

*“The Commissioner will work close to the field”*

INTERVENTION OF  
Mr. THOMAS HAMMARBERG,  
HUMAN RIGHTS COMMISSIONER

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COMMITTEE OF MINISTERS  
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Your excellencies,

This is my first presentation to this important body and I would therefore like to share with you some thoughts on how my office could contribute to the protection and promotion of human rights all over Europe.

First, I believe it is essential now to focus on *implementation*. The Commissioner should be as close as possible to *local realities*. He should relate directly with national authorities and parliaments. Co-operation with ombudspersons and national human rights' institutions is key and will, of course, continue. The Commissioner should have an open door for non-governmental organizations and professional groups – they are important in human rights work and often provide essential facts and popular energy for genuine reform.

Second, the Commissioner should *seek to be impartial*. He should avoid negative politicization and avoid ranking governments according to their perceived human rights records. Of course, the overall picture differs between countries, but nobody is perfect and my intention is to enhance dialogue with *all* governments and provide them with constructive advice.

Third, it is also important that the Commissioner is ready to voice criticism when necessary. This will happen, be sure. The purpose of the *critique* is not to damage anyone's reputation but to help defining the real problems - in order for them to be addressed. In other words, the Commissioner should be a *voice of conscience*.

I have now been in the office for seven weeks. Already, I can draw two conclusions. One is that the mandate of the Commissioner has a unique potential. It really could make a significant contribution to genuine, constructive change in our forty-six member countries. The obstacle is – that is my other conclusion – the lack of resources.

Prime Minister Juncker drew similar conclusions in his report and suggested that the Commissioner's office must be provided with more resources.

The discussion on how to solve the work load problems of the Court has also highlighted the potential of the Commissioner. The preliminary report of the “Wise Persons” on this

issue gives important recommendations in this regard. Indeed, we should be put in a better position to address the structural problems which are behind many of the complaints to the court. Here, our work relations with the national ombudsmen and human rights institutions are particularly relevant.

With more resources we could maintain a *continuous* dialogue with decisions makers in the member states – today we are limited to infrequent missions. We would be able to develop the support to ombudsmen and national institutions. We could be a much more present and available advisor.

Today I have a small office. Barely 15 persons, including part-timers, temporary and seconded staff. Our activities budget is minimal. It is only thanks to the voluntary contributions and secondments we have managed on the present limited level. I would like to thank the governments of Finland, Luxembourg, United Kingdom and Greece for their generous contributions.

We are now preparing a budget for next year. It should be realistic one, providing the necessary means for the office to fulfill its potential. To meet the many challenges ahead and the expectations created there is need to double its capacity. Should we obtain the further resources we need we could – on the basis of the expertise we have in our office – manifold our support to human rights protection and promotion in Europe.

At the same time, we should work more effectively with available resources. I am determined to promote co-operation with others acting for human rights in Europe - with other branches of the Council of Europe, including the Parliamentary Assembly, the Congress of Local and Regional Authorities and the treaty bodies.

Furthermore, the Commissioner should relate constructively with OSCE, the European Union and the United Nations. With a rational coordination between all of us we could achieve more impact for the sake of human rights for people at large – all over Europe.

Thank you.