

Human Rights in a Changing World : European and Mediterranean Perspectives

Introduction

The human rights we all know and which, following the tragedy of WWII, the international community rendered contractual and binding on States have, in the recent past, and all the more today, being challenged by the use of force to resolve disputes be they real, political or simply perceived.

International networks of national human rights institutions and ombudsman offices are at the forefront in their insistence for all to return to basics, meaning the protection and safeguard of defenceless persons : those who are used as pawns, those who are fed up of hearing empty words from the political class, and those who look up to the efforts of strong credible and independent defenders in their pleas for justice.

Amid evolving crises, Ombuds organizations, including the International Ombudsman Institute (IOI) and the Association of Mediterranean Ombudsmen (AOM), have been dealing with ways on how to uphold fundamental rights effectively within the framework of the principles of due process.

As independent oversight bodies and guardians of persons` rights, Ombuds and human rights institutions, not only investigate complaints, but also keep a careful lookout on the conduct of Governments in order to push forward system change in administrative operations.

For these institutions to do this strongly, their perspectives necessarily have to be wide and should include taking up challenges wherever human rights are in jeopardy in order to come up with forceful defence strategies. Whatever the nature of their mandate, oversight institutions share in common a commitment in favour of the rule of law and good governance, and that includes the protection of fundamental freedoms.

Challenges

The challenges are substantial in extent and degree. I shall refer very quickly to some.

Migration and Refugee Rights

Rampant wars trigger migration crises. Forced migration is a defining human rights challenge, on the one hand because it involves human tragedies of biblical proportions, and on the other because policy responses are controversial: pushbacks at borders, fast-track asylum procedures, and inadequate reception conditions that could qualify as inhuman and degrading.

Where human rights are at stake, there is no question of striking a safe balance between border management and human rights obligations. Safeguarding the forgotten should top the list for action by any oversight body which cares.

As far as the EU is concerned, the New Pact on Migration and Asylum will be the subject of careful scrutiny as far as its correct and reasonable implementation is concerned. It is intended to bring about a comprehensive reform of EU migration and asylum policies, including the Dublin Regulation. The Pact seeks to replace the patchwork of existing rules with a common EU system that is “*firm but fair*”, balancing responsibility and solidarity among Member States while upholding European values and international protection rights. The key objectives include: strengthening secure external borders, establishing faster and more efficient asylum procedures, ensuring more equitable burden-sharing so that no frontline country is left alone, and embedding migration management in partnerships with countries outside the EU. The Pact aims to normalize and manage migration long-term through an integrated approach, converting EU migration management from a crisis-driven and fragmented regime into a predictable, collective approach that upholds asylum rights while addressing Member States’ concerns about security and capacity. By the 31 December 2025, all required EU laws will have been adopted and the focus will be implementation and compliance. The Commission has said that once the rules become applicable next year, it will not hesitate to initiate infringement proceedings against member states that fail to meet their obligations. With effect from June 2026, new asylum applications in the EU will be handled in accordance with the Pact. The success or otherwise of the Pact will be measured by whether it can *both* deliver a more equitable sharing of responsibilities among EU member states *and* uphold commitments to protect those who seek refuge.

Conflicts and Response to humanitarian crises

Conflicts and humanitarian crises test the credibility of the international human rights system. Conflicts pose two important questions: how to advocate for the protection of civilians and compliance with humanitarian law during conflict; and from a human rights perspective how to address the aftermath as far as refugees, reconstruction, accountability for war crimes are concerned.

Condemning aggression is good but not enough. Members of international networks have to do their part to ensure that human rights are upheld.

While ombudsman institutions cannot stop wars, they should make their voices heard and should form part of the international chorus advocating for peace and human dignity.

Respecting and protecting human rights and humanitarian law are non-negotiable, not even in a changing world order, where democratic backsliding and erosion of the rule of law have taken trends that should worry many against a backdrop of general indifferent attitudes.

Climate Change

Wars and national economic interests seem to have sidelined climate action. Tangible proof of this are the conclusions of COP30 in Belem of last month. Nonetheless climate change is not fiction. Nor is it an abstract future threat but a reality in all its gravity. Climate change has moved to the forefront of human rights discussions and should therefore be of interest to

Ombuds institutions as well. More are speaking about the legal recognition of enforceable environmental rights. The harmful and devastating effects of climate change should not any longer remain outside the purview of oversight bodies. Even they have to make themselves heard by governments.

Of sure and certain comfort was the Advisory Opinion given by the International Court of Justice of the 23 July 2025 on the *“Obligations of States in Respect of Climate Change”*. Although the 140-page document is not binding, it carries very high moral authority. It has been declared that States have an obligation to protect the environment from greenhouse gas emissions and act with due diligence and cooperation to fulfil this obligation. In this context, the ICJ considered the adverse effects of climate change on the enjoyment of human rights and found that the right to a clean, healthy and sustainable environment is a human right essential for the enjoyment of other human rights (paras. 372-393 of the Advisory Opinion).

Digital Rights

Digital transformation has created new very serious frontiers for human rights: issues of privacy, data protection, freedom of expression, and algorithmic bias. To be operationally more efficient and cost effective is positive, but we have to be aware of objective risks for persons who find themselves on the wrong side of the digital divide. As public awareness of digital rights grows, ombudsman institutions have to be ready as they will not in the too distant future receive complaints on these issues – from privacy breaches to algorithmic biases.

Ombudsmen and human rights institutions are already facing these new challenges firsthand: micro-targeting of voters, fake information on social media, electronic voting systems. These all areas where human rights (like the right to free and fair elections, freedom of expression, privacy) intersect with tech.

Oversight institutions are presently in learning mode, adapting classical human rights principles to the digital context. These institutions should be placed in a safe position to find out whether an algorithm respects due process, to ensure technology is harnessed to enhance human rights not erode them, and to be better prepared to defend citizens' rights in the digital age.

Pristina Declaration - 2023

Although today I speak as Vice-President of the European Region of IOI, I am also Secretary-General of AOM.

The core principles of AOM Pristina Declaration of the 25 May 2023 are still relevant today:-

- The promotion of cross-border, regional, and international cooperation to better protect human rights and fundamental freedoms.

- Ensuring strong legal foundations for Ombudsman institutions to carry out their mandates effectively
- Ensuring sufficient funding and institutional independence free from political interference.
- Objective and merit-based appointment processes for Ombudsman roles and functional immunity for Ombudspersons and their staff.
- Full adoption of the Paris and Venice Principles in legislative reforms concerning Ombudsman institutions.
- International and regional human rights organizations to support and strengthen Ombuds institutions in line with these principles.

Thank you.