



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Council of Europe ON Forum
High-level conference with Ombudsperson institutions
and National Human Rights Institutions (NHRIs)

Opening speech by Mattias Guyomar

Strasbourg, 13 March 2026

Commissioner for Human Rights, dear Michael,
Chair of the European Network of National Human Rights Institutions (ENNHRI),
Secretary-General of ENNHRI,
Registrar,
Dear participants,
Dear friends,

On behalf of the judges of the European Court of Human Rights, I warmly welcome you to the Human Rights Building.

This is the second edition of the “ON Forum” and the first one to be co-organised by the Court.

Let me thank Judge Kovatcheva, *dear Diana*, for being the Court’s judicial focal point on National Human Rights Institutions and for taking in the lead in organising this event.

I also wish to thank Judges of the Court, Judge Arnardóttir, Sancin and Gnatovskyy, *dear Oddný, Vasilka and Mykola*, for your involvement in the panels.

It is a great pleasure to host you. Yesterday, you discussed the vital role of National Human Rights and Ombuds institutions in protecting democracy, addressing foreign interference and erosion of checks and balances. Today, we have an interesting programme, with discussions centred on your role in safeguarding freedom of expression, contributing to the Court’s judicial work, and assisting in the execution of its rulings.

In a democracy, judicial bodies – including international jurisdiction, such as the Court – are key players in developing and safeguarding democracy as part of the separation of powers. By balancing the executive authority, safeguarding the constitutional order, and protecting human rights, judges prevent arbitrariness, which is the very anti-thesis of the rule of law.

But protecting the rule of law cannot rest solely on the shoulders of the judiciary; and, judges alone may not be able to uphold it.

It is crucial to build and to develop **synergies** between all democratic actors: judicial institutions **and non-judicial actors**. These include civil society, lawyers, associations, the free media – all the **counter-powers** (*contre-pouvoirs*) that work together to safeguard and develop human rights.

National Human Rights and Ombuds institutions are central to this endeavour. You help to bridge the gap between States' human rights commitments and the effective realisation of individual human rights.¹ As *Commissioner O'Flaherty* said in a recent speech, you are "crucial elements of a State's human rights and democratic **architecture**".

In a way, National Human Rights and Ombuds institutions are like a **vaccine** that helps to protect the State's democratic well-being. For a State to allow, within the separation of powers, for the existence of an independent, autonomous, non-judicial authority that acts as a form of counter-power, is a sign of great foresight – and **confidence**. It takes a healthy democracy, one that knows how to recognise its own shortcomings and to remedy them, to establish one.

The variety of National Human Rights and Ombuds institutions reflects the rich diversity of national contexts within the Council of Europe. The progressive development of these institutions over the past three decades is an achievement that should be treasured, preserved, and pursued, even if – or, **especially** because – it still faces occasional resistance in some parts. The idea is nothing short of ingenious.

Let me say this clearly: the Court needs you. Your work individually and collectively notably through ENNHRI is essential to the Convention system.

I could mention many reasons for this, but let me emphasise *three* ways in which your work is crucial:

First, by addressing human rights violations, whether by acting on complaints or through self-referral; by assisting domestic courts in their judicial work; by advocating with parliaments for higher levels of protection of rights; by disseminating the Court's case-law – you act as powerful levers in the implementation of the principle of **subsidiarity**, the guiding principle of the Convention system, embedded in its Preamble.

To borrow the words of a former Judge of our Court – and now a judge of Estonia's Constitutional Court, Julia Laffranque, you are the "non-judicial mechanisms for the domestic application of the [Convention] system".²

With the rise of populism, authoritarian tendencies, and a growing backlash against human rights, it has also been encouraging in recent years to see your institutions taking up the mantle of defending the rule of law in your respective countries. By calling out and challenging actions that undermine democratic processes, judicial independence and the rule of law, you act as **important counter-powers** at a time when these principles are being challenged.

As local actors and advocates of change, National Human Rights and Ombuds institutions have a deep and in many ways unmatched understanding of the domestic context. These qualities make you particularly legitimate and reliable contributors to the Court's judicial work and the **second** reason why the Court needs you.

The Convention system relies on the Court's **judicial pragmatism** – its ability to interpret the Convention's text within a given context. With your expertise and privileged understanding of the context, you hold the keys to the proper application of the Court's judicial pragmatism.

¹ CM/Rec(2021)1 - [Recommendation](#) of the Committee of Ministers to member States on the development and strengthening of effective, pluralist and independent national human rights institutions, adopted on 31 March 2021.

² Laffranque, J. (2020). The Ombudsman in the Eyes of the European Court of Human Rights. *Juridica International*, 29, 95–107. <https://doi.org/10.12697/JI.2020.29.09>

This finds its expression primarily through **third-party interventions**. This will be the focus of the second discussion panel today.

Strong third-party interventions by National Human Rights and Ombuds institutions are essential to the Court's deliberations. For the European judge who, by geographical necessity and institutional design, is removed from the reality in which the dispute arose, you are an indispensable source of information and insight. Your observations allow us to take a step back, beyond the mere dispute between the individual and the State. They help to ensure that the Court's rulings are up-to-date, fact-based, and relevant.

Let me mention, as an example, interventions made by the European Network of National Human Rights Institutions:

- in the historic Grand Chamber ruling *Verein Klimaseniorinnen Schweiz and Others v. Switzerland* [GC, 2024], on climate change;
- in the case of *Big Brother Watch and Others v. The United Kingdom* (GC, 2021), on mass surveillance and data protection;
- or, most recently, in a case concerning licenses for oil exploration (*Greenpeace Nordic and Others v. Norway*, 28 October 2025).

And there are many more examples of interventions made by individual National Human Rights Institutions³, as well as cases where the Court has relied in its judgments on reports prepared by Ombudspersons.⁴

In this way, your work contributes to the Court's **legitimacy** – legitimacy that must be constantly reaffirmed, especially today, when the Convention system is being openly called into question.

You help the Court to live up to its ambition of being a Court for everyone – **a Court for all**.

Finally, the **third** reason why you are indispensable to the Convention system, as we will see in the concluding session today, is your role in the process of execution of the Court's judgments.

As with your third-party interventions, also your submissions to the Committee of Ministers provide up-to-date and factual information about the challenges and shortcomings in the process of the implementation of the Court's judgments.

While supervising this process is a prerogative of the Committee of Ministers, I wanted to highlight this as it shows the relevance of your work for the entire Strasbourg process.

Indeed, your involvement in the Convention system begins **long before** an application is received by the Court – and continues **long after** the Court has delivered its ruling.

Dear friends,

³ For example, *Bah v. the United Kingdom*, no. 56328/07, §§ 4 and 33-34, ECHR 2011; *Al-Saadoon and Mufdhi v. the United Kingdom*, no. 61498/08, §§ 6, 113 and 158, ECHR 2010; and *Armani Da Silva v. the United Kingdom* [GC], no. 5878/08, §§ 8 and 224-28, 30 March 2016 (interventions by Great Britain's Equality and Human Rights Commission); *O'Keeffe v. Ireland* [GC], no. 35810/09, §§ 8 and 137-38, ECHR 2014 (extracts) (intervention by the Irish Human Rights and Equality Commission); *Yengo v. France*, no. 50494/12, §§ 5 and 45-47, 21 May 2015 (intervention by France's *Commission nationale consultative des droits de l'homme*); and *Rustavi 2 Broadcasting Company Ltd and Others v. Georgia*, no. 16812/17, §§ 5 and 226-28, 18 July 2019 (intervention by the Office of the Public Defender of Georgia).

⁴ For example, *Ukraine v. Russia (re Crimea)* (GC, 20958/14 and 38334/18), 25 June 2024 (report of the Ukrainian Parliamentary Commissioner for Human Rights); *Macaté v. Lithuania* (61435/19), 23 January 2023, §100-102 (report of the Office of the Equal Opportunities Ombudsperson); *ECODEFENCE and Others v. Russia* (9988/13 and many others), 14 June 2022 (§645, annual report of the Russian Ombudsman); *N.D. and N.T. v. Spain* (8675/15 and 8697/15), 13 February 2020 (§39, 40, 99, 215 - annual report of the Spanish Ombudsperson).

I hope that today's meeting will help to solidify your role as **bridges** not only between the State and the individual, but also between individuals and authorities at the national level, and European bodies such as the Court.

Please feel free to speak your mind and share any concerns you may have. This is the perfect opportunity to do so. The more openly we communicate, the more effective we will be in defending the rights and values protected by the Convention.

With this, I would like to hand over to the Commissioner for Human Rights.

Dear Commissioner, the floor is yours. Thank you.