Directors of the IOI

Anahit Manasyan, The Human Rights Defender of Armenia, Board Member of the European Network of National Human Rights Institutions (ENNHRI)

Moderator: Prof. Dr. Jernej Letnar Čerňič, Professor of Human Rights and Constitutional Law at the Faculty of Government and European Studies, New University (Kranj, Slovenia) and Visiting Professor at the European University Viadrina (Germany, Frankfurt (Oder))

16:30–17:00 **Coffee break**

17:00–18:30 **Panel 2: The Role of Ombudsman Institutions and NHRIs in Protecting Human Rights in the Digital Era**

Reinier van Zutphen, National Ombudsman of the Netherlands and President of the European Board of Directors of the International Ombudsman Institute (IOI)

Adv. Kholeka Gcaleka, Public Protector of South Africa, President of the African Board of Directors of the International Ombudsman Institute (IOI) and a Chairperson of the African Ombudsman Research Centre (AORC)

Marina Ceysac, High Commissioner for the Protection of Rights, Liberties and Mediation of the Principality of Monaco

Prof. Dr. Marko Grobelnik, AI researcher at the Jožef Stefan Institute & International Research Centre on Artificial Intelligence under the auspices of UNESCO

Moderator: Erinda Ballanca, People's Advocate of the Republic of Albania, Second Vice-President of the Association of Mediterranean Ombudsmen (AOM), and Board Member of the European Network of National Human Rights Institutions (ENNHRI)

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Friday, 6 December 2024

8:30–9:00 **Registration**

9:00–10:30 **Panel 3: Ombudsman Institutions Addressing Complex Human Rights Challenges: Climate Crises, Migration, and an Aging Society**

Maria Stylianou – Lottides, Commissioner for Administration and the Protection of Human Rights of the Republic of Cyprus, Regional Director for Europe of the International Ombudsman Institute (IOI) and First Vice-President of the Association of Mediterranean Ombudsmen (AOM)

Dr. Dijana Možina Zupanc, Deputy Ombudsman of the Republic of Slovenia

Judge Emeritus Dr. Joseph Zammit McKeon, Parliamentary Ombudsman of the Republic of Malta and Regional Director for Europe of the International Ombudsman Institute (IOI)

Dr. Ákos Kozma, Commissioner for Fundamental Rights of Hungary

Moderator: Tena Šimonović Einwalter, Ombudswoman of Croatia, Member of CoE European Commission Against Racism and Intolerance (ECRI), Representative of ECRI in the Committee on Artificial Intelligence (CAI) and GEC/ADI Expert Group on AI, Former Chair of the European Network of Equality Bodies (EQUINET)

10:30–11:00 **Coffee break**

11:00–12:30

Wrap-up discussion and conclusion: Is there a need for innovative approaches in Ombudsman Institutions and NHRIs to address Modern Challenges?

Emily O'Reilly, European Ombudsman (video address)

Rafael Ribó, former Catalan Ombudsman and former President of the International Ombudsman Institute Europe

Prof. Dr. Vasilka Sancin, Professor at the Faculty of Law of the University of Ljubljana, Vice-President of the United Nations Human Rights Council Advisory Committee and member of the Ombudsman's Human Rights Council

Alyson Kilpatrick, Chief Commissioner of the Northern Ireland Human Rights Commission, Board Member of the European Network of National Human Rights Institutions (ENNHRI), incoming Secretary of GANHRI (Deputy Chair)

Moderator: Dr. Simona Drenik Bavdek, Assistant Head of the Center for Human Rights at the Human Rights Ombudsman of the Republic of Slovenia and incoming Board Member of the European Network of National Human Rights Institutions (ENNHRI)

12:30–13:30

Lunch at the Hotel

Contributions

Opening



Peter Svetina,

Human Rights Ombudsman of the Republic of Slovenia, President of the Association of Mediterranean Ombudsmen (AOM) and Regional Director for Europe of the International Ombudsman Institute (IOI)

Today, we are officially beginning the celebration of the anniversary of the Human Rights Ombudsman of the Republic of Slovenia, which will mark its 30th anniversary of dedicated work on January 1, 2025. I am truly pleased that my invitation has been accepted not only by the heads of Slovenian institutions but also by numerous colleagues and friends, ombudspersons, and heads of national human rights institutions from abroad. A warm welcome as well to representatives of decision-makers, domestic and international experts, civil society representatives, and all of you, dear ladies and gentlemen. I look forward to our discussions today and tomorrow on the effectiveness of Human Rights Ombudsman institutions and national human rights institutions in addressing contemporary challenges.

As the community of Ombudsman Institutions and National Human Rights Institutions, we are entrusted with a vital role in addressing the significant challenges and risks facing society today. As independent state bodies, we work to ensure that human rights are protected and enjoyed by all, overseeing authorities and defending the rights of the most vulnerable. Amid pressing challenges such as those arising from digitalisation, migration, environmental crises, and an ageing society, our institutions remain indispensable. We safeguard transparency, fairness, and accountability across all sectors.

On this occasion, I would like to emphasise the symbolic significance of Bled as our meeting place. Firstly, Bled represents refuge and protection—a place where people have historically sought peace and safety, much like individuals turn to Ombudsmen and National Human Rights Institutions when their rights are at risk. An illustrative story is that of Augusta Kelsen, the mother of one of the 20th century's most influential jurists, Hans Kelsen, who is buried in the Bled cemetery. Augusta sought refuge in Bled before World War II to avoid deportation. Local residents, including the owner of the Grand Hotel Toplice at the time Jula Molnar, ensured her protection, saving her from deportation. Hans Kelsen, whose legacy is closely tied to Bled and Slovenia, is known for his “pure theory of law” and as the pioneer of modern constitutional review. His contributions live on in today's legal systems, where independent institutions are crucial to upholding the rule of law and human rights. Secondly, Bled is a place of dialogue, hosting international gatherings, such as the prominent Bled Strategic

Forum, where bridges are built and solutions crafted to address common challenges. This spirit of collaboration and unity is also foundational to our work. Lastly, Bled symbolises sustainability, echoing our goal of long-term human rights protection and building a just society for all.

My hope is that our institutions will address contemporary challenges innovatively and effectively. This approach is, in fact, deeply rooted in the long and meaningful history of the ombudsman's work. A well-known story from Sweden, where the first ombudsman office was established in 1809, illustrates this commitment. Early in its history, the Swedish Ombudsman took up the case of a widow living in poverty, who had suffered injustices at the hands of local officials and ensured that she received justice. This story also captures the essence of our role: ensuring that everyone, regardless of status or power, has equal access to justice and protection.

Today, we face new challenges. Artificial intelligence and digitalisation undoubtedly have the potential to improve our lives, but they also bring concerns regarding privacy, data protection, and fairness. The environmental crisis threatens the future of humanity, demanding responsibility and swift action at all levels. An ageing society compels us to develop sustainable solutions for social care and inclusion, while migration raises questions about access to rights and integration. I believe that National Human Rights Institutions and Ombudsman Institutions play a crucial role in addressing these issues, seeking solutions that uphold the dignity and rights of all.

Societal rules are being put to the test in new circumstances, making it particularly important to respect the decisions of those institutions that determine, which norms should prevail in society to ensure that the dignity of every individual is upheld and their rights and fundamental freedoms are realized. The work and mission of strong Ombudsman Institutions or National Human Rights Institutions that are professional, independent and effective, is certainly one of the benchmarks of the functioning of the rule of law and an important cornerstone of democracy, as highlighted in annual rule of law reports of the European Commission. It is therefore necessary to strengthen our role and respect the decisions and recommendations they provide.

The new EU Pact on Migration and Asylum, the Artificial Intelligence Act, the Corporate Sustainability Due Diligence Directive (CSDDD), and the Directive on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation' – SLAPP), all emphasize the importance of the independent monitoring mechanisms at the national level. However, Ombudsman and National Human Rights Institutions, particularly in smaller countries, often lack sufficient capacity and financial resources to perform these tasks. In a rapidly changing world, where technological advancements also dictate the pace of development, it is essential to strengthen financial autonomy of those institutions, in terms of staffing, and in expertise, while adapting their activities without compromising direct contact with individuals, who are unfortunately increasingly side-lined in society. It is further important to raise awareness, education, and fostering a culture of respect for human rights.

May this conference be an opportunity for in-depth discussion, exchanges of ideas, and sharing of best practices to guide us toward a fairer, more inclusive society. Thank you for being part of this shared journey in advancing human rights and the common good.



H.E. Urška Klakočar Zupančič,

President of the National Assembly of the
Republic of Slovenia

Summary of the Address by the President of the National Assembly of the Republic of Slovenia, H.E. Urška Klakočar Zupančič, at the Bled Conference on the Effectiveness of Ombudsman Institutions and National Human Rights Institutions in Addressing Contemporary Challenges, Bled, December 5, 2024

I have to stress that human rights are not just a general, international norm by which we can measure the progress of human civilisation. In my opinion, fundamental human rights open up one of the most important questions we have to ask ourselves every day. What kind of world do we want to live in?

The world we have built as a global community over the past decades is full of very complex challenges. Pope Francis pointed out that human rights are violated not only by terrorism, repression, or murder, but also by the unfair distribution of economic power, which results in huge inequalities. He has often been highly critical of greed and unbridled consumerism as the fundamental drivers of the world's most powerful economies. The very fact that humanity throws away much more food than those who suffer from hunger would need is a very sad illustration of the mirror that Pope Francis held up before our community with his reflections.

Fundamental human rights are not just letters on paper. If we want to become an inclusive, tolerant community that peacefully coexists with others, we must raise awareness of them and accept them as a common core value. In this regard I believe that making our entire society aware of human rights violations one of the important challenges. Every day, in the media or on social networks, we are exposed to populism, which raises fears and encourages resistance to others in order to gain political power more easily, and we are exposed to hate speech and all kinds of physical violence. What worries me the most is that as a public or a community, we are becoming desensitised to all this.

I believe that institutions for the protection of human rights are not only charged with acting effectively to protect the human rights of individuals or groups. They are the cornerstone of changes that we as an international community must accept and implement if we want to survive as a civilisation in the long term.



Video address



Prof. Michael O'Flaherty

Commissioner for Human Rights of the Council of Europe

Thank you very much for the invitation to participate in the conference and I'm very sorry that I cannot be with you in person. I'm particularly sorry to miss an opportunity to visit the beautiful Bled.

Allow me to congratulate the Human Rights Ombudsperson of Slovenia. Congratulations on your 30th anniversary. Congratulations on 30 years of incremental achievement.

I've had the pleasure to get to know your institution, both as Director of the EU Fundamental Rights Agency and now in my current position as the Human Rights Commissioner at the Council of Europe, and I have seen how you have grown in influence and impact not only in Slovenia, but across Europe and internationally as well.

The role of an ombuds institution and the role of a national human rights institution are essential to a healthy and thriving democratic state. But when they're integrated, then something very special indeed is created. We see in the form of the Slovenian body, yours, and a few others, how putting human rights at the heart of the ombuds institution affords a roadmap to deliver on the essential ombuds function, but also having the National Human Rights element built into it further expands the scope, the breadth of activity and engagement in a way that can only be good for people on the streets.

Of course, it's not just enough to be good. We have to keep getting better. We have to keep engaging with the great issues of our moment. And that's why I so very much appreciate some of the core discussion topics for this conference. Take artificial intelligence, the need to embed human rights in the delivery of artificial intelligence for the well-being of our people. This is a very complex area. It's also an extremely fast-moving one. But I strongly encourage you to look, among other things, at the oversight of artificial intelligence.

And how we can ensure that human rights expertise is built into that oversight. State, official, statutory oversight. But also the soft oversight, the self-regulation within industry. At both levels, we need a very heavy concentration of expertise, not just about one particular right, privacy, or another, non-discrimination, but across the breadth of human rights, because AI does already and will continue to impact every dimension of human well-being.

Another issue that I know you're looking at, and I strongly applaud this decision, is the area of migration. This is a massive challenge for all of us right across our European states at the present time. There are so many dimensions. There is the importance of respecting international law at the borders. It's becoming increasingly acceptable, almost mainstream, to say that international law is getting in the way and may need to be broken by a state. We in the

human rights community, ombuds, national human rights institutions in particular, have to stand up for international law. We must not renege on the duty never to refool. We must not renege on the international law right to claim asylum.

Another dimension of discussion on migration that I would strongly encourage has to do with independent human rights monitoring on our borders. I believe that ombuds and national human rights institutions are very well placed indeed to carry out such a monitoring function and in turn will help support better respect for human rights in this most sensitive of areas.

Now as we all proceed in facing the great challenges of the day, I would invite us all to become even better, even stronger allies of each other. We share the goals. We share the roadmap of human rights. Together we can build that better, stronger, fairer Europe to which we all aspire.

Thank you and every best wish for your proceedings.

Key-Note Address



H. E. Dr. Marko Bošnjak,

President of the European Court of Human Rights

Abstract of Keynote Speech by Dr. Marko Bošnjak, President of the European Court of Human Rights

Ombudsman Institutions and National Human Rights Institutions (NHRIs) are continuously facing new and emerging human rights challenges. The current human rights landscape is complex, as novel issues arise from developments in areas such as climate change and the evolving digital landscape. Consequently, Ombudsman Institutions and NHRIs must ensure that they have effective strategies and innovate their practices to keep pace with contemporary society.

Keynote address by Dr Marko Bošnjak, President of the European Court of Human Rights, will cover the key themes relating to the effectiveness of Ombudsman Institutions and NHRIs in tackling new and emerging human rights challenges. President Bošnjak will share insights on the conference themes from the perspective of the Strasbourg Court.

The address will discuss the evolving role and significance of Ombudsman Institutions and NHRIs in contemporary society by highlighting their importance in upholding domestic human rights protection system by ensuring that international human rights obligations are upheld at the national level. In addition, it will illustrate the evolving role of Ombudsman Institutions and NHRIs by highlighting their third-party interventions at the Court and their contributions to the development of a key convention in the new digital landscape. This address will then outline some strategies for enhancing the impact and effectiveness of these institutions in the face of new and emerging human rights challenges.

Insights will be shared on the importance of international collaboration and best practices in promoting human rights advocacy. Emphasis will be placed upon the need to ensure a consistent approach to human rights on the international level, demonstrating how the sharing of sentiments and insights by Ombudsman Institutions and NHRIs with international organisations improves the outcomes of international human rights mechanisms on a global level.

The keynote address will conclude with visionary perspectives on the future of human rights protection and the pivotal role of Ombudsman Institutions and NHRIs.



Panel 1: Effective Human Rights Advocacy: Is there a need to enhance the impact and effectiveness of Ombudsman Institutions and NHRIs?

Description: This panel will examine the current landscape of human rights advocacy, focusing on the roles and effectiveness of OIs and NHRIs. It will also consider their additional mandates, such as serving as a National Preventive Mechanism (NPM), an Equality Body, an Ombudsperson for Children or an independent body monitoring the rights of persons with disabilities. The discussion will aim to identify potential areas for improvement and strategies to enhance their impact in protecting and promoting human rights in an increasingly complex global context. Some points for discussion:

- **Assessing Current Effectiveness:** What are the strengths and weaknesses of OIs and NHRIs? What are the pros and cons of multi-mandate institutions that hold multiple mandates? How effective have these bodies been in addressing contemporary human rights challenges, and how can we increase the implementation of their recommendations?
- **Enhancing Collaboration and Coordination:** What are the benefits and challenges of collaboration of OIs and NHRIs with national authorities? How do the activities of OIs and NHRIs interrelate with activities of other national independent bodies, civil society, especially human rights defenders, or international human rights mechanisms?
- **Addressing Resource and Capacity Constraints:** What are the key resource and capacity constraints facing these institutions and what strategies can be employed to address these limitations and enhance their operational effectiveness?
- **Adapting to Emerging Human Rights Challenges:** What are the emerging human rights challenges that these institutions need to address? How can they adapt their strategies and approaches to remain relevant and effective in a changing world?
- **Improving Public Awareness and Engagement:** How can these institutions improve public awareness and understanding of their roles and functions? What approaches can be taken to increase public engagement and trust in these institutions? How can these institutions improve public awareness and understanding of current human rights issues?



Written contribution



Andreja Katič,

Minister of Justice of the Republic of Slovenia

Development of the Human Rights Ombudsman Institution and Directions for Further Strengthening Its Role

We proudly and gratefully celebrate a major milestone in our nation's history – the 30th anniversary of the establishment of the Human Rights Ombudsman of the Republic of Slovenia.

Since its inception, this esteemed constitutional institution has become an indispensable part of our social system, serving as an independent oversight mechanism. Its mission is clear: to be a voice for those who lack strong representation within the system – those who are vulnerable, marginalised or discriminated against, uneducated, or misled.

Even before independence, under the auspices of the Socialist Alliance of Working People and later under parliamentary auspices, the Council for the Protection of Human Rights and Fundamental Freedoms operated, highlighting human rights violations in Slovenia and more broadly in the former Yugoslavia.

Article 159 of the Constitution of the Republic of Slovenia tasked the legislature with establishing a special body – the Ombudsman – to protect human rights and fundamental freedoms in relation to state bodies, local government bodies, and holders of public authority. This constitutional provision was realised through the adoption of the Human Rights Ombudsman Act, which established the Ombudsman following the parliamentary ombudsman model. With the election of the first Ombudsman in 1994, the foundations were finally laid for the institution to begin its work.

Hundreds of independent oversight actions, dozens of projects, conferences, roundtables, consultations, and research studies; citizen initiatives seeking the Ombudsman's protection of their rights have come to number in the thousands. Each individual who has taken on the role of Ombudsman, with their unique vision, expertise, and guidance, has contributed to the organisation's growth into the institution it is today – recognisable, independent, and trustworthy.

In 2017, the time was ripe for the first major reform of the institution's powers and organisational structure, implemented by the Ministry of Justice, as the responsible systemic ministry, with substantial support from numerous organisations, especially the Ombudsman institution itself.

One key innovation was a formal establishment of a network of child advocates, enabling children to express their views in proceedings affecting them, with their best interests at the

forefront. This legal solution was based on a pilot project conducted by the Ombudsman in co-operation with the Ministry of Labour, Family, Social Affairs, and Equal Opportunities since 2007. By formalising advocacy, children across Slovenia gained access to psychosocial support to express their views in various proceedings and situations. In its relatively short period of operation, the child advocacy system in Slovenia has proven successful and is a crucial mechanism for ensuring children's voices are heard and their rights protected.

In 2017, as well as partly in 2006, the Ombudsman was also assigned the responsibility, alongside other organisations, of performing the tasks of a National Preventive Mechanism under the UN Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. This mechanism includes regular visits to institutions where individuals are deprived of their liberty, such as prisons, police stations, psychiatric hospitals, and many other locations, to prevent potential human rights violations.

Finally, in 2017, with the establishment of the Center for Human Rights, responsible for awareness-raising, education, and cooperation, and the Human Rights Ombudsman's Council, an advisory body bringing together experts and representatives from various fields, the foundations were laid for attaining "A status" at the Global Alliance of National Human Rights Institutions (GANHRI), achieved on 25 January 2021. This success followed years of considerable effort by the Ombudsman institution, made possible through amendments to the Human Rights Ombudsman Act, with substantial assistance from the Ministry of Justice.

This status signifies that the Human Rights Ombudsman meets the commitment to ensure independence, pluralism, and cooperation in accordance with the highest standards set by the 1993 Paris Principles on national human rights institutions, along with a dedication to continuous improvement and expansion of its mission.

Recently, on 29 October 2024, Slovenia's effectiveness in upholding the Paris Principles was further validated with the appointment of a representative from the Slovenian Human Rights Ombudsman's staff to the Committee of the European Network of National Human Rights Institutions (ENNHRI).

Thus, the Ombudsman has become a cornerstone of the human rights protection system, with authority that stems not only from its statutory powers but also from the moral influence and public trust it commands. Although the Ombudsman's recommendations are not legally binding (and its decisions are informal and non-authoritative), public authorities and institutions frequently adhere to them. The Ministry of Justice plays a significant role in co-ordinating the Government's responses to the Ombudsman's annual report and recommendations.

In addition to traditional areas of human rights protection, such as individuals' rights vis-à-vis state authorities, the Ombudsman has also focused on social and economic rights, the protection of minorities, the rights of persons with disabilities, and other vulnerable groups.

One of the key tasks facing us today is to ensure that the institution remains independent and capable of functioning without pressure from authorities or other interest groups. It is also crucial for the Ombudsman to adapt to emerging challenges, such as digital rights, personal data protection, and rights related to artificial intelligence. New technologies and social changes present great opportunities but also new threats to human rights, and the Ombudsman must lead efforts to protect individuals from potential abuses.

We at the Ministry of Justice are also aware of our responsibilities, and are therefore preparing further amendments to the Human Rights Ombudsman Act to strengthen its powers. This includes extending the Ombudsman's authority over private sector services, as state functions are increasingly supplemented by private sector services. A key new provision in the upcoming amendment, which has been in preparation since last year, is precisely this expansion of the Ombudsman's powers in relation to public service providers.

We will not overlook particularly vulnerable population groups either. The Ombudsman will assume the role of national rapporteur on combating human trafficking, and a dedicated Children's Ombudsman, a specialised deputy exclusively responsible for children's rights and freedoms, will be established within the organisation.

We also aim to reach consensus among key stakeholders to formalise the monitoring of the United Nations Convention on the Rights of Persons with Disabilities under the Human Rights Ombudsman Act, currently undertaken by the Council for Persons with Disabilities of the Republic of Slovenia. Unlike the Ombudsman, however, the Council does not meet the high standards set by the 1993 Paris Principles, and international organisations have been reminding Slovenia of its obligation to uphold these convention commitments.

Finally, I wish to thank all those who have left their mark on the work of the organisation over the past three decades. I extend my special gratitude to former and current ombudspersons who, through their expertise and commitment to the mission of human rights protection, have achieved remarkable results.

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Dr. Andreas Pottakis,

Greek Ombudsman, former President of the Association of Mediterranean Ombudsmen (AOM), and former President of the European Board of Directors of the International Ombudsman Institute (IOI)

As public administration evolves, as new challenges test social cohesion and sustainable economic growth while old ones resurge, the institution of the Ombudsman needs to ensure that its role becomes more relevant and its interventions, actions, operations even more impactful and effective.

The Ombudsman Institution is, and must be, in a constantly dynamic state.

Indeed, the evolution of the Ombudsman institution over the past decades is notable.

In Europe, the general HR mandate that most Ombudsman institutions possess is complemented by a number of specific competences and functions that aim at protecting human rights, safeguarding the rule of law and defending the—common, European—democratic values. And not just within the Ombudsman’s jurisdiction, whether national or local, but for the entirety of the European Union and the whole of Europe.

Effective instruments need to be appropriately included in the Ombudsman’s toolkit so that the institution performs the role of human rights defender effectively.



Maria Lúcia Amaral,

Portuguese Ombudsman, Professor of the Nova School of Law, former Vice-president of the Constitutional Court of Portugal, former Member of the IOI Board of Directors and of the European Board of Directors.

Reflecting on Strengthening Ombudspersons and NHRIs for a Changing World

As we gather to commemorate the 30th anniversary of the Slovenian Ombudsman, we come together to reflect upon the dynamic role of Ombudsman institutions and national human rights institutions. This significant milestone grants us a moment to discuss our contributions to the protection and promotion of human rights and consider strategies to enhance our effectiveness amidst the complexities of our modern world.

The responsibilities of Ombudsman Institutions have grown ever more multifaceted, navigating through the turbulent seas of social, economic, and political tensions. Over the past thirty years, the realm of human rights has expanded, now encompassing contemporary issues such as digital privacy, environmental justice, and socio-economic rights. These modern concerns intertwine with traditional human rights matters, compelling our institutions to remain agile and responsive.

In Portugal, we have faced similar complexities. The Portuguese Ombudsperson’s office, which recently marked its 50th anniversary, enjoys a strong reputation and is deeply respected by both public authorities and citizens.

Nevertheless, as a “soft law” entity without binding powers, our influence rests upon the excellence of our work, our advocacy, and the credibility we have diligently built over time. To continue to build upon this foundation, I believe we must focus on four key areas: accessibility, cooperation and partnerships, transparency and accountability, and capacity building.

The effectiveness of our institution is intrinsically linked to its accessibility. We have initiated programmes designed to bring our services closer to citizens, including relocating our headquarters to the city centre, launching an online complaint platform, and implementing

community outreach initiatives. Yet, there is always room for improvement to ensure that our services are accessible to all, especially to the most vulnerable communities.

Co-operation is vital for our success. Partnerships with NGOs, civil society organisations, international bodies, and other partner countries have enabled us to amplify our impact, optimise resources, and share best practices. Enhancing these networks, both locally and globally, is crucial for effectively addressing human rights issues, especially in light of challenges with increasing transnational impact.

Transparency and accountability are cornerstones of public trust. In Portugal, we have enacted transparency measures and a plain language policy to ensure our actions are visible and comprehensible. Engaging publicly through annual reports to Parliament, regular thematic reports, and consultations with various stakeholders strengthens trust and accountability.

Sustaining our institutions requires a focus on capacity building. Training and development programmes for our staff, public awareness campaigns, and educational initiatives for the youth are essential. Globally, sharing best practices and leveraging technologies, such as artificial intelligence, can help us achieve more with fewer resources.

Recognising and addressing the unique challenges of each country is imperative. Tackling these requires a tailored approach, leveraging institutional strengths while adapting to societal needs, and being proactive rather than reactive. Let this anniversary serve as a reminder of our commitment and a call to action to strive for a more just and equitable world.



Anahit Manasyan,

the Human Rights Defender of Armenia, Board Member of the European Network of National Human Rights Institutions (ENNHRI)

Effective Human Rights Advocacy: Enhancing the Impact and Effectiveness of Ombudsman Institutions and National Human Rights Institutions (NHRIs)

Assessing Current Effectiveness

The Defender is entrusted with independent monitoring of the implementation of a number of convention provisions. In particular, the Defender is entrusted with the mandate of the National Preventive Mechanism provided by the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Defender's Office also has the mandate to monitor the implementation of the provisions of the UN Convention on the Rights of the Child, and the provisions of the UN Convention on the Rights of Persons with Disabilities.

The Constitutional Law was amended on December 7, 2022, to enlarge the scope of the mandate of the Defender, expanding its mandate also on the protection of whistle-blowers. These institutions are empowered to assess the adequacy of national laws and suggest improvements. For instance, the HRD can submit written opinions on draft laws relating to human rights, recommending amendments when necessary.

The Defender undertakes activities pertaining to human trafficking and exploitation within the scope of the mandate. In the 2023 Annual Report, the Defender emphasizes the need for legislative amendments to establish the institution of a national rapporteur, in line with Armenia's commitments under the Council of Europe's Convention on Combating Human Trafficking. These amendments would ensure more effective implementation of anti-trafficking measures and greater accountability. The Defender highlights the ongoing efforts towards legal reform, particularly with the draft Law on Ensuring Equality and Protection from Discrimination. This draft law designates the Human Rights Defender as the Equality Body, further strengthening the Defender's mandate in the fight against discrimination. The Defender has already undertaken significant work in this area. Thus, the Defender will be empowered to more effectively combat discrimination, ensure equal treatment for all individuals.

Enhancing Collaboration and Coordination

The HRD plays a significant role in shaping national legislation by monitoring and advising on the alignment of laws with human rights standards. Thus, the HRD can recommend necessary legal amendments. An important aspect of the HRD's role is its collaboration with Armenia's Constitutional Court. By submitting amicus curiae briefs on key cases, the HRD provides legal opinions on constitutional matters, including issues such as fair trials, judicial protection, and non-discrimination. Another important area for collaboration is with Armenia's National Assembly. The HRD participates in parliamentary hearings, discussions, and consultations to promote human rights standards and contribute to legislative reforms. By submitting annual reports and participating in discussions on legislative drafts, the HRD ensures that human rights issues remain at the forefront of legislative processes. The HRD has actively encouraged the ratification of international human rights conventions, such as the Oviedo and Istanbul Conventions.

Addressing Resource and Capacity Constraint

The HRD is supported by a dedicated budget allocated by the state, ensuring financial independence for its activities. A key aspect of this funding is the legal requirement that the HRD's budget cannot be reduced below the previous year's amount. This is vital for maintaining the independence and effectiveness of the institution. The resources are used to support core activities such as research, documentation of human rights violations, advocacy campaigns, and legal support for victims of abuse. Despite financial challenges, this guaranteed funding allows the HRD to continue its critical work in human rights protection.

Adapting to Emerging Human Rights Challenges

Human rights challenges are increasingly complex and require institutions like the HRD to adapt to changing global dynamics. The forced displacement of civilians during the 2023 Nagorno-Karabakh conflict is a stark example of the evolving nature of human rights challenges. The HRD played a pivotal role in the protection of the rights of the displaced pop-

ulation. Displaced persons face significant human rights challenges, including the loss of livelihoods, shelter, and access to essential services. To meet these challenges, partnerships with international human rights bodies and civil society organizations are crucial for the HRD. The institution should also receive more resources, ensuring that it has the capacity to carry out its mandate effectively.

Another important challenge to highlight is the persistent harassment and threats faced by the Human Rights Defender and the staff. Attacks faced by the Human Rights Defender herself, and the staff of the institution include verbal harassment, hate speech on gender and ethnic grounds, threats, and attempts to block citizens' engagement with and reporting to the institution. Moreover, the Human Rights Defender is targeted particularly in relation to the institution's involvement in advocating for the protection of the human rights of groups in vulnerable situations, including persons with disabilities and LGBTQ individuals. In conclusion, by engaging with national and international stakeholders, adapting to emerging human rights challenges, and working to overcome resource constraints, these institutions can enhance their impact and contribute to the creation of a more just society.

Improving Public Awareness and Engagement

The Defender's Office also implements awareness raising campaigns, for example, through publication of leaflets, videos on various human rights issues; by implementing awareness raising activities by the Defender herself, visiting different institutions, schools, receiving various groups and presenting different human rights issues. The Constitutional Law provides that the Defender can establish councils adjunct to the Defender, which are composed of representatives of NGOs, independent experts, etc. There are 6 Advisory Councils - on Children and Youth Rights, on the Protection of the Rights of People with Disabilities, on the Prevention of Torture, on Women's Rights, on Human Rights Protection in the Armed Forces, on Protection and Promotion of the Rights of Persons Belonging to National Minorities. The promotion of human rights is one of the key directions of the work of the Defender within the framework of which the activities and awareness activities in the field of human rights education are of exceptional importance.



Photo: Jošt Gantar, www.slovenia.info

Panel 2: The Role of Ombudsman Institutions and NHRIs in Protecting Human Rights in the Digital Era

Description: This panel will delve into the critical role OIs and NHRIs play in safeguarding human rights within the rapidly evolving digital landscape. It will focus on the various challenges posed by digital transformation and how OIs and NHRIs can effectively address them. Some points for discussion:

- **Artificial Intelligence and Human Rights:** Examining the ethical implications and human rights considerations of artificial intelligence (AI) deployment and usage and investigating the human rights considerations surrounding the deployment and usage of AI.
- **Digital Inclusion and Equality:** Tackling the digital divide and ensuring equal access to digital technologies and the internet for all. Which vulnerable groups should be given specific attention and how can OIs and NHRIs effectively address such challenges?
- **Freedom of Expression and Fake News:** Balancing the right to free speech with the need to combat misinformation and hate speech online. What are the examples of good practices in combating fake news and hate speech online? Which measures and campaigns are preferred?
- **Cybersecurity and Human Rights:** Ensuring the protection of human rights in the face of increasing cyber threats and digital vulnerabilities. Is there a need for more awareness raising?
- **Privacy and Data Protection:** Addressing the challenges of protecting personal data in the era of big data, AI, and surveillance technologies.



Reinier van Zutphen,

National Ombudsman of the Netherlands and President of the European Board of Directors of the International Ombudsman Institute (IOI)

Government processes are being digitalised at a rapid pace. This enhances the efficiency and effectiveness of service provision, particularly in large-scale work processes such as tax administration and social security schemes. The digital state does, however, also create new risks for citizens. These risks range from government use of big data for surveillance and algorithmic bias in automated decision making to the risk of exclusion of citizens with low or no digital literacy and skills. The principles of good governance require governments to keep the citizen's perspective central in the digital age, and governments must observe fundamental human rights, such as privacy rights, when they use digital processes. Ombudsman Institutions and NHRIs must protect citizens and provide effective recourse if governments do not observe these requirements. Furthermore, they can provide guidance and share best practices nationally and internationally. This guidance can help unlock a largely untapped potential of the digital age: active outreach to vulnerable citizens.

In his presentation the National Ombudsman of the Netherlands will firstly speak about the risks of the use of data by government to ensure public safety. In a report he released on 12 November he calls for better oversight of the registration of citizens as possible terrorism or extremism threats. Such registrations are not only a Dutch domestic phenomenon, they are part of an international system. Secondly, he will speak about the use of algorithms in government services. When a government uses algorithms, it has a responsibility to implement safeguards for citizens. The National Ombudsman has formulated three rules: the principle of clarity, the principle of accessibility, and a solution-oriented approach. Lastly, the National Ombudsman will provide an insight into how Ombudsman Institutions and NHRIs can promote the use of digital possibilities to better protect vulnerable citizens. The use of data by governments can, for instance, reduce non-take up by citizens who would otherwise not be reached.



Adv. Kholeka Gcaleka,

Public Protector of South Africa, Regional President for Africa of the International Ombudsman Institute (IOI) and a Chairperson of the African Ombudsman Research Centre (AORC).

In the digital era, Ombudsman institutions and National Human Rights Institutions (NHRIs) are uniquely positioned to safeguard human rights amidst rapid technological advancements. As we harness the potential of Artificial Intelligence (AI) and digital tools, our commitment to justice, accountability, and transparency must remain unwavering. AI offers transformative opportunities to streamline the handling of complaints, analyse trends in public grievances, and enhance the accessibility of Ombudsman services. By adopting advanced data management and archiving systems, we can protect personal information, preserve institutional memory, and promote good governance. AORC hosted a webinar in this respect already in 2022.

However, this era also brings new challenges, such as data privacy risks and unequal access to technology. As institutions mandated to protect rights, we must advocate for robust legal frameworks, equitable access to digital resources, and ethical AI practices that prioritize human dignity. Together, we must leverage technology to empower communities, ensure accountability, and uphold the principles of fairness and justice in this dynamic digital landscape. Ombudsman institutions and NHRIs must lead by example, demonstrating that human rights and innovation can advance hand in hand.



Photo: Franci Ferjan, www.slovenia.info



Marina Ceysac,

High Commissioner for the Protection of Rights, Liberties and Mediation of the Principality of Monaco

Technological Advances: Risks and opportunities - How will the role and remit of Ombudsmen be affected?

Technological progress is being made on a whole host of fronts. From the lightning rise of artificial intelligence, to the move towards online public services, there is no denying that technology and digitisation are increasingly central to our everyday lives. As a result, the task for ombudsmen is to guard against the emergence of a digital divide, while seeking to promote the development of technologies that serve the public's needs.

Not only is artificial intelligence becoming more advanced, but the technology is also being used more frequently to deliver public services, and this needs to be done in a way that preserves the rights of citizens. All of which makes the challenge for ombudsmen that much greater. Should we be worried about the prospect of public services becoming “dehumanised”, automated, and ultimately impersonal and lacking consideration for individual circumstances? How can ombudsmen use these new technologies to work more effectively? In Monaco, the ombudsman is already facing the practical and legal implications raised by the use of these technologies. The Monegasque government is committed to building a country where the very latest cutting-edge tech is integrated into both administrative procedures and wider society. But while Monaco has made considerable strides in terms of digital inclusion and resources, there are still obstacles to be overcome. For example, the legislative framework is not yet comprehensive: Monaco is party to the Council of Europe's Convention 108, but the proposed reforms of the country's data protection laws or the current bill on facial recognition have not yet been approved, and there are presently no legislative proposals to regulate the use of AI.

From a cultural perspective, the High Commission has already received complaints about certain government practices that are in fact now against the law and contribute to a general lack of transparency. In addition to mediating these real-life disputes between members of the public and the government, the High Commission is also regularly consulted by lawmakers for its opinion on draft legislation. The institution has responded with very practical recommendations, inviting the authorities to implement certain principles ensuring that ethical considerations are given greater weight when designing and using these new technologies. The High Commission has also taken the opportunity to rethink its remit and the way it will fulfil its role going forward. In this address, I will outline for you the lay of the land in Monaco, and in particular the High Commission's recommendation made in November 2023 regarding legislation on the erasure of personal data. I will also discuss the opinions our organisation has given on the data protection and facial recognition bills. And finally, I will share with you the High Commission's thoughts about how its remit and roles could evolve in the future.



Prof. Dr. Marko Grobelnik,

AI researcher at the Jožef Stefan Institute and International Research Centre on Artificial Intelligence under the auspices of UNESCO

Anatomy of the Definition of Artificial Intelligence

In this paper, we present the structure of the definition of artificial intelligence (AI), developed and adopted by the OECD (2023) and applied since 2024 in the “EU AI Act,” the Council of Europe, the American NIST, G7 documents, and beyond. The definition dissects AI systems into a set of interconnected components that describe the technical properties of these systems while addressing their legal and ethical aspects. We will present the key intuitions that have contributed to the development of the definition, together with some practical examples of what the EU AI Act defines as prohibited or high-risk systems.

The definition of AI is a kind of baseline agreement that is meant to distinguish conventional information systems from artificial intelligence (AI) systems. It is virtually impossible to distinguish between the two categories of systems on the basis of a single characteristic of the systems. Therefore, the approach to defining AI systems has been developed as a multi-factorial definition based on a range of characteristics that are typical and typically present in AI systems.

Some of the key characteristics include what is known as a “feedback loop” as a general architectural feature of AI systems, often nested or even multiplied within a single system, similarly found in standard information systems. The architecture typically consists of four main components: (1) the external observable world, (2) data gathered from the external world via sensors, (3) abstraction of data into a “model,” and (4) influence exerted on the external world through actuators. In various AI systems, these components can vary greatly, and sometimes a human may substitute for the system where machines are not sufficiently capable. AI systems are characterised by algorithms that have evolved since the mid-20th century, with neural networks being among the most popular and powerful algorithms that have driven technological breakthroughs since 2010. Typical tasks for AI systems include prediction, recommendations, content creation or creation of composite data objects, and decision-making. Other essential characteristics include reasoning abilities, various levels of autonomy, and adaptability.

Different ethical aspects relate to the individual components of AI systems, which are used across a spectrum of potential applications. By configuring components in different ways, we can regulate various types of risks associated with such systems.

A particular emphasis is placed on autonomy, where, at the highest level, AI systems independently decide how to impact the environment they operate within. If other elements of an AI system function improperly, full autonomy could lead to significant harmful effects, with serious implications for human rights violations. Autonomous weapons, which independently determine their potential targets, are a prominent example.

The definition of AI, developed and adopted by the OECD and subsequently incorporated by other international and national bodies, is an attempt to define AI in a practical way. However, it also covers some types of systems that may not strictly fall under AI but have similar roles and use comparable techniques. Together with an accompanying explanatory document, this currently stands as a central legal document in this area.



Written contribution



Dr. Eva-Esther Sobotka,

European Union Agency for Fundamental Rights

1. AI technologies and fundamental rights compliance

- The Fundamental Rights Agency (FRA) has worked on the topic of AI since 2018, with its most notable reports (*among others*) being published in 2020 ('*Getting the future right – Artificial intelligence and fundamental rights*') and 2022 ('*Bias in algorithms – Artificial intelligence and discrimination*').
- FRA report 'Getting the future right' from December 2020 showed that those using AI often are not aware of the breadth of fundamental rights implications and often do not test or assess their systems for fundamental rights compliance. While virtually any fundamental right may be impacted by new technologies/AI, FRA's research highlights three horizontal rights areas that are impacted by AI:
 - Privacy and data protection are at the core of discussions of regulating AI, as digitalisation has led to the collection, trading and use of enormous amounts of personal information about people. EU's GDPR has addressed many of these concerns and we have to work on its proper implementation alongside the AI Act.
 - Non-discrimination is the second major area impacted by digitalisation. Automation of services, such as the ranking of content in online services, targeted advertising as well as any other decision-making processes supported by data and AI, is potentially biased and may put people at risk of discrimination.
 - At the core of fundamental rights is the right to a fair trial and access to an effective remedy. Using opaque and hard-to-understand technologies threatens this right.

2. Key Oversight Mechanisms under the AIA

- The AIA categorizes AI systems into four risk levels: 1) Unacceptable risk: Banned technologies, such as systems violating fundamental rights; 2) High risk: Requires strict compliance with rules on transparency, accountability, and data governance (e.g., AI used in healthcare, law enforcement, and recruitment); 3) Limited risk: Mandates basic transparency, such as labelling AI-generated content and 4) Minimal risk: No significant oversight required for low-impact applications.
- National Supervisory Authorities: Member States must designate authorities to monitor compliance, conduct audits, and enforce penalties. There is also the European Artificial Intelligence Board (EAIB) - a central body to harmonize application across the EU, offering guidance and promoting collaboration among Member States. Conformity Assessments: High-risk AI systems undergo stringent evaluations, including documentation reviews, testing, and continuous monitoring. Developers and users of high-risk AI have reporting obligation. They must report malfunctions, risks, and misuse.
- The success of AI regulation will be measured not only by its ability to foster innovation but also by its commitment to protecting the rights and freedoms that define democratic societies. The AI Act, supported by a robust enforcement framework, can help strike that balance, ensuring that AI's benefits are realised without compromising the values at the heart of the European Union. With regard to the oversight, there is the need for a coordinated approach to effectively protect fundamental rights in the face of rapidly evolving AI technologies.
- FRA welcomes Article 77 of the Artificial Intelligence Act (AIA), which empowers “national public authorities which supervise or enforce fundamental rights, including non-discrimination” to request and access documentation about high-risk AI systems. If the documentation alone is insufficient to ascertain whether an infringement of obligations has occurred, the authorities can also request testing of the system through technical means by the market surveillance body.
- To ensure effective oversight over high-risk AI systems in relation to fundamental rights, national supervisory authorities must be adequately resourced in terms of technical skills. The wording of Article 77 (2) referring to “a list” of authorities reflects the expectation that more than one actor qualifies as an “authority supervising or enforcing fundamental rights”. Given the diversity of actors, it should be considered that in each Member State a coordination mechanism is put in place (or, if already existing, maintained) to ensure effective cooperation amongst all bodies on the list.
- The Commission issued an interpretative notice to Member States in October 2024, indicating that the scope of authorities covered by the article falls within two categories: i. authorities or bodies designated to supervise the application of laws; ii. authorities or bodies designated to enforce laws. Both types of authorities normally have investigatory powers. Equality Bodies (EBs) are considered to fall within the first category, as they supervise Union non-discrimination law and non-discrimination is specifically mentioned in art. 77.

3. The Role of Ombudsman Institutions and NHRIs in Oversight

- FRA has worked since 2004 on the topic of strengthening Equality Bodies, Ombuds institutions and NHRIs in protecting fundamental rights. Since 2018, the Agency has started to look at the impact of new technologies and in particular artificial intelligence (AI), focusing on the fundamental rights implications of using AI. Our analysis has accompanied major legislative developments in this area, including the adoption of the EU AI Act and, at the Council of Europe, the 'Framework Convention on AI and human rights, democracy and rule of law'.
- Ombudsman institutions, traditionally tasked with safeguarding citizens' rights against maladministration, could contribute to the AIA's implementation by:
 - Investigating Complaints: Ombuds institutions can address grievances from individuals or organizations alleging harm caused by AI systems, particularly those related to fundamental rights violations.
 - Monitoring Ethical Standards: As AI technologies raise concerns about bias, discrimination, and privacy, Ombudsman institutions could evaluate whether AI implementations align with ethical and legal standards.
 - Advocacy for Transparency: Ombuds institutions can push for greater accountability from public and private entities using AI, ensuring that decisions made by AI systems are explainable and non-discriminatory.
 - Policy Recommendations: Based on case studies and citizen complaints, Ombuds institutions can suggest amendments to national or EU-level AI policies.
 - Collaboration with Supervisory Authorities: Coordinate with national authorities to ensure effective enforcement of the AIA, acting as intermediaries, providing accessible complaint mechanisms for individuals and organizations.
 - Public Awareness Campaigns: Ombuds institutions can educate the public about their rights under the AIA and the ethical use of AI technologies.
- The mandates of National Human Rights Institutes (NHRIs), their independence, expertise across the full range of fundamental rights (encompassing non-discrimination and all other rights) and, in some cases, experience of handling complaints and litigation powers – makes them well placed to contribute to overseeing fundamental rights compliance of high-risk AI tools under Art. 77 of the AIA. In up to 50% of EU Member States NHRIs are also Ombuds institutions and Equality Bodies.
 - Most NHRIs are empowered by national law to supervise compliance with human rights laws and EU law, including the EU Charter of Fundamental Rights. Their function may include handling complaints, raising public awareness, advising policy makers on impact assessment of legislation, conducting research, investigations, and seeking redress for violations related to AI, in line with the UN Paris Principles. The EU has already recognized the relevance and importance of strong and independent NHRIs in upholding the rule of law and fundamental rights. Examples where NHRIs are involved in oversight of EU law include the role of NHRIs in monitoring and contributing to the compliance with

fundamental rights (EU Charter and UN CRPD) of EU funded programmes but also the EU's new Pact on Asylum and Migration as the Screening Regulation of third country national at the external border shows (the regulation states that NHRIs "shall participate in the operation of the independent monitoring mechanisms and may be appointed to carry out all or part of the tasks of the independent monitoring mechanism") but also the Asylum Procedure Regulation, which in Art. 43(4) cross-references the relevant criteria and provisions set out in Art. 10 of the Screening Regulation.

- Given their role under the UN Paris Principles and national legislation, NHRIs may be best placed to ensure cooperation and coordination with other actors within the overall institutional landscape of national human rights structures at national level. Such an outreach and coordination function is likely to be important given that a plethora of very different actors deal with diverse aspect of fundamental rights protection at national level (these include: Data protection authorities; Consumer protection authorities, Equality bodies; Ombudsperson institutions; Child protection authorities; Labour law authorities; Media supervisory authorities; Authorities in charge of ensuring electoral integrity etc.).
- Given their broad mandates and the fact that high-risk AI systems may impact on a range of fundamental rights and building on the recent experience that national legislators are assigning new mandates to NHRIs to supervise (aspects of) new EU legislation, FRA considers NHRIs/ OIs/ Equality bodies to be particularly well placed to be designated as national public authorities or bodies under art. 77 of the AI Act.
- The NHRIs could specifically monitor AI Impact on fundamental rights, evaluating whether AI systems comply with human rights standards, such as non-discrimination, privacy, and freedom of expression.
- Identify and report instances where AI use negatively affects marginalized or vulnerable groups, such as through biased decision-making or exclusionary practices.
- Under their mandate, they could also advise policymakers by providing expert opinions on how AI technologies could impact human rights and suggest amendments to national legislation to ensure alignment with the AIA. They could also act as a bridge between civil society and government, voicing concerns and recommendations on ethical AI use.
- Where mandated, NHRIs could promote accountability and redress by facilitating mechanisms for individuals or communities to report harm caused by AI systems, particularly in high-risk applications (e.g., biometric surveillance or employment algorithms) and supporting victims in seeking remedies through legal action, mediation, or policy advocacy.
- All NHRIs are empowered to promote and educate for, through and about human rights. They could consider conducting public campaigns to inform individuals about their rights regarding AI use and the protections provided under the AIA.

- Train public and private sector organizations on the ethical and rights-based development of AI systems.
- Both designated institutions, whether Ombuds or NHRIs or other statutory bodies would need to also collaborate with Supervisory Authorities. This would mean working with national and EU-level oversight bodies, such as the European Artificial Intelligence Board (EAIB), to ensure AI systems comply with the AIA and human rights frameworks, for example providing expertise during the assessment of high-risk AI systems, particularly in understanding their societal impact.
- Where mandated NHRIs would also be able to investigate and Report Violations, conduct independent investigations into alleged human rights violations linked to AI use, including misuse of biometric data or discriminatory algorithms.
- Within the scope of their mandate, NHRIs could publish reports and recommendations to highlight systemic issues and drive policy changes.
- Advancing Research and Evidence-Based Policy with partners by collaborating with FRA, academic institutions, civil society, and AI developers to study the impact of AI on human rights could be also an area of new opportunities, including developing tools and frameworks to evaluate whether AI systems respect principles of fairness, transparency, and accountability.

4. Challenges that should be given further consideration

- Ombudsman and NHRIs offices may need additional funding and expertise to handle AI-related cases and to assess complex AI systems effectively.
- Addressing AI-related issues requires specialized knowledge of AI systems, algorithms, and regulatory requirements.
- Coordinating with other oversight bodies, such as data protection authorities and national supervisory authorities, may require clarifying roles to avoid duplication of efforts within the overall human rights structures at national and EU level. Clear delineation of roles between Ombudsmen and NHRIs and supervisory bodies is essential to avoid inefficiencies.
- The rapid development of AI technologies poses challenges in staying updated with technical, legal, and ethical advancements.
- Ensuring the protection of human rights while supporting innovation and economic growth will require careful navigation and understanding of risks connected with potential fundamental rights violations.

5. Conclusion

- National Human Rights Institutions (NHRIs) play a vital role in ensuring that the development, deployment, and use of Artificial Intelligence (AI) align with human rights principles. Under the Artificial Intelligence Act (AIA) by the European Union, NHRIs are well-positioned to contribute to oversight and accountability, particularly in the context of safeguarding fundamental rights.

- By playing an active role in overseeing AI technologies, Ombudsman institutions can enhance trust, safeguard human rights, and ensure that AI development aligns with societal values under the AIA framework.
- By integrating their traditional role in protecting human rights with the technological expertise needed for AI oversight, NHRIs and Ombuds institutions can:
 - Build public trust in AI technologies by ensuring accountability.
 - Advocate for inclusive AI systems that reduce, rather than exacerbate, social inequalities.
 - Drive global discussions on ethical AI by sharing best practices and lessons learned under the AIA framework.
 - Through these roles, NHRIs and Ombuds institutions can be instrumental in shaping an AI ecosystem that upholds dignity, equity, and justice for all.
- FRA's experience with working on real AI 'use cases' has shown that we have to repeat basic messages and continue to encourage a fundamental rights approach in the development and use of AI tools. FRA contributes by:
 - a. **First** - supporting the effective implementation of the law, including the available fundamental rights safeguards in practice. The recently adopted AI Act prohibits certain uses of AI and includes rules for high-risk AI systems in predefined areas. FRA is currently focusing on how we can support the effective implementation of the AI Act in view of protecting fundamental rights:
 - b. FRA will be one of the five permanent members of the Advisory Forum under the AI Act, which will, together with rotating members from business, academia and civil society, advise the Commission and the AI Board.
 - c. FRA is currently running several projects with those developing and using AI, including in high-risk areas, which will inform the implementing guidance of the AI Act.
 - d. **Second** - sharing experiences and working together. Through effective cooperation with NHRIs, Ombuds institutions on topics related to digitalization and fundamental rights, we can ensure that we have the necessary tools available to embrace and use new that technologies that are fundamental rights compliant. We would be very interested to hear how we could (more) effectively cooperate with national institutions such as your own in this area.



Moderator:

Erinda Ballanca,

People's Advocate of the Republic of Albania, Second Vice-President of the Association of Mediterranean Ombudsmen (AOM), and Board Member of the European Network of National Human Rights Institutions (ENNHRI)

It is an honour to be part of this important gathering where we delve into the crucial topic of independence in Ombudsman institutions and its significance in ensuring their effectiveness. I stand before you today as the moderator of this plenary session on “The Role of Ombudsman Institutions and NHRIs in Protecting Human Rights in the Digital Era”.

This panel discussion brings together a distinguished group of experts who possess invaluable insights and experiences in the realm of Ombudsman institutions. Through their collective wisdom, we will explore the multifaceted dimensions of the effectiveness of Ombudsman Institutions and NHRIs in Tackling Contemporary Challenges that Ombudsman institutions encounter, and seek innovative solutions to reinforce their resilience in Protecting Human Rights in the Digital Era. I encourage our esteemed panelists to share their expertise, real-life examples, and best practices on how Ombudsman institutions can effectively safeguard their independence amidst the ever-evolving challenges.



Photo: Jošt Gantar, www.slovenia.info

Panel 3: Ombudsman Institutions Addressing Complex Human Rights Challenges: Climate Crises, Migration, and an Aging Society

Description: This panel will explore the interconnected human rights challenges posed by climate change and migration, as well as an ageing society. It will focus on the role of OIs and NHRIs in advocating for and protecting the rights of vulnerable populations affected by these overlapping issues. Some points for discussion:

- **Protecting the Rights of Migrants and Refugees:** Strategies for OIs and NHRIs to ensure fair treatment, integration, respect of human rights, and support for migrants and refugees in the face of growing displacement.
- **Climate-Induced Migration:** Addressing the human rights implications for individuals and communities forced to migrate due to climate change impacts such as rising sea levels, extreme weather events, and resource scarcity.
- **Ageing Populations and Social Justice:** Examining the challenges of an ageing society, including access to healthcare, social services, deinstitutionalisation, and protection from discrimination, and how these are exacerbated by climate change and migration pressures.
- **Intergenerational Equity and Environmental Justice:** Discussing the responsibilities of current generations to protect the environment for future generations and ensure equitable treatment of older persons in climate policies.



Maria Stylianou – Lottides,

Commissioner for Administration and the Protection of Human Rights of the Republic of Cyprus and Regional Director for Europe of the International Ombudsman Institute (IOI)

Addressing Complex Human Rights Challenges: Climate Crises, Migration and an Aging Society

The Ombudsman Institution plays a crucial role in ensuring that human rights are respected, when speaking about complex challenges such as migration, specifically irregular migration, the ongoing impacts of climate change, conflicts that displace millions, persistent inequalities, economic instability and discrimination against vulnerable groups of the population.

2023, has been a year of some of the worst crises and challenges.

The year 2023 was the hottest since global records began and the onslaught of wildfires, drought, and storms destroyed communities from Bangladesh to Libya to Canada. Economic inequality rose around the world, as did distress and concern about the policy decisions that have left so many people struggling to survive¹.

Climate change is not just an environmental issue but also a human rights crisis. Rising sea levels, extreme weather events, and prolonged droughts disproportionately impact vulnerable communities who suffer the most by the catastrophic effects of climate change. Access to clean water, food, shelter, and even life itself is at risk due to climate change. These are not just environmental challenges but direct threats to human rights.

The COVID-19 pandemic exposed and worsened deep-seated inequalities around the world. Economic inequalities, racial and ethnic discrimination, and gender inequality have widened as the virus swept across the globe. With respect to the right to health, as enshrined in international human rights law, the pandemic has shown us that our health systems must be inclusive and that discrimination in any form undermines the very essence of human rights.

Similarly, the fight against inequality and poverty is a fight for human rights. Economic crises often hit the most vulnerable hardest, pushing them further into deprivation. Social safety nets, access to education, healthcare, and decent work are not just economic policies; they are human rights obligations. Our collective future depends on our ability to build inclusive societies where everyone has the opportunity to thrive.

Dealing with the phenomena of intolerance that affects groups of the population, who fall outside the stereotypes of the “normal”, the “usual” and the “accepted”, remains a challenge for our societies. Issues such as securing and respecting the rights of people who experience social and institutional exclusion, or even acts of extreme violence and hatred, due to, amongst others, race, are key-issues that need further dialogue, regulation and addressing.

1 <https://www.hrw.org/news/2024/01/11/global-rights-crises-deepen-world-leaders-shy-away>.

Refugees, asylum-seekers, immigrants and the elderly, are extremely vulnerable to discrimination, since they remain victims of social exclusion, defamation, exploitation and insufficient protection, in terms of securing and respecting their rights.

Relevantly it is evident that human rights are under threat, testing the very foundations of our societies and shared humanity. This observation inevitably underlines that their protection must remain at the core of our response. In this respect Ombudsman Institutions should remain enabled and further strengthened to continue to carry out their mandates in order to adequately contribute to these efforts, by promoting and monitoring the applicability of the principles of solidarity, equality, and respect for human rights, and build a more inclusive and peaceful world for all.



Dr. Dijana Možina Zupanc,

Deputy Ombudsman of the Republic of Slovenia

Europe, like the rest of the world, is increasingly encountering extreme weather events, including heatwaves, floods, droughts, and rising sea levels. The climate crisis brings unimaginable consequences for humanity, prompting urgent and substantial responses from policymakers, as it directly affects the safeguarding of fundamental human rights. The Paris Climate Agreement provides a crucial international framework under which countries have committed to limiting the rise in average global temperatures to 1.5°C. Yet, statistical reviews across various geographical contexts show that these thresholds have already been surpassed. Slovenia, among the nations more vulnerable to climate change, is warming at a faster rate than the average: it experienced devastating floods last summer and for the first time faced the most widespread lack of decisive action of all the signatory countries.

So, what role does the Slovenian Human Rights Ombudsman play, and how can it actively contribute to addressing the impacts of climate change and promoting both mitigation and adaptation to new conditions, especially through its legal mandates? In short – an increasingly important one! In Slovenia, we are still awaiting a court decision that would hold the state accountable for its (inadequate) response to climate change impacts and establish its responsibilities, as well as those of other entities, particularly legal entities, in managing increasingly challenging climate conditions. However, we can look to European and other international examples. The Paris Agreement represents primarily a political commitment without direct consequences (except for political accountability, which, amid declining political standards internationally, is also increasingly blurred) and is thus not directly enforceable in (supra)national legal systems. Nevertheless, it can be used to interpret, expand, and fill legal gaps in defining human rights when these intersect with climate-related legal is-

sues. In particular, in the light of migration and the impact of global warming on the elderly, the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR) should be highlighted.

In 2015, the United Nations Human Rights Committee rejected the complaint of Ioane Teitiota (*Teitiota v. New Zealand*), who sought asylum as a climate refugee, against New Zealand's decision to deport him to his native Kiribati. Teitiota argued that New Zealand violated his right to life (Article 6 ICCPR), as rising sea levels and other climate change impacts made Kiribati uninhabitable. The Committee concluded that his deportation was not unlawful, as he did not face an immediate threat to life in Kiribati, but acknowledged that climate change poses a serious threat to the right to life, which decision-makers must consider when reviewing deportation complaints. This ruling suggests that future complaints may succeed if they demonstrate that climate change impacts in countries to which individuals are deported would place them in conditions where their rights are violated.

Older people are particularly affected by climate change. They are more vulnerable to the direct effects of climate change due to frequent health problems, limited mobility and dependence on public services. In Europe, where an ageing population already poses a serious demographic challenge, climate change puts an additional strain on health and social systems that are already facing imminent collapse. Climate change may also be a contributing factor to increasing social inequalities, as older people often live in poorer housing conditions and have limited financial capacity to adapt to new circumstances. KlimaSeniorinnen Schweiz (Older Women for Climate Justice) therefore appealed to the European Court of Human Rights (ECtHR) after failing in the national courts, and obtained its recognition of a violation of Article 8 of the ECHR, the right to respect for private and family life, on the grounds that Switzerland had failed to sufficiently implement climate policies in line with the Paris Agreement.

These two examples illustrate the assertion of the right to a climate-resilient environment within international as well as national law, which will no doubt become even more relevant in the future given current climate projections. And therefore, national human rights institutions will become increasingly important on these issues as well. The Slovenian Human Rights Ombudsman, in line with its constitutional and legal powers from Article 72 of the Slovenian Constitution (the right to a healthy living environment) and Article 231 of the Environmental Protection Act (which grants the Ombudsman authority to protect the right to a healthy living environment as a specific area), will closely monitor developments in climate rights and address the state's inadequate or improper actions.

In this spirit, we welcome the announced legislative process for a Climate Act and the adoption of a new National Climate and Energy Plan, and as we face ongoing challenges, we hope for more active collaboration from public institutions and businesses. Successfully tackling the challenges posed by climate change will only be possible if we are united—as a society.



Judge Emeritus Dr. Joseph Zammit McKeon,

Parliamentary Ombudsman of the Republic of Malta and Regional Director for Europe of the International Ombudsman Institute (IOI)

Introduction

There are Ombuds institutions which have a remit that **directly** includes investigations on breaches of human rights. There are others (like mine) where the human rights remit is only **indirect**. Nonetheless, whatever the extent of the remit, watching out for breaches of human rights in the course of investigations is not only reasonable but a must. An Ombuds institution has to keep a proper and careful lookout to human rights **challenges** that require prompt attention and concerted action.

Climate Crises

Climate change is a global challenge. Many including myself believe that over a relatively short span of time it will become a human rights issue. Dogmatic scholars could consider this statement as being farfetched. With all due respect, I disagree.

Human rights investigations are in continuous evolution and require constant attention because the powerful and the abusers continue to remain powerful while the down-trodden continue to be so if not even more.

We witness an absence of global governance. Because of this, the development of common strategies regarding the protection of the basic human rights of people displaced by climate-induced migration are difficult to devise. After all, we are out to achieve clear, fair, and achievable plans of action rather than academic documentation.

Institutions like ours are there to show through their daily programmes and activities that human rights dogmatism is a matter of the past. Legal provisions require reflection and adjustment. Existing regional and international human rights standards in the context of climate change do not fit into present human rights categories, and progressive interpretation bears the risk of arbitrary and unjust results as well as overstretching the rules of interpretation.

Should therefore be an autonomous human right to climate protection?

The answer is most certainly not a quick one.

A new human right to climate protection would respond to basic human needs and could allow for establishing clear legal standards that have the potential to strengthen human rights protection and secure pre-existing rights.

One month before COP26, the UN Human Rights Council for the first time recognised a clean, healthy, and sustainable environment as a human right, and created a mandate for a Special Rapporteur on the promotion and protection of human rights in the context of climate change.

In the absence of adequate progress in the international climate change negotiations, persons in some countries have taken national legal action. This is hardly surprising, when one considers that on the international level there has been a general failure to accept that basic human interests and needs are already affected or threatened by climate change. Regional human rights systems have yet to be decisive on the relationship between human rights and climate change.

Although domestic litigation may inspire future decisions at the regional and international level, they still reflect specific domestic approaches that are founded on national laws. A case in point was the judgement given on the 24 March 2021 by Germany's Federal Constitutional Court where the Court found that the German Climate Change Act 2021 was partly unconstitutional because it did not sufficiently mitigate the burden put on the future exercise of freedom rights by the emissions allowed until 2030. The ruling represents a milestone for climate protection in Germany and also deserves attention beyond Germany's borders. The Constitutional Court set a strong signal for more climate change, making clear that the protection of the climate is a constitutional obligation.

The difficulties lie in the fact that regional and international human rights institutions operate within specific normative framework. Due to its extensive environmental case law ("**Guide to the case law of the Court on Environment**" – last update 31st August 2023) the European Court of Human Rights (ECtHR) can serve as a sound example in the handling of dogmatic hurdles that arise in the context of climate change. A clear and welcoming direction was given by the Grand Chamber of the ECtHR in its 260-page judgement of the 9 April 2024 in re "Verein Klimaseniorinnen Schweiz and others v. Switzerland" where the Court found that Switzerland had failed to comply with its positive obligations under the Convention concerning climate change, with critical gaps in establishing a relevant domestic regulatory framework, including by means of a carbon budget or national CHG emissions limitations. Furthermore, the Court was severely critical of the Swiss authorities' policy failures on climate mitigation targets.

The promotion of a new **enforceable** human right to climate protection could be a suitable option. It is difficult to imagine a human interest that is not affected by climate change. Since human existence itself is at stake, it is reasonable to look at climate change from a human rights perspective. It would be a relief for marginalised groups, amongst which the aged and migrants. A process of change will necessarily have to evolve within the human rights regime.

Despite that the United Nations Framework Convention on Climate Change speaks of "*climate change as a common concern for humankind*" there is barely a reference to the negative impact of climate change on persons and their rights. Although the Paris Agreement made specific reference to human rights, there was a lack of a "what next" approach. Lip service to human rights is not enough. States have to give human rights a legally binding place in the climate debate. States should be held responsible for their failures to mitigate or adapt to the effects of climate change.

The current human rights regime that lists pre-existing rights may not be enough to address and resolve complex questions like the link of causation between climate change and impairment of rights. The emphasis should be laid on the positive rather than the negative

obligations of the State. Lack of action on part of the State today may result in future damages when the effects of climate change materialise. It has yet to be seen whether a lower standard of probability would be considered appropriate for climate change cases. In default of the creation of a specific and distinct human rights, one would have to see whether the ECtHR would be inclined to adapt its strict standards.

Jurisdiction is an additional thorny issue where matters relating to the climate crisis are concerned. As rules stand at present, jurisdiction is a necessary prerequisite to hold a State accountable for alleged violations of a person's rights and freedoms. The extraterritorial application of human rights instruments is admitted only in exceptional cases. Within the European context, a new exception of extraterritorial application of the Convention to the adverse effects of climate change would be required. Climate change should stimulate a reappraisal of extraterritorial jurisdiction to avert restrictive interpretations.

To my mind, all the above considerations are in fact challenges which every Ombuds institution whatever the extent of its remit should ponder on, make proposals and if convincingly acceptable insist on their implementation.

Migration

States have a primary obligation to respect, protect, and fulfil the fundamental human rights of all persons under their jurisdiction or effective control without any discrimination whatsoever.

Migrants (and their families) are the perfect examples of displaced people. As Ombuds institutions, if we truly and tangibly believe that migrants—of whatever nature—are also our concern, and therefore merit our attention and support, then we are duty-bound to remind the countries to which we all owe allegiance that States have positive obligations to take preventive and remedial actions not only to uphold the rights of these human beings, but also to address and find solutions for violations and abuse that arise at all stages of migration.

To meet their obligations, States should facilitate migration with dignity and find solutions for the specific needs of migrants, including protection against arbitrary or forced migration.

So far so good as far as desiderata are concerned.

Unfortunately, we all as Ombuds institutions remain without an answer for important questions:

Why do people migrate at the risk of life or limb?

Could migration be caused by climate change or other environmental factors?

Could the reasons be discrimination?

Could the reasons be deprivation of the barest essentials to live?

All could be the reasons in one way or another. However, the adverse effects of climate change are most certainly having their significant toll.

Increasing risks of floods, droughts, storms, and other events undermine livelihoods and increase human suffering and risks to the rights of people in impacted areas. Millions of human beings are forced to move each year within and across borders.

Because they are independent and therefore have an obligation to stand to be counted, Ombuds institutions have to avail themselves of every opportunity, including through their investigations, to remind Governments that they have an obligation to take effective measures to deal with negative climate change issues, including but not only mitigating any risk of forced migration. Particular attention must be given to child migrants, where the sole consideration should be their paramount interest—nothing more and nothing less in the most absolute manner.

Actions and decisions of States should be transparent and involve the informed participation and consultation of migrants or their representatives. Furthermore, States are to ensure credible and verifiable access to justice for all.

Ageing Society

Population ageing, more so in developed nations, is a growing global phenomenon. As people age, the risk increases of having their basic human rights threatened or violated. While the shift towards an older population could be irreversible, policy decisions should be taken to shape a reasonable path forward that makes sense.

Even here Ombuds institutions have an important role to play. They have to insist that a clear distinction has to be drawn between “needs” and “rights.” While “needs” may vary depending on multiple factors, “rights” are there to stay as they are fundamental normative rules for all to observe and defend.

Questions arise on how to support rising numbers of older people in the face of healthcare and long-term care costs, particularly if equitable and sustainable systems are not in place to distribute resources among age groups.

States should manage the problems of ageing by taking forward-looking measures to innovate their labour markets, and pension and healthcare systems to ensure that support for older persons is both adequate and sustainable.

In general, countries with comprehensive social protection systems and universally accessible essential services have been successful at mitigating income inequality and reducing poverty at older ages than those without such systems.

Widespread increased prevalence of precarious forms of work threatens access to adequate pensions and other social protection benefits, putting economic security at risk for large numbers of older persons. Without remedial action, there is a significant risk that standards of living at older ages will become increasingly unequal.

The COVID-19 pandemic exposed existing weaknesses in healthcare for older persons, especially long-term care, and showed how such weaknesses can aggravate inequalities. Poor quality and underfunded systems of care, insufficient provisions for care at home, low wages and precarious conditions for care workers, and a lack of reliable protocols to prevent COVID-19 transmission within health facilities contributed to a heavy death toll among older persons.

The fact that future generations of older people may be more unequal and economically insecure must be seriously considered. The financial viability of pension systems is an issue of concern, although I have to say that when compared to the enormous cost and waste of arms spending, keeping pension systems going would in comparison seem to be a mere pittance.

While the shift towards older populations is largely irreversible, collective actions and policy decisions shape its path and consequences. Postponing critical measures that allow societies to benefit from and adapt to population ageing would impose high social, economic, fiscal, and health-related costs, for both current and future generations.

With appropriate planning, States can manage the challenges and ensure that no one is left behind. After all, every person—in every country in the world—should have the right (not just the opportunity) to live a long and healthy life.



Dr. Ákos Kozma,

Commissioner for Fundamental Rights of Hungary

The role of Ombudsman Institutions in protecting human rights is particularly important, especially in the face of complex challenges such as the climate crisis, migration, and an ageing society. In regard to these global issues, I act as the Commissioner for Fundamental Rights of Hungary in accordance with Hungarian conditions, taking into account the unique challenges of Hungarian society and the perspectives of human rights protection.

The role of the ombudsman in supporting actions against climate change and promoting sustainable development is also central in Hungary. As Commissioner for Fundamental Rights of Hungary, I monitor the protection, maintenance, and preservation of natural values constituting the nation's common heritage, with particular attention to the interests of future generations, through my deputy responsible for this constitutional function. Regarding the human rights implications of the climate crisis, we often emphasise that environmental harms disproportionately affect vulnerable groups, especially children, the elderly, and minorities. I continuously monitor compliance with and the proper implementation of state measures to ensure the enforcement of the right to a healthy environment. I also stress that human rights must be taken into account when developing climate change-related strategies.

Climate change significantly affects migration, a global challenge. A key task of Ombudsman Institutions is the protection of the human rights of refugees and migrants, especially

the rights of asylum-seeking children. In Hungary, we pay special attention to the humanitarian and legal aspects of the situation of Ukrainian refugees and to the enforcement of human dignity and the fundamental rights derived from it.

The challenges of an ageing society also raise serious human rights concerns. A primary task of the Commissioner for Fundamental Rights of Hungary is to guarantee the human dignity and security of the elderly. I monitor, in particular, the quality of services provided to the elderly, the proper functioning of health and social care systems, and the prevention of discrimination against older adults. For this purpose, our institution, which has been further strengthened in its powers in recent years, regularly conducts systematic and planned investigations, as well as ad hoc inquiries based on individual complaints. After concluding these investigations, we issue reports containing recommendations. Our aim is to promote the social participation of the elderly and support initiatives aimed at improving their quality of life.

In addressing these challenges, as Commissioner for Fundamental Rights of Hungary, I work closely with various state, international, and civil organisations to ensure respect for human rights for all affected parties. The independent role of the ombudsman provides an opportunity to examine the effectiveness of state measures from an objective and critical perspective and, if necessary, to make recommendations for their improvement.



Moderator:

Tena Šimonović Einwalter,

Ombudswoman of Croatia, Member of CoE European Commission Against Racism and Intolerance (ECRI), Representative of the ECRI in the Committee on Artificial Intelligence (CAI) and GEC/ADI Expert Group on AI, Former Chair of the European Network of Equality Bodies (EQUINET)

While we have still not resolved the issues of the past, new challenges are here and coming. Some come abruptly, while others advance incrementally. They are interconnected, with overlapping causes and consequences, complex each on its own and complex in their mutual interactions and with far-reaching effects.

These challenges have placed our institutions at the forefront of trying to predict the trends and recognise potential human rights impacts and try to steer policy and legislative responses towards human rights compliance, focusing on those least well-off who tend to bear the biggest burden.

It is certainly crucial to focus on changes brought by rapidly developing technology, which changes the meaning of good governance and the expectations of citizens from institutions in the context of digitalisation. It is even more so regarding in particular AI, given its tremen-

dous potential to change all areas of life, the public and the private sector. The digital divide and digital inclusion, the balance between the freedom of expression on one side and hate speech and misinformation on the other, as well as privacy, data protection and cybersecurity, are all pertinent issues of today. To what extent AI may change the future, including the future of institutions, procedures and human rights, I believe we cannot even yet envisage.

Aside from the impact of the advancement of technology, some of the other ongoing and future complex human rights challenges are linked to the effects of migration, the climate crisis, and ageing. Increasing numbers of people are migrating, within and out of their country of origin, because of war, violence, and political or economic instability, as well as climate change and other disasters, sometimes risking their lives to find safety in Europe. Climate change, including floods, storms and heatwaves, is also already making an impact on a variety of human rights, and is and will be a cause of migration. Those least well-off and most vulnerable will be taking the largest proportion of the consequences, for instance, heatwaves will be particularly difficult for older persons. We know that demographic trends have different social, economic, political, and cultural implications. The ageing we are seeing in Europe also means that older persons are facing prejudice and stereotyping, marginalisation, discrimination, limitation of autonomy, social exclusion, and obstacles in access to resources and services. In addition, these trends tie into those in the area of migration – older European societies need workforce from other continents. Again, it is all connected, with the mentioned technology bringing opportunities to help, but also to endanger human rights when used to respond to these issues.

Finally, it is politics and resources which will determine the responses to the challenges. And it is our role to insist on the rule of law and human rights in regulation and in implementation.

Our complex and potentially mutually inspiring task is to explore the interconnections and the overlaps between these challenges and various trends and the resulting human rights issues, as well as what exactly we can and should do as Ombudsman Institutions and NHRIs, at present and in the future.

We first need to focus on examining how effective we are in addressing these contemporary challenges and how can we be better, both now and in the future. How can we use our existing mandates in novel ways, and interpret them to maximise our potential? We also need to consider what types of constraints and obstacles are we facing and might be facing in the future and what can we do, individually and together, to address them. What can we learn from each other? What are future new avenues of co-operation, learning, and joint action?

I believe we should do this with a focus on three points: 1) insisting on the connection between democracy, the rule of law and human rights, 2) with a view towards innovation, creativity, and strengthening of our roles and avenues of addressing the multiple and evolving human rights challenges, and 3) by co-operating with each other.



The seat of the Human Rights Ombudsman of the Republic of Slovenia, Ljubljana
Photo: Janez Kotar

Wrap-up discussion and conclusion: Is there a need for innovative approaches in Ombudsman Institutions and NHRIs to address modern challenges?

Description: This concluding panel will bring together insights from the conference to discuss the necessity and potential for innovative approaches within OIs and NHRIs to effectively address contemporary human rights challenges. The panel will consider how these bodies can evolve and adapt to better protect and promote human rights in an increasingly complex and dynamic world.

Some points for discussion might include **identifying modern challenges; innovative practices and approaches; technology and digital transformation; collaborative and multidisciplinary approaches; building resilience and adaptability; public engagement and participation; policy and legislative innovations; evaluating impact and success; learning from best practices; future directions and recommendations.** By exploring such points, the wrap-up discussion will aim to synthesise the insights gained throughout the conference and provide a forward-looking perspective on the role of innovation in strengthening human rights advocacy.



Emily O'Reilly,
European Ombudsman

Dear colleagues,

Thank you for inviting me to speak to you today and greetings from Strasbourg where the plenary session of the European Parliament is taking place. I am sorry that I could not join you in person in the beautiful setting of Lake Bled but allow me to also congratulate Ombudsman Svetina and his team on the thirty-year anniversary of their office.

The subject matter of this conference could not be more relevant given the ongoing period of global realignment and instability we are currently experiencing. In the last ten years, we have witnessed great changes in our world and in the narratives through which nations and peoples understand themselves and each other. Some of these have been positive, but others have led to hardening attitudes against human rights protections and perhaps diminishing people's collective sensitivity to human suffering.

Migration in particular has become a highly weaponised issue for political demagogues posing grave threats to fundamental rights. In the United States, President-elect Trump has threatened to get rid of humanitarian programmes and carry out mass deportations. Closer to home, we have watched the EU progressively externalise elements of its migration-management policy to countries with poor human rights records and consider the creation of offshore deportation centres.

Against this backdrop, we may be tempted to question the extent to which our generally 'soft law' powers can ever hope to help people whose fundamental rights are at risk. We may also feel restricted in our ability to act, either by the limits of our mandates or by the risk of appearing overly political in our actions. That is why I have always considered resilience and a strong belief in one's mission to be among the core values of a good ombudsman or human rights defender. To bring about change, we must have confidence both in our work and in our ability to make creative use of all the tools at our disposal.

As European Ombudsman, my job is to ensure good administration in the EU's institutions, bodies, and agencies. My caseload does not cover common human rights-related topics such as social protection, healthcare, or housing, since these are not EU competences. Nevertheless, I have frequently stressed that good administration must always encompass observance of, and respect for fundamental rights. This applies to the EU institutions just as much as it does to national institutions. This has motivated me to take a close look at how actions of the EU administration can perpetuate or lead to human rights abuses, whether that be in the Member States themselves or in countries with which the EU has signed international agreements. In the past years, I have for instance criticised the European Commis-

sion's failure to carry out a human rights impact assessment in advance of the EU-Vietnam trade deal and made suggestions for how it can better ensure respect for human rights in general in international trade agreements.

A key tool at my disposal when it comes to examining human rights issues is my ability to launch own initiative inquiries that do not necessitate a prior complaint. Following the sinking of the migrant boat *Adriana* in which over 600 people tragically lost their lives, I used this power to examine how the EU's border and coast guard agency Frontex ensures respect for fundamental rights in search and rescue operations. I found that current EU rules make the agency reliant on the actions of Member States when it comes to saving lives at sea. During the *Adriana* incident, Frontex had made four separate offers of assistance to the Greek authorities, all of which went unanswered. I made suggestions for improvement to Frontex and called on EU legislators to consider changing the rules. I also shared my findings with the Greek Ombudsman who is looking into the role played by the Greek authorities in this tragedy.

In another recent inquiry, I examined how the Commission plans to ensure respect for fundamental rights in the recent EU-Tunisia Memorandum of Understanding—an agreement that includes EU funding for Tunisian border management. In my findings, I called on the Commission to publish a summary of the risk management exercise it had conducted prior to signing the agreement and asked it to lay out concrete criteria for suspending EU funding to projects in Tunisia when rights violations are identified.

In addition to the strategic use of own initiative inquiries, another important tool I have—that we all have—is cooperation. Through the European Network of Ombudsmen, I have relied upon the on-the-ground expertise of national and regional ombudsmen in some of my human rights-related inquiries. Examples include my inquiries into how Frontex deals with alleged fundamental rights breaches through its complaints mechanism and how the Commission ensures EU funds are used in the Member States to promote the transition to community-based care for persons with disabilities.

Conferences such as this one further allow us to exchange experiences and innovative methods for tackling contemporary human rights challenges. By continuing to work together, we can take effective steps to achieve our common goal of upholding fundamental rights, even in the most challenging of times.

Thank you and have a wonderful conference.



Written contribution



Sir Rob Behrens CBE,

former Parliamentary and Health Care Ombudsman of the United Kingdom and former Vice President of the International Ombudsman Institute (IOI) European Board of Directors

“For England expects – I forbear to proceed,
Tis a maxim tremendous but trite,
And you’d best be unpacking the things that you need
To rig yourselves out for the fight.”
Lewis Carroll, *The Hunting of the Snark* (1876).

When Lewis Carroll wrote his epic poem, he was enigmatic about what ‘Snark’ hunting entailed. The Ombudsman is far luckier. While the individual challenges facing the Ombudsman are changing and developing, the core strategic role of the Ombudsman remains crystal clear.

The role of the Ombudsman is to promote Public Trust through the resolution of complaints by citizens and non-citizens against institutions of the State, and to promote improved practice so that lessons are learned from sub-standard State behaviour. Since Public Trust is agreed to be a diminishing ‘good’ or ‘burning platform’ in most western societies, an outline of the ingredients of Public Trust is essential to benchmark the required behaviour of Ombudsman leaders and institutions.

This was set out in brilliant fashion by Baroness Onora O’Neill in her celebrated 2002 Reith Lectures , *A Question of Trust*. The core ingredients of Public Trust are:

1. The honesty and independence of professions that run public institutions;
2. A core competence in serving users and the wider public;
3. Public support for strong internal institutional cultures which foster standards and transparency in public institutions; and
4. The emergence of ‘active trust’ or trustworthy behaviour by professions in the public sector and oversight bodies which regulate them.

Acting alone, the Ombudsman will not be able to regenerate Trust in public institutions, but unless the Ombudsman displays each of the ingredients of Public Trust, no contribution will be made to the wider regeneration needed. This is well summed up in the motto, “People in glass houses should not throw stones.”

The honesty and independence of the Ombudsman

There is much information available about the perceived honesty and independence of professions in the public sector, with doctors and nurses being particularly well regarded and

civil servants and politicians being less well regarded. However, data on public perceptions of Ombudsman leaders is scarce. As an emerging profession, there is justified pride in the integrity and steadfastness of Ombudsman leaders in the unequal struggle with Government, but there is no room for complacency. Recent documented behaviour by a small number of Ombudsman leaders in (for example) the Russian Federation, South Africa, and Western Australasia confirms that high standards of integrity and/or independence have sometimes fallen seriously short of the optimal. This has resulted in (successively) expulsion from the International Ombudsman Institute (IOI), Impeachment by Parliament and subsequent dismissal, and findings of 'serious misconduct' resulting in enforced resignation. Even good colleagues with excellent service records can make serious mistakes.

Core Competence

COVID-19 created huge capacity issues for Ombudsman institutions across Europe and elsewhere. Initially, the disease itself prevented bodies in jurisdiction from processing complaints. Then lockdown and working from home robbed Ombudsman offices of corporate working. Post-COVID-19 saw a huge increase in complaints and some Offices had to use proportionality principles to manage demand. All of this generated further pressure on time to resolve cases, and exposed the weaknesses of those Offices deprived of powers of 'Own Initiative', and the time-long tendency for silos to develop in case-handling.

Strong, internal, transparent cultures

There is no regional hierarchy of Ombudsman integrity, but isolated events in South Africa and Western Australia demonstrate the dangers of work cultures reflecting excessively the principle of 'corporation sole' in Ombudsman schemes and the adverse impact of one-person, charismatic but sometimes overly secretive, leadership. Happily, *The Art of the Ombudsman: leadership through international crisis* (IOI/PHSO, 2021) survey found that most IOI Ombudsman leaders subscribe to participative/collective, or transformational leadership with only 15 per cent of those surveyed describing their own leadership as 'autocratic'.

Promoting Active Trust

This requires mutuality, empathy and compassion in carrying out conflict resolution, alongside independence and impartiality. Some Ombudsman schemes supplement investigation techniques with mediation between the parties which promotes additional listening and dialogue. Many schemes take care to incorporate user views and surveys in assessing organisational performance. And many promote dialogue through generating outreach schemes where the Ombudsman staff go out into the community to listen to and meet potential users rather than wait for them to submit a complaint.

'Rigging yourselves out for the fight'

All Ombudsman schemes need 'to practice what they preach' – being listening, learning organisations and recognising that independence and accountability are complementary, not incompatible. In practice this means accelerating what is currently an embryonic profession into a fully-fledged one. This would give more colleagues the essential skills they need to do a very difficult job through induction, accreditation, core development and the creation of (either internal or cross-national) Ombudsman learning academies. The IOI European Learning Academy, now successfully launched, was one of the outcomes of *the Manchester Memorandum*, as adopted at the Athens IOI Assembly in 2022. Another has been reaffirma-

tion of the benefit of Ombudsman Peer Review, now validated by the IOI, and giving national and sub-national schemes the benefit of public review by accredited international counterparts. Amid the dark times, there is so much good practice around to inspire us. We need to capture it and address frankly where our operations and practice are sub-optimal. Without doing that we join the 'burning platform' of Trust and lose our hard-won utility.

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Rafael Ribó,

former Catalan Ombudsman and former President of the *International Ombudsman Institute Europe*

“Rooting the Ombudsman in Human Rights as the Way to Effectively Tackle Contemporary Challenges”

1. In Need of a Human Rights and Ombudsman Evolution

Human rights are beyond laws.

If we consider and address human rights basically and not just fight maladministration, we are moving to a more interventionist model, far removed from the original Swedish one.

This evolution is also explained because of the appearance of new needs that create unfair or “outside the law” situations, new rights to be ruled new approaches to all problems.

There are special “new” matters or challenges such as:

- Extending ombudsmanship all over the world. There are huge and even important matters, territories, and fields without public Ombudsman institutions.
- Including private companies providing services of general interest in respect for human rights.
- Exploring relationships and possibilities between AI and human rights, such as policies based on algorithms. To discover the ‘unknown’ world, GAFAM, and their uncontrolled powers. Playing a quasi-judicial role, collaborating with courts, the European Court of Human Rights, like amicus curiae.
- Contributing to the guarantee of basic rights in the battle against terrorism threats. Considering wars and their consequences, as happens in so many close scenarios: Ukraine, Gaza, and the rest of the Middle East.

2. Deepening Institutional Recognition, and Making Politicians Respect the Ombudsman

All political powers should be expected to respect and strengthen Ombudsman institutions and their independence, and to prevent any kind of threat. In this sense, there is a need for specific development programmes for politicians and civil servants as well as Ombudsman leaders.

Demands for information should be binding and enable free access to institutional data. Do not confuse with 'binding powers' and recommendations.

Recommendations should be answered with all details and compulsory follow up reports.

All these themes are included in the Venice Principles, which should be understood, respected, applied, and reinforced in each State, at the earliest opportunity.

3. Widening the Meaning and Inclusiveness of Fundamental Rights

The current situation of the three elements of welfare (health, education, and social services) could effectively discriminate and limit rights.

Vulnerability is growing not receding, as set out in the IOI's Manchester Memorandum.

There are additional challenges, notably migration:

We should incorporate and cope with four categories of persons, when currently some of them, are not considered citizens: full citizens, EU residents, migrants legalised, and "sans papier".

For many years border tensions and disputes have led to rights harmed as illustrated by the Lesbos-Calais-Albania camps. And do not forget the Annual Survey of Refugees.

We should add climate change migrants and, even inside our borders, the protection of needs arising from changes in nature should be recognised, e.g. the recent Swiss court sentence.

Rights could be expanded to show the autonomy of citizens, promoting civic culture in a way that could be useful to promote a higher level of participation.

4. Increasing Means

The norm must approach a statement like "Free budget and recruitment of personnel".

We need excellence, exchange of experiences, and improved learning. I would recommend dialogue with academia and collaboration with university researchers.

And it is essential to recognise the importance of own Initiative powers.

Let's give serious consideration to the utility of sectoral, local, or what we call regional Ombudsman institutions.

Let's understand the key role of social networks and mass media, for access and campaigning for deeper societal understanding.

5. Presenting and Projecting Outcomes

There are two capital concepts to be adhered to: Absolute independence and transparency.

Parliament is the only body, in all respects, for control.

There is a need for constant evaluation and self-assessment of our Ombudsman institutions with the help of peer reviews. All these should be included in a public annual balance and control report.

6. Improving International Coordination and Collaboration

We are describing an institution with excellence, compromise, authority and prestige.

That is why the Ombudsman should be represented and work with any “human rights event”: the UN, EU and further parliamentary ombudsmen, the Council of Europe, ECHR, and the Venice Commission.

Ombudsman networks can have a big role if they do not fall in a too formal approach, coordinating and answering swiftly and with rigour.

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Prof. Dr. Vasilka Sancin,

Professor at the Faculty of Law of the University of Ljubljana, Vice-President of the United Nations Human Rights Council Advisory Committee and member of the Ombudsman’s Human Rights Council

NHRIs’ Innovative Approaches to Address Contemporary Challenges

National human rights institutions (NHRIs) and Ombudsman institutions oftentimes share similar challenges, as their mandates, powers and functions in many instances significantly overlap. For example, the Human Rights Ombudsman of the Republic of Slovenia is accredited by GANHRI with an ‘A status’, signifying full compliance with the Paris Principles for NHRIs.

A general precondition for NHRIs’ effectiveness is their structural independence from governments, allowing them to operate without undue influence. Although fundamental, full independence remains a significant challenge across various country contexts and a primary concern of many NHRIs, oftentimes accompanied by perpetual limitations in resource allocation. Other contemporary challenges include the rapidly shifting socio-political landscape and socio-economic inequalities exacerbated by global crises like the COVID-19 pandemic,

oftentimes accompanied by evolving forms of discrimination, complex climate change and environmental degradation impacts on human rights, the risks amplified by the digitalisation of societies, including the rise of disinformation, misinformation, the digital divide and cyber threats. In addressing these diverse challenges, the NHRIs need to further invest in innovative approaches in many of their activities, including public confidence building, which directly correlates with their perceived impartiality and effectiveness in addressing relevant human rights concerns. This includes endeavours to increase accessibility to NHRIs programmes and services, including through establishing offices in regions beyond urban centres and engaging in outreach programmes, that make their mechanisms reachable for marginalised and vulnerable groups and tailored to their specific needs. Collaborative initiatives enable NHRIs to pool resources, share expertise, and bolster advocacy efforts, which necessitates the strengthening of partnerships with civil society organisations, academia, and international bodies.

Many NHRIs experience gaps in technology adoption that limit their effectiveness in fully engaging with digital tools. The willingness and ability to pivot and address new issues is crucial for maintaining their effectiveness and increasing relevance. Going forward it seems inevitable that the NHRIs embrace modern technologies, including those powered by artificial intelligence systems, at the same time ensuring that they always maintain meaningful human control. The incorporation of user-friendly technologies can be particularly effective in reaching younger demographics and those in remote areas, enabling prompt responses to contemporary challenges. Integrating advanced digital tools like AI-driven analytics can improve data collection and the monitoring of human rights trends, enabling more precision in reporting and advocacy. Embracing public participation through digital forums and social media can strengthen transparency and community involvement in decision-making. Additionally, adaptive training and capacity-building programmes ensure NHRI staff are equipped with the knowledge to handle emerging issues, such as digital privacy and the dangers of biased decision-making. Finally, developing resilient, real-time response systems allows NHRIs to react quickly to crises, enhancing their impact and credibility. These approaches ensure NHRIs remain relevant, proactive, and effective in upholding rights amidst a rapidly changing world. Importantly, NHRIs must also introduce adequate cybersecurity defenses for maintaining their operational resilience. Finally, the NHRIs need to actively engage in shaping policies on digital rights based on a human-centric digital uplift, ensuring that technologies support, rather than hinder, the realisation of human rights.



Alyson Kilpatrick,

Chief Commissioner of the Northern Ireland NHRI, Board Member of the European Network of National Human Rights Institutions (EN-NHRI), and incoming GANHRI Secretary (Deputy Chair)

We are all charged with responsibility to protect and promote human rights. We have all faced challenges in some form or another. We are the recipients of historical scholarship, deriving from pain and horror of wars, home and abroad, and the authors of contemporary scholarship that might better protect us in the future.

We operate within our domestic contexts but also on the global stage. With the rise in populism and the use of technology to spread anti-human-rights rhetoric, we must be better at responding. We must tackle human rights violations in the small things as well as in the midst of serious conflict. We are the guarantors of equality, owed simply by virtue of membership of the human family. The strive for true equality is more difficult than ever because 'other people' have been set up as enemies of the smooth running of the State. Therefore, to protect and promote human rights and true equality for every human being regardless of status can pitch us against the State and against public opinion. As a result, resources can be limited, external pressure can be enormous and we can struggle for legitimacy. Despite all of that, each nation has a lesson to share and if we listen and learn from each other the challenges can be met. I will discuss the lessons learned to date and how we might put them into practice when we go home.



Moderator:

Dr. Simona Drenik Bavdek,

Assistant Head of the Center for Human Rights at the Human Rights Ombudsman of the Republic of Slovenia and incoming Board Member of the European Network of National Human Rights Institutions (ENNHRI)

It is evident that Ombudsman Institutions and National Human Rights Institutions (NHRIs) are indispensable in safeguarding human rights and the rule of law. However, to continue fulfilling this role effectively, they must adapt and innovate to address contemporary challenges.

Firstly, strategic litigation significantly broadened the reach of NHRIs. For instance, EN-NHRI has recently submitted third-party interventions before the European Court of Human

Rights (ECtHR) in three landmark climate cases and in a case challenging abortion restrictions in Poland. Additionally, ENNHRI has intervened in a Belgian case before the European Committee for Social Rights regarding the criminalisation of begging. The Slovenian Ombudsman has also engaged in strategic litigation, submitting interventions before both the ECtHR and the Committee on the Rights of the Child. The institution has also enhanced involvement with the UN human rights system.

Secondly, NHRIs and Ombudsman Institutions are instrumental in ensuring the implementation of judgments from both international and constitutional courts. The European Commission's Rule of Law Reports underscore the importance of strong and independent NHRIs as essential indicators of the rule of law. However, many of these institutions face resource constraints that limit their ability to comprehensively monitor rule of law issues. Their independence—particularly in terms of financial autonomy—is key to enabling them to fulfil their mandates without external interference. When adequately resourced and independent, NHRIs can serve as robust guardians of human rights, and promote accountability within national legal systems.

Thirdly, formal recognition of NHRIs and Ombudsman Institutions within EU law would be an important step forward for the EU. While these institutions are indirectly referenced in secondary legislation—such as concerning monitoring the New Pact on Migration and the EU AI Act or EU Funds—they currently lack formal status, clear understanding, and explicit recognition within the EU legal framework. This is even though the EU Charter of Fundamental Rights has been a part of EU primary law already for around 15 years. Granting formal recognition to NHRIs and Ombudsman Institutions would strengthen their role in advancing EU values and supporting fundamental rights and the rule of law across Member States and in candidate countries.

Fourth, the rise of populist movements across Europe has led to a surge in divisive rhetoric and policies that challenge the very fabric of social cohesion and contribute to the securitisation of human rights. On one hand, this environment places many NHRIs and Ombudsman Institutions at risk, yet underscores the importance of their role in countering these trends. NHRIs and Ombudsman Institutions should serve as crucial advocates for inclusivity, tolerance, and respect for all individuals. Through their core functions of monitoring, reporting, and public education, these institutions are well-positioned to actively confront intolerance, preventing discriminatory attitudes and practices from taking root in policies or social norms.

Finally, human rights education and training as well as tolerance education are increasingly central to the work of NHRIs and Ombudsman Institutions.

However, to effectively meet the growing demand for education and training from schools, businesses, associations for older persons, the judiciary, and public administration, increased resources are essential. A well-informed public – aware of their rights – and a well-trained public sector – understanding its obligations – together form the foundation for realising these rights in practice.

In conclusion, Ombudsman Institutions and NHRIs must persist in innovating, adapting, and expanding their influence to meet today's complex challenges effectively. Let us remain dedicated to supporting these institutions, ensuring that they thrive, uphold the highest standards of human rights protection, and strengthen the rule of law throughout Europe and beyond.

