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**STEERING COMMITTEE FOR HUMAN RIGHTS
COMITÉ DIRECTEUR POUR LES DROITS DE L'HOMME**

(CDDH)

DRAFTING GROUP ON CIVIL SOCIETY
AND NATIONAL HUMAN RIGHTS INSTITUTIONS

GROUPE DE RÉDACTION SUR LA SOCIÉTÉ CIVILE
ET LES INSTITUTIONS NATIONALES DES DROITS DE L'HOMME

(CDDH-INST)

Compilation of the national contributions received in reply to the questionnaire
on *good practices of implementation* of existing national legislation
regarding the protection and promotion of the civil-society space

Compilations des contributions nationales reçues en réponse au questionnaire
sur *les bonnes pratiques de mise en œuvre* de la législation nationale existante concernant
la protection et la promotion de l'espace dévolu à la société civile

1.3. Challenges including the shrinking democratic space:



Human Rights Defender Institution of the Republic of Armenia (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

The [report](#) on ‘Ensuring the rights of refugees and asylum seekers in the Republic of Armenia’ was published on December 2017. It analysis the legislative framework of the relevant field in terms of its compliance with international commitments of Armenia. The report also studies the situation of asylum seekers and refugees who are kept or who live in special institutions (reception centres, detention facilities, etc.). Numerous legislative shortcomings were revealed and recommendations were addressed to competent authorities in this regard. The Report along with its recommendations will be considered as a crucial hallmark for launching rights-advocacy campaigns for the proper protection and promotion of the displaced person’s rights across the country.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Namely, among a number of recommendations on legislative shortcomings, the report suggests creating a new legal status for those foreign nationals (or person without nationality) who are not eligible for refugee status, but shall enjoy the protection under non-refoulement principle. Another important recommendation is to amend the relevant legislation so that it obliges all state agencies receiving asylum requests to provide free interpretation services during interviews. State and non-state actors operating in the named field participated in the publication of the Report and express their readiness to further discuss the report in detail.

Hence, in order to monitor whether the Government followed up any recommendation, the Defender’s Office is planning to organise a round table discussion with relevant state and non-state bodies in the near future and will further inform ENNHRI in this regard.



Commission Nationale Consultative des Droits de l’Homme (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

Although CNCDH has not a complaint handling mandate, it operates with the NGOs (providing information from the field), undertake investigation missions (like in Calais, for migration issues), and asks for individual testimonies (for instance related to the monitoring of the State of Emergency measures). At the beginning of the year 2016, the CNCDH went to Grande-Synthes (a city between Calais and Dunkerque), where the pragmatic and courageous initiative taken by the mayor to establish a temporary camp to welcome migrant people in accordance with humanitarian standards, and with the help of the NGO Médecins sans Frontières, was at risk of being cancelled by the prefecture of the North.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

After its investigation mission, the CNCDH wrote a report to the Prime Minister and the ministry of Interior, which allowed the Mayor of Grande Synthe and the associations to obtain the required authorisations for the opening of the camp. Moreover, the field visit to Calais resulted in opinions calling out the government about serious infringements of human rights in the slums of the city, a letter from the president of the CNCDH to the Interior minister to which he replied. In addition, our collaboration with local NGOs allowed:

- The end of intimidation against NGOs supporting migrants;
- That the State assumed responsibility for the meal distribution;
- The dismantling of the camp in conditions less disastrous than we could fear.

- **Nature, level, date, explanation of the “good practice”:**

The CNCDH is convinced the cartoons and short movies are powerful tools to introduce children, teenagers to human rights and to common values. They are very good tools not only for children but also for teachers, parents, associations working with children and teenagers.

In 2015, the CNCDH produced 5 short cartoons on key values linked to human rights. They are available on youtube (on different channels) and on the website dedicated to teachers. Teachers can also download the movies. Movies were produced in collaboration with the agency working with the minister for Education. Unfortunately, we don't have any feedback regarding the use of movies by teachers. In 2016/2017 members of the CNCDH presented the movies and animated debates with pupils in primary schools.

In 2016, on the occasion of the 30th anniversary of the International Convention for the rights of persons with disabilities, the CNCDH produced a cartoon "1jour1question" on the Convention. The videos "1jour1question" are very famous among children, parents, teachers. They are available on a website, on youtube and broadcasted daily on a public channel (France 4) in time slots perfect for children. They are produced by one of the biggest French media group, the Groupe Bayard. We presented the movie many times in France and abroad. In 2017, the CNCDH decided to produce short movies on "Laïcité" (freedom of religion) for teenagers (11 to 14 y. old), which invite them on a website www.generationlaicite.fr. We prepared a big launch on social networks, which was a real success, also thanks to the involvement of one of the most famous French athlete, Nikola Karabatic. Another national institution was our partner, the Observatoire de la laïcité. We did not collaborate with the ministry for Education. Yet, they have shared this resource on the website for teachers.

During the debate in the National Assembly on the draft law strengthening internal security and the fight against terrorism, the CNCDH in partnership with the network "State of emergency - Antiterrorism", composed of many organizations from the Civil society, trade unions, law firms and academics, held a press conference on Monday, September 25, 2017 to denounce the risks for social cohesion and the serious violations of fundamental rights contained in this draft. The CNCDH is partner of the group of associations combatting human trafficking "Collectif Ensemble contre la traite des êtres humains" in the creation and promotion of awareness tools, such as the movie and leaflet #DEVENIR. As part of the 70th anniversary of the UDHR, we are also organising meetings with civil society and we are partners in events that NGOs are preparing.



Netherlands Institute for Human Rights (A-status NHRI)

The NIHR created a yardstick to assess whether the proposals and agreements about migration comply with human rights obligations. This yardstick is intended for civil servants and government officials developing the agreements with third countries, for leaders of government and national and European parliamentarians approving the agreements and/or monitoring their implementation process, for journalists and nongovernmental organisations acting as watchdogs and for citizens concerned about the respect for human rights of their own government and EU.



Slovak National Centre for Human Rights (B-Status)

- Nature, level, date, explanation of the “good practice”:

The Slovak National Centre for Human Rights has conducted a research in 2016 on poverty and social exclusion of older persons in cooperation with a civic association Help the Elderly Forum, which followed-up a similar joint research from 2008. The report was published in November 2016 and the Centre together with the Help the Elderly Forum organised a press conference to present the main results on 15 November 2016.

We followed up on the research by covering it in our annual [Report on the Observance of Human Rights including the Principle of Equal Treatment in the Slovak Republic for the year 2016](#). In a specific chapter on the rights of older persons we also addressed population ageing and national policy documents. We recommended:

1. The Ministry of Labour secure effective and independent evaluation of social service quality and pay due attention to assessment of fulfilment of the requirement of human rights and freedoms observance without undue delay.
2. Competent ministries within grants schemes support projects and activities focusing on active ageing and lifelong learning of the population of the Slovak Republic.
3. Competent ministries and other public bodies create and thoroughly implement measures to tackle poverty and social exclusion of vulnerable groups, including the elderly.
4. Cities, municipalities and self-governing regions organise and promote cultural, awareness raising and education events for seniors in order to support their participation in social life.

- **Intended outcomes and/or envisaged impact, proof of its impact:** We followed up on the research by covering it in our annual [Report on the Observance of Human Rights including the Principle of Equal Treatment in the Slovak Republic for the year 2016](#).

We distributed the annual report to various stakeholders, including ministries with a advocacy letter picking up those recommendations that are relevant for their resort. Consequently, the Ministry of Labour, Social Affairs and Family of the Slovak Republic consulted the Centre about our statement and opinion regarding the adoption of a specific convention on the rights of older persons. We advocated for the adoption.

The Slovak National Centre for Human Rights has conducted a research in 2016 on poverty and social exclusion of older persons in cooperation with a civic association Help the Elderly Forum, which followed-up a similar joint research from 2008.



SPAIN / ESPAGNE – BY ENNHRI

Defensor del Pueblo (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

The Defensor del Pueblo has published reports based on work sessions with specific groups particularly persons [persons suffering from energy poverty](#). Power supply, like water, has become a fundamental aspect to ensure the right to life. This power is a source of life, richness, wellbeing and progress. Therefore, modern and developed societies are worried about their production and distribution, and its supply is a constant concern.

The Defensor del Pueblo wants to pay special attention to circumstances affecting families and individuals, who do not always have access to power supply mainly due to economic reasons. Consequently, it has written multiple reports on the situation of vulnerable energy consumers, and the different measures that can be implemented in order to protect their right to a decent life.

In 2014, the Defensor wrote an important report on the “social bond” (discount rate) that vulnerable groups could have in order to have access to an adequate power supply. One of the interventions of the Institution was the recognition of their right to a 25% discount on the power bill. Previously, only three groups of persons could benefit from this discount: Social Security pensioners over 60 years old, large families and families where all of their members were unemployed.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

After the intervention of the Defensor, vulnerable groups of people like persons with disabilities or pensioners on less than 400 Euros per month could also have access to this “social bond” of 25% discount.

- **Nature, level, date, explanation of the “good practice”:**

The Defensor del Pueblo supports and helps advertising different campaign that consider may benefit the civil society as a whole. For example, a couple of month ago, in association with the Mayor of Badajoz, the Institution has help promoting informative campaigns about the obligation and responsibilities of the owners of domestic animals in order to improve the living, ensure the wellbeing of animals and avoid

unnecessarily disturbing of the neighbours. All of this, under the strict municipal regulation of the tenure of domestic animals.

Another example is the support the Institution is providing to the campaign that is carried out by the Spanish Conference of Deaf People. The Defensor del Pueblo is strongly committed to the defence of the rights of deaf people and has handled plenty of complaints normally about the difficulties of this minorities of acquiring the driving licences or the lack of interpreters in the public sphere. <https://www.defensordelpueblo.es/noticias/personasordas/>



UNITED KINGDOM / ROYAUME-UNI – BY ENNHRI

Equality and Human Rights Commission (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

We have a work programme dedicated to human rights promotion. We are currently undertaking research to determine what public attitudes towards human rights are in Great Britain, and how best to deliver messaging regarding human rights.

In 2016 we launched our new human rights section of our website providing information on what human rights are and how they are protected. This also includes a short video called ‘Your Human Rights’, an animation on rights of the child and a video promoting awareness of hate crime and encouraging reporting from prominent spoken word poet George the Poet.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

‘Your human rights’ has had 49,000 views in 6 months, the Children’s rights video has had 69,000 views, and George the Poet has had 9,500 views. Our human rights section is consistently our most visited page of the website.

2. International Standards:

2.1 Existing Council of Europe tools

2.1.1 Case Law of the European Court of Human Rights



- **Nature, level, date, explanation of the “good practice”:**

ENNHRI has established a “legal working group” which brings together NHRIs from across Europe to share experiences and strengthen their capacity to support the implementation of judgments of the European Court of Human Rights at national level. In addition to supporting work of NHRIs at national level on implementation of Court judgments, the ENNHRI legal working group has also prepared amicus curiae interventions before the Court and supports members when considering amicus curiae interventions or when making submissions to the Committee of Ministers on the executions of judgments.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

In 2016, ENNHRI published a “Guidance for NHRIs to support the implementation of judgments from the ECtHR” which functions as resource for NHRIs across the Council of Europe region. The guide recommends NHRIs how to contribute to the work of the ECtHR and how to engage with various state authorities in this respect, including the executive, legislature and civil society. ENNHRI has also made a number of collective amicus curiae interventions, which provide independent and expert information from NHRIs to the ECtHR when rendering judgments that touch on human rights problems with region-wide relevance, such as rights of persons with disabilities (*D.D. v. Lithuania*; *Gauer v France*) or the right to privacy (*Big Brother v. the United Kingdom*).



GEORGIA /GEORGIE – BY ENNHRI

Public Defender of Georgia (A-status NHRI)- **Nature, level, date, explanation of the “good practice”:**

On 18 August 2017 the Public Defender of Georgia submitted the communication to the Committee of Ministers on the execution of judgments in the cases of Begheluri and others v. Georgia and Members of the Gldani Congregation of Jehovah's Witnesses and others v. Georgia which essentially concern multiple violation of the European Convention on Human Rights on account of the large-scale religiously motivated violence to which the members of religious minorities had been subjected in Georgia and the relevant authorities' total failure to prevent, stop or redress the violations.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The communication concentrates on structural/systemic problems existing in Georgian legislation and practice visa-vis the investigation of religiously motivated violence in Georgia. The Public Defender of Georgia is actively following up the steps taken by the Georgian government regarding the execution of these judgments.

- **Nature, level, date, explanation of the “good practice”:**

On November 13, 2017, the Public Defender of Georgia addressed the European Court with regard to a third-party intervention in the case of Tkheidze v. Georgia. The complaint concerns the murder of Ilia State University lecturer by her former spouse, who committed suicide at the scene of murder in 2014. The European Court is considering the application on the basis of Article 2 (right to life) and Article 14 (prohibition of discrimination) of the European Convention. It is indicated in the application that the police had been notified of the threats of physical and verbal violence and murder of the woman, but the notifications were not effectively responded. In addition, despite the repeated appeal after the murder, no investigation has been launched into the negligence of police officers. The applicant argues that the police did not fulfill its positive obligation to protect the life of the woman, which was motivated by discrimination on the ground of sex. Taking into consideration the scope and significance of the issue in the existing context of Georgia, the Public Defender made a decision to intervene in the case and submitted information about the systematic problems in terms of violence against women in the country to the European Court of Human Rights.

At this stage the Public Defender of Georgia is waiting for the case to be adjudicated by the Court.

On February 19, 2018 the Public Defender of Georgia requested leave to submit written observations in the case Rustavi 2 Broadcasting Company LTD and Others v. Georgia since this case raises critical questions regarding the freedom of expression and fair trial within the ambit of Articles 6, 10, 18 and Article 1 of Protocol 1 of the ECHR. As a NHRI, and given the significance of the case, the Office of the Public Defender was involved in the case since the initial stages and regularly attended the court hearings, examined the case materials and observed not only the events in direct connection with the case, but also closely followed the overall environment in which it was handled. For all of the above reasons, the Public Defender's Office seeks the permission of the Court to intervene in the case.



LITHUANIA / LITUANIE – BY ENNHRI

The Seimas Ombudsmen's Office (A-status NHRI)- **Nature, level, date, explanation of the “good practice”:**

The Seimas Ombudsmen have conducted the high-level meeting with the representative of the government to the ECHR to get familiar with the state of play of the implementation of ECHR decisions as well as the relevant ministers to encourage them to speed up with the implementation of the decisions of the ECHR in 2018.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The Seimas Ombudsmen received an in-depth overview of the situation and exchanged the opinions as how to speed up with the implementation of decisions. The Seimas Ombudsmen will use the information collected in conducting high-level meetings with the government.



The Polish Commissioner of Human Rights (CHR) (A-status NHRI)

The CHR has developed several shadow reports, including the shadow report on the realization of International Covenant on Civil and Political Rights by Poland in October 2016.

The CHR actively initiates and participates in judicial proceedings concerning HR violations. Dr Adam Bodnar, the CHR, established a special Coordinator for Strategic Litigation (Mrs Zuzanna Rudzińska-Bluszcz).



Equality and Human Rights Commission (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

EHRC submitted a letter to the Committee of Ministers of the Department of Execution of Judgements of the ECHR of the Council of Europe concerning the implementation of the Court's judgement in the case of *Al-Skeini v United Kingdom* [2011], under the Rule 9 procedure. The case concerns six applicants whose relatives were killed in operations by UK armed forces in Iraq in 2003. This was regarding Article 2 of the European Convention on Human Rights, the Right to Life.

2.1.2 Other Council of Europe treaties



Human Rights Defender Institution of the Republic of Armenia (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

A priority area is the prevention of domestic violence in Armenia. Particularly, within the Council of Europe's Violence against Women Project Gap analysis of Armenian criminal law in light of the standards established by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence has been developed. Gap analysis of Armenian criminal law in light of the standards established by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence review the criminal legislation addressing relevant recommendations to competent authorities.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

One of the main outcomes of the analysis¹ was the subsequent ratification of Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and adoption of the RA Law on “Prevention of Domestic Violence, Protection of the Persons Subjected to Violence in the Family and the Restoration of Solidarity in the Family”.

¹ The Report can be found here: <https://rm.coe.int/gap-analysis-armenian-law-eng/168075bac2>



LUXEMBOURG – BY ENNHRI

Commission Consultative des Droits de l'Homme du Grand-Duché du Luxembourg (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In its function as the National Rapporteur on Trafficking of Human Beings, the CCDH published its first report on the situation of THB in Luxembourg in March 2017. As part of the second evaluation cycle, representatives from GRETA visited Luxembourg in autumn 2017. They also met with the National Rapporteur in order to talk about the report and the recommendations it includes.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

One of the recommendations is to give more resources to the NGOs assisting victims of trafficking and to associate them in the identification process of the victims. However, it is still too early to know the concrete impact, as the GRETA report has not yet been published.

2.1.9 Statements and reports by the Commissioner for Human Rights



- **Nature, level, date, explanation of the “good practice”:**

ENNHRI cooperation with the Commissioner is of a continuous nature and occurs in the context of the Commissioner's country-level as well as thematic work, including democratic space and rule of law, human rights aspects of counter-terrorism, the rights of older persons, and effective human rights communication. ENNHRI and its members provide the Commissioner with information from the ground, while the Commissioner provides ENNHRI and NHRIs important high-level political support.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Through close cooperation with the Council of Europe Commissioner, ENNHRI aims to multiply its resonance and impact on the promotion and protection of human rights across Europe. By making reference in his statements and reports to the work of ENNHRI and its members, the Council of Europe Commissioner provides important political support for, and enhances awareness raising of NHRIs and their work across the region. The Commissioner for example speaks out in support of NHRIs operating in challenging contexts (ref to 2017 Georgia statement), or acknowledges the relevance of ENNHRI thematic work such as the 2017 ENNHRI report on the rights of elderly persons in long term care;² the 2016 joint work on protecting human rights while countering terrorism,³ and the 2013 cooperation on human rights in times of austerity.⁴

² <https://www.coe.int/en/web/commissioner/-/the-right-of-older-persons-to-dignity-and-autonomy-in-care?inheritRedirect=true>

³ <https://www.coe.int/en/web/commissioner/-/national-human-rights-structures-protecting-human-rights-while-countering-terrorism?inheritRedirect=true&redirect=%2Fen%2Fweb%2Fcommissioner%2Fthematic-work%2Fcounter-terrorism>

⁴ <https://www.coe.int/en/web/commissioner/-/national-human-rights-structures-can-help-mitigate-the-effects-of-austerity-measur-1?desktop=true>



Netherland Institute for Human Rights (A Status NHRI)

The NIHR actively engages with all Council of Europe monitoring bodies working on human rights mandates, including ECRI, CPT and GRETA. We have met with all of these monitoring bodies when they visited the Netherlands. In follow-up to ECRI's report, the NIHR and ECRI organised a seminar together on the implementation of their recommendations.

The NIHR actively submits information to UN treaty bodies, to enhance the dialogue between the treaty bodies and the Dutch government. We provide information for the drafting of lists of issues (sometimes lists of issues prior to reporting) and for the dialogue. We have also attended several of those dialogues (incl. CAT, CERD and CEDAW) over the last few years, to answer any questions the treaty bodies might have for us.

2.2 Other relevant international and regional standards and tools:



The Portuguese Ombudsman (A-status NHRI)

The Portuguese Ombudsman regularly provides information to human rights bodies set under the CoE and the UN and meets with special rapporteurs regarding specific issues.

2.2.1 The core international human rights treaties



Netherland Institute for Human Rights (A Status NHRI)

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2.2.2 Resolutions, declarations and reports of the United Nations:



Commission Nationale Consultative des Droits de l'Homme (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

UN Treaty Bodies: Collaboration with all of them before and while France is examined; written and oral contribution to the UPR (HRC); collaboration with Special rapporteurs.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

In January 2018, during the UPR of France, there was a record number of recommendations made to one country (287 recommendations). 80% of them were inspired by the CNCDH's recommendations.



GERMANY / ALLEMAGNE – BY ENNHRI

German Institute for Human Rights (A-status NHRI)

Select parallel reporting to UN treaty bodies and Human Rights Council, in different stages of the state reporting process (list of issues pre-reporting, list of issues, parallel report); e.g. in the first report by Germany on the implementation of the CRPD in 2015, many issues that GIHR raised in its input were taken up by the treaty body.



IRELAND / IRLANDE – BY ENNHRI

Irish Equality and Human Rights Commission (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In preparing the Irish NHRI report to the UN Review of Ireland under the CEDAW Convention, the Irish Human Rights and Equality Commission (IHREC) undertook an extensive national consultation through 2016, which enabled and informed our final submission to the UN Committee. We used a variety of ways to get people's views on what life is like for women in Ireland to ensure that we gave everybody an opportunity to engage with us in a way that was easiest and most useful for them. In particular we also sought to reach out to those women who would not normally have the opportunity to participate, for example women in prison, or women seeking refugee status in Ireland who are currently housed in direct provision centres. All in all, over a thousand people engaged with the consultations in the following ways:

- Responded to our open call for submissions;
- Attended our regional consultation events;
- Attended our focus group meetings;
- Met with us when we went to direct provision centres and women's prisons;
- Met with us to share insights from their own work;
- Stopped at our stand at the National Ploughing Championships to share their views

- **Intended outcomes and/or envisaged impact, proof of its impact:**

- Following the formal consultation process through 2016, in 2017 IHREC continued to engage with the people who had contributed, to encourage them to continue to follow the process. To do this we:
 - Brought together the submissions and inputs into the final report delivered to the UN, and shared the report immediately on publication by direct email with all those who contributed to the consultation.
 - Published online and shared via social media our [video review of the consultation](#) to highlight the voices of the women themselves.
 - Provided a webcast on our IHREC website of the UN proceedings which took place on February 13th.
 - Hosted an informal day-long event at our IHREC Dublin offices for those who wanted to follow the examination live.
 - Provided through our website and social media, live-tweets of the UN examination of Ireland, and a [series of thematic factsheets](#).



LUXEMBOURG – BY ENNHRI

Commission Consultative des Droits de l'Homme du Grand-Duché du Luxembourg (A-Status)- **Nature, level, date, explanation of the “good practice”:**

In January 2018, the CCDH presented two of its most recent opinions on:

1) the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence by Luxembourg, and

2) the draft law, which proposes a ban on full-face veils in certain public spaces in Luxembourg, during two press conferences. The draft law, which proposes a ban on full-face veils in certain public spaces in Luxembourg, was deposited in September 2017.⁵

The CCDH adopted its opinion in January 2018⁶ and presented it during a press conference in February 2018. The opinion and the resulting recommendations received significant media coverage in the Luxembourgish written press, on radio and television. Analysing the Luxembourgish draft legislation and the relevant case law from the ECHR, the CCDH led to the conclusion that the draft law is not compatible with human rights because the necessity of the restriction of individual freedoms of the concerned persons has not been sufficiently demonstrated.

The Commission invited the government to analyse the potential implications of a prohibition on women's rights and to provide the necessary measures in order to prevent the marginalization of the targeted women, the dangers of the polarization of Luxembourgish society and the stigmatizing of a religious community.

CCDH urged government to launch awareness raising campaigns on the rights of women, targeting both men and women, and to promote equality between women and men, equal opportunity and human dignity in civic education classes.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The presentation of the opinion of the CCDH has contributed to the public debate about tolerance and diversity in our society. As an example, during a recent interview⁷, the Minister of Justice was asked to comment on the opinion of the CCDH and its criticism of the bill of law.



UNITED KINGDOM / ROYAUME-UNI – BY ENNHRI

Equality and Human Rights Commission (A-Status)- **Nature, level, date, explanation of the “good practice”:**

EHRC and SHRC both protect and promote human rights in Scotland. Since the UK ratified the UNCRPD in 2009 we have worked jointly to fulfil our independent mechanism role under Article 33. Combining our resources and expertise has resulted in a greater awareness of CRPD rights among disabled people and their organisations, the government and public bodies.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

This has led to the Scottish Government being the first government in the UK to publish its CRPD delivery plan.

⁵

<http://www.chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAffaires?action=doDocpaDetails&backto=/wps/portal/public/Accueil/Actualite&id=7179>

⁶ <https://ccd.h.public.lu/fr/actualites/2018/01/avis-7179.html>

⁷ <https://www.100komma7.lu/program/episode/189699/201802050732-201802050745>

2.2.3 Reports of OSCE/ODIHR

2.2.4 Guidelines and reports of the European Union (EU)



German Institute for Human Rights (A-status NHRI)

Since 2007, GIHR serves as the national focal point for reporting to FRA, based on framework agreement with FRA the GIHR produces comprehensive legal studies re the situation of fundamental rights in Germany.

3. Civil Society Organisations (CSOs)



Law on the National Council against Racism and Intolerance

- **Nature, level, date:**

Legislation and practice / Law 4356/2015 (art. 15 - 19) / State / published in the Government Gazette on the 24th December 2015

- **Substantive explanation:**

By virtue of the abovementioned Law, the “National Council against Racism and Intolerance” was established, a consultative - advisory body which is chaired by the Secretary General for Human Rights of the Ministry of Justice, Transparency and Human Rights. The Council consists of representatives of the competent Ministries, as well as the Migrants Integration Council, the National Council for Radio and Television, the National Commission for Human Rights, the Racist Violence Recording Network (where 43 NGOs participate), the UNHCR, the National Confederation of Disabled People, the Union of Athens Daily Press Editors, the Research Center for Gender Equality (K.E.TH.I.), the General Confederation of Greek Workers and the Civil Servants Union Federation (A.D.E.D.Y.). The Greek Ombudsman, a constitutionally protected independent authority, participates, at its own request, without the right to vote. However, according to art. 16 par. 4 of Law 4356/2016, the Ombudsman has the right to notify at any time the President of the Council of its wish to become a full member of the Council with a right to vote.

- **Implementation:**

For the accomplishment of its tasks, the Council may (a) elaborate studies, issue guidelines and recommendations and propose measures to prevent and fight against racism and intolerance, as well as to align Greek legislation and practice with international and European law and with International Organizations’ recommendations, (b) develop and propose policies on combatting racism and intolerance which could have a horizontal application to government policy and public administration and take initiatives for the promotion of corporate social responsibility, (c) develop actions for the promotion of human rights through education, (d) take initiatives for the training of judges and public prosecutors, law enforcement officials and civil servants on combatting racism and racist violence, (e) collect statistical data on racism and intolerance; to this end, all competent public services have the obligation to provide the Council with the data requested, (f) promote the prevention of and the fight against racist violence, as well as the reinforcement of recording mechanisms, (g) take initiatives to raise public awareness through the media and to record and combat hate speech in public life, (h) elaborate a National Action Plan against Racism, monitor its application in a systematic way and provide for its regular update.

The Council meets on a regular basis not only in plenary, but also in working groups, which focus on the following issues: (a) hate crimes, (b) inter-religious dialogue and (c) human rights and anti-racism

education. The Council has started planning its work towards the identification of gaps and actions required to better combat racism and intolerance, as well as hate crimes and hate speech. For instance, the Council has identified the need for awareness raising activities, public information and pro-active measures against racism and intolerance. To this end, it is preparing, for example, an information leaflet for civil servants to raise awareness on hate crimes and victims' support and has produced an awareness-raising tv-, radio- and web-spot concerning refugee children's integration in national education.

Moreover, in the context of developing anti-racist policies which could have a horizontal effect to government policy and public administration, a National Protocol on preventing and combatting hate crimes will be elaborated under the auspices of the Council in the context of an EU project, conducted in cooperation with OSCE's Office of Democratic Institutions and Human Rights (ODIHR). The project aims also at strengthening criminal justice response to hate crimes, as well as at improving the hate crime recording database of the Ministry of Justice and the Hellenic Police.

- **Intended outcomes:**

The Council is tasked with the development of policies on preventing and combatting racism and intolerance in order to protect persons and groups of persons targeted on the grounds of race, colour, national or ethnic origin, descent, social origin, religious or other beliefs, disability, sexual orientation, gender identity or gender characteristics, the supervision of the enforcement of relevant legislation and of its conformity with international and European law, the promotion and coordination of the action of stakeholders, and the strengthening of cooperation with civil society.

- **Cooperation:**

The role of civil society in the Council is enhanced: the Racist Violence Recording Network (where 43 NGOs participate) has two representatives. NGOs participating in the Racist Violence Recording Network elect their own representatives to the Council, offering civil society open access and participation. Moreover, the National Commission for Human Rights, the UNHCR and the Greek Ombudsman are very active members of the Council. Furthermore, the Council may cooperate with experts, NGOs and other bodies and civil society stakeholders in all matters of concern.

Anti-discrimination Law

- **Nature, level, date:**

Legislation / Law 4443/2016 (art. 8 par. 3 and 4) / State / published in the Government Gazette on the 9th December 2016

- **Substantive explanation: T**

The abovementioned anti-discrimination Law, which amended the former legislative framework, provides, inter alia, for the promotion of social dialogue and institutional cooperation with civil society on issues related to equal treatment. It creates a single, clear and legally robust application of the principle of equal treatment. Most importantly, the Law assigns overall powers to the Greek Ombudsman (an independent authority according to the Greek Constitution) to receive and examine complaints about discrimination in the public and the private sector.

- **Implementation:**

The Law provides for the consultation of public authorities and especially of the Greek Ombudsman as the competent authority for the promotion of the principle of equal treatment, with civil society organisations that are active in this field. Furthermore, legal entities, associations, or other organisations may engage, either on behalf or in support of the complainant, with his or her approval, in any judicial and/or administrative procedure.

- **Intended outcomes:**

The purpose of the Law is to safeguard the implementation of the principle of equal treatment.

- **Cooperation:**

Legal entities, associations or organizations, including social partners and trade unions, can also help the Greek Ombudsman to ensure the implementation of equal treatment between persons, irrespectively of racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Penitentiary policy

- **Nature of “good practice”, level, date:**

Legislation / Law 2776/1999 (Penitentiary Code) regarding the penitentiary policy (art. 38 par. 3 and 52 par. 2) / the process begins at the local level – where the Prison Council proposes the implementation of a specific action – and concludes at the state level with the adoption of the decision by the competent service of the Ministry of Justice, Transparency and Human Rights / published in the Government Gazette on the 24th December 1999.

- **Substantive explanation:**

The provisions of art. 38 par. 3 and 52 par. 2 of the abovementioned Law regarding the penitentiary policy outline the process that regulates actions implemented into prison facilities by civil society stakeholders, such as non-profit private legal entities, foundations, volunteer unions, local associations, movements and informal groups of citizens.

- **Implementation:**

After the approval of a proposal, the above referenced entities of the civil society may provide contribution to the detention establishments, in the form of various ad hoc actions, usually cultural or recreational, information and awareness-raising activities, but also donations and sponsorships as well as medical interventions.

Indicatively, we could mention the provision of mental care services (tele-psychiatrics) to the Women Detention Establishment of Eleonas in Thiva based on the Memorandum of Cooperation signed between the Ministry of Justice, Transparency and Human Rights and the Civil Non-profit Association “KLIMAKA”, the implementation of a documentary-making workshop in the Special Detention Establishment of Juveniles in Avlonas, developed by the NGO “Exile Room” in 2017 and the program of counseling for HIV positive detainees of the NGO “Thetiki Foni”, that takes place in Korydallos’ Prison Hospital.

- **Intended outcomes:**

Through cooperation with civil society organizations, the Ministry of Justice, Transparency and Human Rights aims at the provision of services of added value to the prisoners, which otherwise would be very difficult to be produced and delivered by its departments.

- **Cooperation:**

The abovementioned activities always take place following consultation and cooperation with the Director and the Social Service of the Detention Establishment concerned, so that the latter’s good operation is not disturbed.

Public consultation with civil society representatives

- **Nature of “good practice”/level/date:**

Non-legislative initiative / national / 2016

- **Substantive explanation:**

On 15 March 2006, the UN General Assembly resolution 60/251 created the Human Rights Council (HRC). The Universal Periodic Review (UPR) was established on 18 June 2007 when the HRC adopted its own “institution building package” by resolution 5/1 (A/HRC/RES/5/1). On 27th September 2007, the HRC adopted decision 6/102 as a follow-up to resolution 5/1.

In view of the preparation of Greece’s latest (2016) UPR report, an open invitation to a public consultation with civil society representatives of the General Secretariat for Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights was posted on the Ministry’s website and was widely disseminated.

- **Implementation:**

A number of civil society organizations submitted written contributions. A report has also been submitted by the National Commission for Human Rights. Following that, a public hearing of the abovementioned civil organizations was held, organized by the General Secretariat for Transparency and Human Rights.

- **Intended outcomes:**

The pursued result was the contribution of the civil society in view of our country's UPR for 2016.

- **Cooperation:**

There was a significant feedback by civil society organizations after the invitation by the General Secretariat for Transparency and Human Rights.



The Seimas Ombudsmen's Office (A-status NHRI)

The Seimas Ombudsmen's Office has developed the practice to embrace civil society organisations by having them involved in complaint investigation processes. The Seimas Ombudsmen request an expert opinion in written or organises special meetings with different organisations working in the field to consult on the matter. Furthermore, the Seimas Ombudsmen includes representatives of civil society organisation in an NPM team while they are conducting monitoring of places of detention.



The Portuguese Ombudsman (A-status NHRI)

The Portuguese Ombudsman often engages with Civil society organizations, namely with environmental associations, labour unions, migrants organizations and children's rights defenders.



The Scottish Human Rights Commission (SHRC) (A-status NHRI)

Scotland's National Action Plan for Human Rights enables collaboration of more than 50 civil society organisations in Scotland with SHRC and other public authorities and duty bearers to promote action on human rights in Scotland.

SHRC regularly works with civil society organisations to build their capacity to engage with treaty body processes, including UPR, hosting two such events in 2016.

3.1 Supportive legal regulatory framework at domestic level



National Programmes and Plans

The Office for Human Rights and Rights of National Minorities (OHRRNM) recognizes the importance of CSOs involvement in the area of human rights that is included in the Directive on the OHRRNM (2012). Financial support is provided through regular open calls for CSOs projects related to specific human rights priorities. To foster cooperation with CSOs, the Directive has established the Unit for Monitoring the National Program of Protection and Promotion of Human Rights and Ombudspersons recommendations. The National Programme of Protection and Promotion of Human Rights for the Period 2013/16 had a section "Fostering civil society development and exercising the freedom of association"⁸. OHRRNM was tasked with coordinating the implementation of the National Program by the public authority bodies as agencies responsible for specific measures. For this purpose the agencies had to draft reports on the implementation of the specific measures and submit them to the OHRRNM which had to draft annual reports on the implementation of the National Programme and submit it to the Government for approval. The overall implementation of the National Programme and its impacts on the state of human rights shall be evaluated by the OHRRNM on the base of an expert analytical report, which shall be drafted by an expert workgroup for the evaluation of the implementation of the National Programme, consisting of experts, academics and members of CSOs. It will serve as a ground for the creation of a new National Program.

Importance of participation of CSOs is particularly recognized in the process of development of the National Plan to Combat Discrimination (2017/22) and its Action Plan (2017/19). Not only that representatives of social partners, syndicates and associations participated in the working group for drafting both documents, but CSOs are involved in the implementation as co-leaders in number of measures from the Action plan. In the final quarter of the implementation of the Action Plan an external evaluation of its implementation shall be performed. This shall include: (1) evaluation of achievements of objectives of National Plan (2) assessment of efficiency of implementation of certain measures and (3) recommendations for the next Action Plan. After the expiration of the second Action Plan, an external evaluation of the implementation of the National Plan shall be performed. In order to monitor the implementation of the National Plan, a working group shall be established to track the implementation of the National Plan and report to the Government once a year.



The Institutions and other related issues Law

- **Nature, level, date, explanation of the "good practice":**

Adopted in July 2017, the Law creates a rational basis for NGOs' operation.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The goal is to fill in the gaps and weaknesses of the previous legislation governing non-governmental organizations and to enhance their good governance and financial transparency.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

⁸ The excerpt of this section, with concrete activities, responsible institutions, deadlines, sources and implementation indicators, is provided in the attachment.

The Private Utilities (Certification) Bill- **Nature, level, date, explanation of the “good practice”:**

The Bill, which is on discussion at the house of representatives, determines the charitable status of an organization.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The aim is to modernize the law with regard to philanthropic organizations with the main philosophy focusing on controlling the way they work by introducing criteria, assessing and certifying all charitable bodies and implementing policies that create a modern favorable environment, to give more credibility to voluntary and non-governmental organizations and to protect them as well.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

*The Polish Commissioner for Human Rights (CHR) (A-status NHRI)*

The CHR, having in mind insufficient engagement of civil society in the legislative process, organizes consultation meetings concerning important draft legislation (e.g. the CHR on 6 May 2016 held consultations on draft antiterrorist legislation).



While freedom of association is guaranteed by the Constitution, legal status of Civil Society Organizations in the Republic of Serbia is established primarily by the Law on Associations ("Official Gazette of RS", nos. 51/2009 and 99/2011). Article 2 of the said Law prescribes that activities of political parties, trade unions, associations organized to perform certain profit-acquiring activities, sports organizations and associations, churches and religious communities, spontaneous temporary associations of several persons and other associations shall be regulated by a special law. However, provisions of this Law shall apply with respect to any issues related thereto that are not governed by a specific law.

Other laws governing some specific forms of associations are the Law on Political Parties ("Official Gazette of RS", nos. 36/2009 and 61/2015), the Law on Churches and Religious Associations ("Official Gazette of RS", no. 36/2006), the Law on Sport ("Official Gazette of RS", no. 10/2016) and the Labour Law ("Official Gazette of RS", nos. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 and 113/2017). Further on, Article 2 of the Law on Associations provides that the legal rules on civil partnership shall apply accordingly to any association not holding the status of a legal entity (that is not registered; *de facto* association), unless otherwise stipulated by this Law. These rules are set forth in the Civil Code for the Kingdom of Serbia from 1844, which legally regulates the civil contract on civil partnership. The rules, although very old, are still applied on the basis of the Law from 1946.

3.1.1 Standards and regulation at domestic level



SPAIN / ESPAGNE

The Act 45/2015, for Voluntary works and organizations of Voluntary works. The voluntary work constitutes a fundamental element of participation of the civil society in public policies.



UKRAINE – BY ENNHRI

Human Rights Commission of Ukraine (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The Commissioner’s Office together with the OSCE Project Co-ordinator office and State Registration Service of Ukraine participated in the realization of the project “Strengthening of capacity of public authorities and civil society organizations in Ukraine within the implementation of the Law of Ukraine “On Public Associations”.

Within the Project qualified experts gave explanation as to the new approaches to the realization of the right to freedom of association, and implemented within the Project measures contribute to ensuring the public access to the legal framework that defines the order of creation and activity of public associations.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The project aimed to strengthen the capacity of regional state institutions responsible for the application of the adopted Law of Ukraine “On Public Associations”, and civil society organizations to adapt their administrative practices to new legislation regulating mentioned sphere. The project gave the possibility to the public authorities and civil society organizations to adapt existing practices to the new legislation concerning the registration of public associations, in particular, by means of conducting of information seminars and production of information methodical materials.

3.1.2 Mechanisms at domestic level offering protection and redress



CROATIA / CROATIE – BY ENNHRI

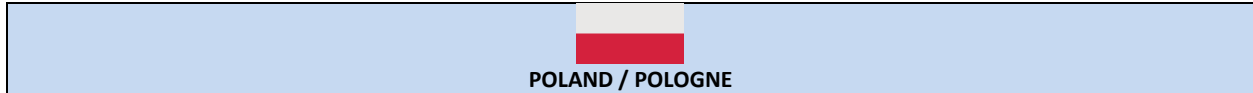
The Office of the Ombudswoman of the Republic of Croatia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In 2011 the Ombudswoman Office, as an equality body, intervened in a court case initiated by two Roma pupils. They had to complete their practical education (apprenticeship) as a part of the high school education and applied for the apprenticeship in a private local shop. They were refused “because they are Gypsies.” The claim has been accepted by the first instance court who ruled that this is racial or ethnic discrimination. The second level court confirmed the ruling, but unfortunately, decreased the compensation. The case was initiated in 2011 at the municipal court in Varžadin – it related to two Roma girls Lidija Ignac and Željka Balog. The intervenors in the case were a Roma NGO Romi za Rome and Centre for Peace Studies and our Office. We worked together on supporting the claims of Roma girls. The final verdict dates from 2013.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

In relation to this case, a new National Plan for Fight against Discrimination adopted at the end of 2017 recognizes that Roma pupils and persons with disabilities still encounter similar challenges in their education. For this reason, the Action Plan foresees a measure aimed at education of employers on their obligation to implement the Anti-discrimination Act and create a working environment free of discrimination.



Participation of a social representative in criminal trial

The Code of Criminal Proceedings of 1997 provides for specific procedural rights in criminal trial given to social organizations that defend human rights – in cases related to statutory tasks of those organizations. Article 90 of the Code provides for a possibility for a representative of a social organization to declare his/her participation in the proceedings, if there is a need of protecting a social interest or an important individual interest related to statutory tasks of organization concerned, in particular protection of freedom and human rights. The representative of the social organization admitted by the court is entitled to participate in the court proceedings by taking part in oral hearings and by making statements orally and in writing (Article 91 of the Code).

3.2 Conducive political and public environment



Human Rights Defender Institution of the Republic of Armenia (A-Status)

- Nature, level, date, explanation of the “good practice”:

Following the adoption of the new Constitutional Law on Human Rights Defender, the educational mandate of the Defender has been expanded, enabling to conduct continuous capacity development of both Defender's staff and broader groups of stakeholders (e.g. state bodies, organizations), civil society and public at large. This function will be implemented through establishment of Human Rights Academy adjunct to the Human Rights Defender's Office. The Human Rights Academy is not yet established, however certain steps are being followed to start its operation at the earliest possible stage.

It is worth mentioning that being a National Human Rights Institution the Defender's Office has cooperation with both state institutions and civil society and mass media representatives. Moreover, as already mentioned, the Defender has adjunct councils where members of NGOs are represented, which also makes it a great platform for cooperation with different stakeholders.

Such wide cooperation framework that includes all human rights based sectors (both state, non-state, international) is unique in its kind, hence the Defender can play a key role in enhancing their professional capacities and raising awareness on human rights issues. Related academies functioning in Armenia target only specific groups of professionals (e.g. Police Academy – police officers only, Justice Academy – judges, prosecutors and investigators, and School of Advocates – advocates only) and such actors as mass media and civil society representatives are exempted from receiving such necessary training.

- Intended outcomes and/or envisaged impact, proof of its impact:

Hence, the established academy, on a regular basis, will build the capacity of not only the Defender's staff and relevant stakeholders, but the representatives of mass media and civil society organisations as well, filling the gap that now exists. Moreover, to improve understanding of the determinants of human rights violations and to aid the development of violence-prevention efforts the goal is to provide professional studies on various specific topics to different state officials, civil society representatives and other beneficiaries. Obtaining a great deal of knowledge, professional capabilities by sharing best practices on human rights protection will not only tremendously assist the human rights situation in the country, all the processes of preventive and protective measures, legislative amendments frameworks but the enhanced professional capabilities will definitely shape better understanding of the human rights issues, ability to apply appropriate legal measures in case of human rights violations and to find solutions to the problems, which will lead to the elimination of infringements existing in our society.



Establishment of the Legal Assistance and Civil Society Development Sector within the Ministry of Justice of Bosnia and Herzegovina (BIH) has ensured preconditions for the adoption of legislation, strategies and other public policies, creation of a favourable environment for the civil society development and constant up-grading of the cooperation between the state and civil society. The Ministry of Justice of BIH is particularly committed to the creation of an enabling environment for civil society development in BIH and the cooperation between the civil society and the institutions of BIH.

From 2011 to 2017, the BIH Ministry of Justice was a member of the advisory Body of the TACSO project (Technical assistance for civil society organizations), whose aim was to strengthen the capacity of civil society organizations in BIH.

Since 2012 the BIH Ministry of Justice is a member of the Advisory Board of the LOD project implemented by the UNDP and funded by the EU, and since 2017 of the ReLOAD project whose aim is to contribute to democratic stabilization, reconciliation and further development of BIH through support to selected municipalities in establishing better local governance/civil society relations and facilitating financing mechanisms for improved service provision.

Within its competence, the Legal Assistance and Civil Society Development Sector has been cooperating for a number of years with its peer organizational units in the region dealing with civil society development. Cooperation has been established with the Office for Associations of the Government of the Republic of Croatia, the Office for Cooperation with Civil Society of the Government of the Republic of Serbia, the Office for Cooperation with Civil Society of the Government of Montenegro. This cooperation has facilitated exchange of good practices and experience for improved collaboration with civil society. The continued regional collaboration has also led to the establishment of partnership between civil society organizations from these countries and joint applications to some public calls for projects by the EU and other international donors.

For more information see:

<http://www.tacso.org/Content/Read/19?title=BosnaiHercegovina>

<http://www.cbgi.ba/>

http://euinfo.ba/project_25/projekat-jacanje-lokalne-demokratijedemokracije-lod/

http://www.ba.undp.org/content/bosnia_and_herzegovina/bs/home/presscenter/vijesti/2018/02/reloadprojekatjavniipoziv.html

Cooperation Agreement between the Council of Ministers of Bosnia and Herzegovina and NGOs in Bosnia and Herzegovina

One of the most significant good practice examples in BIH is the adoption of a Cooperation Agreement between the Council of Ministers of BIH and non-governmental organisations in BIH, which was signed on 30 November 2017 in the Parliamentary Assembly of BIH. By this Agreement, the Council of Ministers (CoM) reaffirmed its dedication to the cooperation with NGOs in BIH. Under the Agreement, the Legal Assistance and Civil Society Development Sector was given the role of a coordinator of the cooperation between the CoM of BIH and NGOs in BIH.

The primary objective of the Agreement is the institutionalization of the cooperation and a more precise identification of priorities. With additional precision, the Agreement placed the cooperation between the CoM and NGOs in BIH in the field of public policies falling under the responsibility of the CoM BIH, and defined the principles of cooperation between the CoM BIH and NGOs in the European integration process as the key foreign policy priority of BIH.

In addition, the Agreement sets out the responsibilities of both the CoM BIH and the NGOs. The CoM BIH undertook to continue with the activities on the creation of an enabling environment for the participation of citizens and NGOs at all stages of the development and implementation of public policies falling under its competence, as well as on up-grading the institutional cooperation mechanisms and instruments for the development of a favourable setting for the activities of and the cooperation with NGOs.

The Agreement was made in partnership with NGOs and during its drafting four public discussions were organized in Sarajevo, Banja Luka, Mostar and Bijeljina, with the participation of 148 NGOs representatives. In the course of the discussions, significant proposals and comments were made for the

improvement of the wording of the Agreement. Furthermore, public on-line consultations were organised during the drafting process via web platform ekonsultacije.gov.ba in the period between 5 and 20 May 2017. In March 2018, the BiH Ministry of Justice, in cooperation with the Civil Society Promotion Centre, will realize the activities on the promotion of the *eKonsultacije* web platform. This web platform will be presented to civil society organizations in 10 cities of Bosnia and Herzegovina.

The Agreement and other information are available at:

http://www.mpr.gov.ba/nvo/archive.aspx?langTag=bs-BA&template_id=116&pageIndex=1;

<https://ekonsultacije.gov.ba/legislativeactivities/documents/2116>,

http://www.vijeceministara.gov.ba/saopstenja/saopstenja_predsjedavajuceg/default.aspx?id=26904&langTag=bs-BA

Multilateral Initiative: the 'Open Government Partnership'

In the UN headquarters in New York, at a conference held on 24 September 2014, Bosnia and Herzegovina became the 65th member of the 'Open Government Partnership' initiative. It is a multilateral initiative that aims to ensure a specific improvement in transparency and openness of public administration bodies, to empower citizens and civil society, fight corruption, and harness new technologies to improve the quality of services provided to citizens by the public administration.

In the implementation of the 'Open Government Partnership' initiative, the BiH Ministry of Justice collaborated with a coalition of NGOs gathered around this initiative. This collaboration resulted in the Decision of the CoM of BiH to establish an Advisory Council of the 'Open Government Partnership' initiative, dated 13 October 2016 (published in the Official Gazette of BiH, no. 94/16). The main task of the Advisory Council is to prepare a proposal of the Framework Action Plan for the implementation of the Partnership. The Framework Action Plan consists of action plans of the Council of Ministers of BiH, governments of the Republika Srpska (RS), the BiH Federation BiH (FBiH), and Brčko District of BiH.

The Advisory Council has an advisory and coordination role with the aim to promote transparency and openness of public administration bodies, and include citizens and civil society organizations in public policy-making in accordance with the 'Open Government Partnership' initiative.



CROATIA / CROATIE

The Government Office for Collaboration with Association is the key interlocutor between the Government and CSOs, responsible for spearheading initiatives geared at creating an enabling environment for CSOs. The Office also plays an important role in ensuring the implementation of the legal framework which governs citizen consultations in public policy development. The National Foundation for Civil Society Development is a key mechanism for providing public grants as well as EU grants to CSOs, through a decentralized mechanism of grants distribution.

There is also a Council for Civil Society Development which is an advisory body to the Government on civil society matter. Among others, the Council also oversees the implementation of the Government Strategy for the Development of an Enabling Environment for Civil Society 2017-2021. Croatia is also a member of the Open Government Partnership.



CYPRUS / CHYPRE

Charter of Citizens' Rights and Obligations

- Nature, level, date, explanation of the "good practice":

It is a Council of Ministers Decision which draws its inspiration from the Charter of Fundamental Rights of the EU, in particular from Article 11 on freedom of expression and information, Article 12 on freedom of assembly and association, Article 21 on the prohibition of discrimination and Article 41 on the right to good administration as well as the real experience of citizens and organizations directly or indirectly

involved in European and national public policies. It contains 16 articles and is divided into the following sections: General principles, Active citizenship, Liabilities of the active citizen.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

It is a tool in shaping and upgrading policies related to active citizenship and planning that define the roles, rights and obligations of active citizenship. It is expected that the publication of the Charter and its recognition by the Republic of Cyprus will contribute to its construction and development through the collective exercise of the already recognized as guaranteed fundamental rights of the citizens.

Policy paper in cooperation with the Council of Europe entitled “Organized Civil Society in Cyprus: Building the Future”

- **Nature, level, date, explanation of the “good practice”:**

It is a Council of Ministers Decision. The role and importance of non-governmental organizations is recognized by the European Union, where through dialogue they contribute to the promotion of participatory democracy and the implementation of European policies. This policy paper is an effort to strengthen and enhance the cooperation and dialogue with the NGOs of the country, as well as to strengthen the Civil Society in Cyprus.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The purpose of the Civil Society Policy Paper is to enhance the ways in which the potential of CSOs in Cyprus can be highlighted and exploited.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

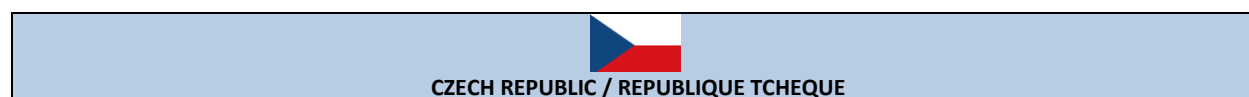
“The Volunteer’s House”

- **Nature, level, date, explanation of the “good practice”:**

It is a Council of Ministers Decision. An important tool for operating an organization is, among other things, the proper infrastructure and the provision of basic equipment. Having this as a principal, the Government approved the creation of the Volunteer’s House in each province in order to cover the basic housing and office needs of voluntary and non-governmental organizations. In addition to the free allocation of housing and basic office equipment (offices, computers, telephones, etc.) to a number of voluntary and non-governmental organizations. Volunteer’s Houses are also provided for use by all organizations and will be configured accordingly to be offered for organization meetings and events.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The aim is to facilitate the role and initiatives of NGOs.



Adoption of the “State Policy with Respect to Non-Governmental Organizations for the Years 2015 - 2020” by the Government of the Czech Republic

- **Nature, level, date of the “good practice”:**

In 2015, in order to create a stable framework for the relations of the national government with non-profit, non-governmental organizations (NGOs or CSOs), the government of the Czech Republic adopted the document “State Policy with Respect to Non-Governmental Organizations for the Years 2015 - 2020.”⁹ The strategical, future oriented part of the document¹⁰ is divided in four segments, which elaborate on the four basic principles of the State policy. These principles include: (1) governmental support for the sustainability, diversity and independence of NGOs; (2) effective and transparent policy-making and

⁹ Available in [English](#)

¹⁰ See Part 3, page 75 and the following.

financing; (3) support for volunteering and private donations as manifestation of participation of citizens in public affairs; and (4) the partnership principle.

- **Substantive explanation:**

According to the “State Policy”, the government supports sustainability of strong, varied and independent NGOs. It sees the operation of NGOs in many areas of social life as irreplaceable. The government perceives the activities of NGOs as an important part of the system of providing services for citizens and communities as well as a way how citizens can participate in public life. The Government appreciates not only the work of NGOs, which provide services to citizens, and philanthropic NGOs, which financially support other NGOs, but also of advocacy NGOs, which strive for system changes in different areas, including human rights and the protection of minorities and vulnerable groups.

The document addresses a wide range of issues, such as availability of information, which NGOs need for their work, the professionalization of NGOs providing services, efforts to achieve higher transparency, co-operation of public sector with NGOs on legislative and other issues, indirect support for NGOs through a system of suitable tax reductions, volunteering and private donations.

- **How it is concretely implemented:**

The “State Policy” involves an action plan which assigns tasks to ministries and other public institutions. The implementation of the action plan by ministries and other bodies is overseen by the *Government Council for the Non-Governmental Non-Profit Organizations* (established in 1992). At present, the Council has the maximum of 35 members. These members represent, in principle, two groups, namely NGO experts (at least one-half of the members according to the Statute of the Council) and high ranking public administration representatives.¹¹ The experts focus on specific areas of work of the Council, and, at the same time, represent the non-profit sector and its opinions and attitudes. At present, the Minister of Justice heads the Council.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The “State Policy” has been adopted with the intention to achieve impact on two levels.

First, on the systemic level, it defines the relations of the central government with non-governmental, non-profit sector and thus makes government policies more transparent, stable, coherent and foreseeable. This is an important precondition for the effective co-operation of the government and central government bodies with NGOs and other civil society actors and the further development of the partnership principle.

Second, the measures envisaged in the action plan bring outcomes, which create regulatory and financial frameworks favourable for the sustainability (or development) of NGOs and their roles in the society. Examples of such measures include continuous provision of grants from the national budget by ministries to support specific activities of non-governmental organisations in various pre-defined areas,¹² launching a new small grant scheme to support “universal” umbrella non-governmental organisations (administered by the Department for Human Rights and the Protection of Minorities of the Office of the Government) or conducting in-depth studies on private donations and on possible actions of the government on how to remove barriers for private donors. The overview of measures (action plan) is annexed to the “State Policy”.¹³

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

The “State Policy” and its action plan have been developed in close cooperation with civil society organisations and the academic sector. The measures of the action plan are implemented, where appropriate, with the involvement of the relevant civil society organisations. The structural basis for such co-operation between the government and the civil society actors is provided, in particular, by the *Government Council for the Non-Governmental Non-Profit Organizations*, its committees and working

¹¹ Specifically, they are Deputy Ministers of Finance, Culture, Defence, Labour and Social Affairs, Regional Development, Industry and Trade, Education, Youth and Sports, the Interior, Justice, Foreign Affairs, Health, Agriculture and Environment, representatives of the Association of Regions of the Czech Republic and representatives of the Union of Towns and Municipalities of the Czech Republic.

¹² The areas of support of the NGOs from the state budget are established annually in a document *Main Areas of the State Grant Policy with Respect to NGOs*. The document is prepared by the Secretariat of the Government Council for Non-profit, Non-Governmental Organizations and approved by the Government of the Czech Republic.

¹³ Available at http://www.vlada.cz/assets/ppov/rnno/dokumenty/statni_politika_EN.pdf. See pp. 105 – 113.

groups (see also above) or other, specific advisory bodies of the government (e.g. Government Council for Equality between Men and Women, Government Board for Persons with Disabilities, etc.).

Small grant scheme “Support for the Capacity Building of Nation-wide, Cross Sectoral Networks of NGOs”

- **Nature, level, date of the “good practice”:**

According to the document “State Policy with Respect to Non-Governmental Organizations for the Years 2015 – 2020”, adopted by the Government of the Czech Republic in 2015,¹⁴ the Government will cooperate with NGOs especially through their field-specific and universal networks and umbrellas at the level of the Government as well as at the level of individual bodies of the State administration, provided that these networks and umbrellas show their representativeness with sufficient membership bases.

In order to support such co-operation, and the quality thereof, the action plan, which is an integral part of the “State Policy”, involves a couple of measures, including the setting up of a small grant scheme to support nation-wide universal networks and umbrellas of NGOs:

“Support NGO networks and umbrellas being established on a universal (all-field) principle. At the level of the Chairman of the Government Council of the Non-Profit, Non-Governmental Organisations, ensure a grant title to support nation-wide universal networks and umbrellas of NGOs as a manifestation of the support of the state for the establishment and activities of self-governing NGO entities.”¹⁵

- **Substantive explanation:**

The small grant scheme *Support for the Capacity Building of Nation-wide, Cross Sectoral Networks of NGOs (Podpora kapacit celostátních mezioborových sítí nestátních neziskových organizací)* was established in 2016 as the manifestation of the support by the State for the establishment and activities of self-governing NGO entities. While most nation-wide field-specific umbrella organisations are eligible for grants provided from the State budget by ministries or other central bodies,¹⁶ the universal networks and umbrellas lacked such financial support from national resources as there was no “corresponding” ministry. The new small grant scheme intends to close this gap.

- **How it is concretely implemented:**

Based on the action plan as an integral part of the “State Policy with Respect to Non-Governmental Organizations for the Years 2015 – 2020”, the Ministry of Finance allocates annually 3 million CZK (approximately € 120 000) for the new grant scheme.

Since 2016, the new grant scheme has been administered by the Office of the Government, the Secretariat of the Council for Non-profit, Non-governmental organisations (the Secretariat is a part of the Department for Human Rights and the Protection of Minorities.)

In 2017, three general umbrella networks received grants, namely The Association of Public Benefit Organizations of the Czech Republic (ANNO ČR), The Donors' Forum (Fórum dárců, z. s.) and the For Easy Donations Association (Za snadné dárcovství, z. s.).

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The intended outcome is the strengthened capacity of universal umbrella networks of NGOs. The envisaged impact is the increased quality and stability of the cooperation between the state authorities and NGOs on systemic issues related to the non-profit sector, based on mutual understanding, knowledge and responsibility. Since the grant scheme is new, the long-term impact can be evaluated after 3 – 5 years of its existence.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles)**

The “State Policy” and its action plan have been developed in a close cooperation with the civil society organisations and the academic sector. The NGOs are the beneficiaries of the grant scheme.

¹⁴ Available in [English](#)

¹⁵ See page 99 and the following.

¹⁶ The areas of support of the NGOs from the state budget are established annually in a document *Main Areas of the State Grant Policy with Respect to NGOs*. The document is prepared by the Secretariat of the Government Council for Non-profit, Non-Governmental Organisations and approved by the Government of the Czech Republic.



DENMARK / DANEMARK – BY ENNHRI

Danish Institute for Human Rights (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

Most of DIHR's efforts on human rights education is targeting duty bearers. However, we provide free of charge training for civil society organisations with different human right themes such as introduction to human rights, the rights of the child in asylum cases, equal treatment, homeless people's rights, etc. However, as indicated in our 2017 reply, we have an on line demand e-courses that is available to all. We have recently embarked on having roundtables with civil society organisations on proposed or upcoming legislative proposals. The aim of these roundtables are to raise awareness of the human rights aspects and to encourage organisation's to, for instance produce legal briefs or apply their influence in relation to the decision making process and relevant stakeholders.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Results can be identified when we register how many organisations have sent briefs and whether the proposed legislation is amended before adoption, in accordance with recommendations made by the ourselves or the civil society organisations.



POLAND / POLOGNE

Appointment of the Government Plenipotentiary for Civil Society

<https://www.spoleczenstwoobywatelskie.gov.pl/pelnomocnik-rzadu-do-spraw-spoleczenstwa-obywatelskiego-pelnomocnik-rzadu-do-spraw-rownego>

- **Nature, level, date of the “good practice”:**

Since 2016 in Poland there exists a position of the Government Plenipotentiary for Civil Society. The competences of the above authority are regulated in the Regulation of the Council of Ministers of 8 January 2016 on the establishment of the Government Plenipotentiary for Civil Society based on Article 10 § 1 and 4 of the Act of 8 August 1996 on the Council of Ministers.

- **Substantive explanation:**

The practice involves placing the Government Plenipotentiary in the rank of Secretary of State in the Chancellery of the Prime Minister with competence to deal exclusively with the civil society matters. The Plenipotentiary's tasks include preparation of the National Program for the Development of Civil Society, monitoring of implementation of the above Program, coordination and monitoring of cooperation of government administration bodies with NGOs and other civic institutions. The Plenipotentiary performs his/her tasks in cooperation with the competent government administration bodies, which are obliged to cooperate with the Plenipotentiary, in particular by providing him/her with information and documents necessary to carry out his/her tasks.

- **How it is concretely implemented:**

Implementation by establishing legal framework for the Plenipotentiary's activities and allocation of adequate resources for the functioning of the above body as well as not leaving a vacancy in this position.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Placing the Government Plenipotentiary in the rank of Secretary of State in the Chancellery of the Prime Minister aims at improving the coordination of ministries' activities, as well as inter-ministerial "institutional memory" in the area of civil dialogue, and serves as a basis for more intensive engagement of the Government in the field of civil society development.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Expert teams were appointed by the Government Plenipotentiary for Civil Society for the preliminary consultations of the National Program for Supporting the Development of Civil Society. Currently there are 7 teams of experts from non-governmental organizations working on the ideas of support and development programs for the civil society. The above teams are auxiliary and advisory bodies and they are formed as an expression of the Government's will to establish permanent cooperation with non-governmental sector and scientific institutions, as well as to implement the principles of civil dialogue and civic participation in work on the creation of government programs to support the development of civil society. These teams are devoted to the following thematic areas:

- 1) Development of civil dialogue institutions,
- 2) Legal bases of civil society,
- 3) Reform of the horizontal financing system for the development of civil society,
- 4) Program for the development of long-term volunteering - Solidarity Corps,
- 5) Civic education – support and development of folk universities,
- 6) Promotion of family participation in public life and counteracting their discrimination,
- 7) Scouting programs support.

Development of Civil Society and creation of the Committee for Public Benefit at the Chancellery of the Prime Minister

- **Nature, level, date of the “good practice”:**

In 2017 the National Institute of Freedom - Centre for the Development of Civil Society was established under the Act of 15 September 2017 on the National Institute of Freedom - Centre for the Development of Civil Society. According to the above Act also the Committee for Public Benefit at the Chancellery of the Prime Minister was created.

- **Substantive explanation:**

The National Institute of Freedom is an institution competent in matters of supporting the development of civil society, as well as public benefit and voluntary work, to the extent specified in the Act of 24 April 2003 on Public Benefit and Voluntary Work. As it is stressed in the preamble of the Act, the executive agency is to support the development of civil society in Poland by strengthening organized and voluntary activity of citizens in favour of various socially important goals, which refer to the Polish heritage of free citizens' community and at the same time to fulfil the ideals of freedom. Its task is to run programs supporting the development of civil society and to collect and analyse data from all areas of cooperation between the state administration and the civic sector. The programs to be run by the National Institute of Freedom are going to be developed by the Department of the Civil Society at the Chancellery of the Prime Minister and adopted by resolution of the Council of Ministers, after consultation process with non-governmental organizations.

The Committee for Public Benefit is a government administrative body competent in matters of public benefit and volunteering, including programming, coordination and organization of cooperation between public administration bodies and entities operating in the public benefit sphere. The Committee's tasks include: coordinating and monitoring of cooperation of government administration bodies with the non-governmental organizations sector and other organized forms of civil society; consulting with the civil society programs developed by the Department of the Civil Society at the Chancellery of the Prime Minister to support civil society, monitoring programs implementation; preparing and issuing opinions on draft legal acts in the field of civil society development; cooperating in matters related to the development of civil society with other countries, international and foreign organizations and institutions; cooperating in the preparation of reports on the implementation of international agreements binding Poland in the matters of civil society; presenting opinions on the possibility of Poland joining international agreements regarding the development of civil society.

- **How it is concretely implemented:**

By the Act on the National Institute of Freedom - Centre for Civil Society Development, the previous competences of the Ministry of Family, Work and Social Policy in the field of public benefit are taken over by the Committee for Public Benefit. The Committee consists of the Chairman of the Committee, vice-chairman - secretary of state in the Chancellery of the Prime Minister appointed by the Prime Minister at the request of the Committee's Chairman, members in the rank of constitutional ministers participating in

the work of the Committee personally or represented by relevant secretaries of state, and the Director of the National Institute of Freedom - executive agency competent in matters of supporting the development of civil society. The implementation of the Act should primarily effect in increasing government administration cooperation with non-governmental organizations, launching additional funds, mechanisms and programs to support the development of civil society.

Apart from the Civic Initiatives Fund the National Institute of Freedom is planning to run other programs that aim to strengthen civil society and civil society actors in Poland such as: Institutional Grants Fund, Civic Education Grants, programs supporting advocacy and watchdog activities of Polish organizations, programs supporting civic participation of Polish citizens as well as Polish Solidarity Corps – program of supporting long-term volunteering. The special attention will be given to provide support to organizations that so far have little chances of receiving government support – to balance chances and facilitate diversification and sustainable development of the civil society sector in Poland. The theme of the programs are the response to problems of Polish non-profit sector voiced for many years by civil society actors and presented in various researches and discussions.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The Act on the National Institute of Freedom - Centre for Civil Society Development transfers the management of public funds of the Civic Initiatives Fund (FIO) from the Department of Social Economy and Public Benefit at the Ministry of Family, Work and Social Policy to the National Institute of Freedom in order to make the FIO a tool that more effectively supports civic organizations involvement in the fulfilment of their public benefit tasks. At the same time the Chairman of the Committee for Public Benefit becomes the administrator of the Civil Society Support and Development Fund, created on 1 April 2017 under the Act of 15 December 2016 amending the Act on Gambling Games and Certain Other Acts. The fund's revenue is 4% of the proceeds from the game subsidies. The National Institute of Freedom will become the managing body of the Fund. The Chairman of the Committee determines, by way of a regulation, detailed conditions for obtaining co-financing for the implementation of tasks, the procedure for submitting applications and transferring funds. The Chairman of the Committee cooperating with the Department of the Civil Society and the National Institute prepares ideas, concepts and projects of government programs for civil society support and development which will be subjected to social consultations and submitted for approval by resolution of the Council of Ministers.

Civil Society Support and Development Fund will be used to implement support and development programs run by the National Institute of Freedom. Institutional development support programs are addressed in the first place to civic organizations that could hardly solicit public funds, including: local organizations and watchdog groups, civic media, advocacy organizations, civic think-tanks, federations and confederations of non-governmental organizations, civic media, civic educational units including folk universities and scouting organizations.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

The Act on the National Institute of Freedom - Centre for Civil Society Development is a result of the broad dialogue with the civil society actors in Poland. The consultation process lasted 6 weeks, it was entirely opened and anyone could participate in 23 information/consultation conferences held during the consultation process across the whole country. The National Institute of Freedom is to function in a transparent manner and it will be open to social control through the Council of the Institute that will assist the Committee in supervising the Institute. The Council will also approve the principles of grant competitions. The Council will have 11 members, out of which 5 will be representatives of non-profit organizations.

Programs to be run by the National Institute are developed at the Chancellery of the Prime Minister in cooperation with groups of experts representing civil society and scientific institutions and then they are also subjected to public consultation and opinions of Council for Public Benefit Activities – consulting body consisting of the representatives of central and local governments and non-profit organizations. In November 2017, at the Chancellery of the Prime Minister, a series of debates regarding the contemporary condition of the civic sector and the search for the right directions of state policy development in its support was inaugurated.

The Polish Aid – participation of social partners

- **Nature, level, date of the “good practice”:**

The Development Cooperation Policy Council functioning alongside the Minister of Foreign Affairs was established pursuant to the Development Cooperation Act of 16 September 2011. The Council is an advisory and consultative body. In particular, its tasks include: tabling geographical and thematic priorities for development cooperation, assessing draft annual and multiannual development cooperation programs, evaluating Government administration bodies' annual reports on fulfilling development cooperation tasks and issuing opinions on development cooperation documents drafted by the Government. More information about the Council available at: <http://www.polskapomoc.gov.pl/Polish,Aid,160.html>

- **Substantive explanation:**

The Development Cooperation Policy Council consists of 23 members, including: National Development Co-ordinator as the Chairman of the Council under the rank of Undersecretary of State in the Ministry of Foreign Affairs, 3 parliamentary deputies, a senator, representatives of ministers responsible for: public finances, economy, internal affairs, environment, higher education, health, education and upbringing, regional development, social security, agriculture, energy, mineral resources management and 4 representatives of non-governmental organizations, representative of representative employers' organizations and a representative of the scientific community. Composition of the Council allows for the voice of the respective social partners, such as NGOs, to be heard.

- **How it is concretely implemented:**

Implementation by establishing necessary organizational and legal framework.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The Council's tasks include in particular: presenting proposals on geographical and thematic priorities for development cooperation, issuing opinions on draft multi-annual programs and annual development cooperation plans, issuing opinions on annual reports on implementation of development cooperation tasks by government administration bodies, issuing opinions on draft government documents related to development cooperation.

In the [Multiannual Development Cooperation Programme 2016-2020](#), a document of a strategic nature adopted by way of a resolution by the Council of Ministers, there are provisions referring to social partners of bilateral development cooperation. They are, among others non-governmental organizations, experts, representatives of academic institutions and other institutions involved or interested in development or humanitarian aid or global education. It should be also emphasised that according to the *Multiannual Development Cooperation Programme 2016-2020*, democracy and human rights represent one of the thematic areas of Poland's development cooperation. Support for democracy also implies strengthening civil society and its independent institutions, as well as monitoring and assessing the social and economic situation to make sure human rights and fundamental civic freedoms are observed.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

In carrying out commissioned public tasks in the field of development cooperation, non-governmental organizations, experts, representatives of academic institutions and other institutions involved or interested in development or humanitarian aid or global education constitute a key group of bilateral assistance partners maintained by Poland. Social partners influence the shape of Polish development policy and co-create its assumptions, including through participation in the work of the Programming Council for Development Cooperation. Cooperation with social partners, including non-governmental organizations, is conducted in accordance with the principles of competitiveness and transparency.

The Warsaw Dialogue for Democracy

The Warsaw Dialogue for Democracy (WDD) is the annual international conference that has been organized since 2012 by the Ministry of Foreign Affairs. Its concept is built on the premise that democracy cannot be established once and for all, by decree or law, and needs to be constantly reviewed, improved and strengthened. Providing a platform for dialogue and reflection is one tangible way of supporting these processes. Thus, each year WDD gives voice to human rights defenders and civil society representatives from more than 30 countries and facilitates an exchange of local experiences and know-how.



In June 2015 the Government of Republic of Serbia adopted the Draft of the National Strategy for creating an incentive environment for the development of civil society in Republic of Serbia for the period 2015-2019. Simultaneously, the Government adopted an Action Plan for Implementation of the Strategy and Plan for Monitoring the Implementation and Evaluation of the Strategy's Performance. All the mentioned documents are published on the website of the Government¹⁷.



Subsidies to CSOs and NGOs by the Ministry of Education

The Royal Decree 127/2014 regulates Basic Professional Training in specific aspects and creates formative programs for students with special needs (additional disposition fourth of the Royal Decree), which can be implemented in collaboration with non-profit organizations (especially in the case of Ceuta y Melilla).

In order to develop these programs in the Autonomous Cities of Ceuta and Melilla, the Ministry of Education subsidizes civil society and non-profit-making organizations (in a standard annual competitive concurrence) to put in place specific educational and training programs adapted for students with special needs or for students at risk of social exclusion. The subsidized civil organizations must develop formative specific programs in order to promote educational insertion and employability; these formative programs include practical training in firms.

The last of these annual subsidies was put up for competitive bidding by Resolution of 25 July 2017 and 1.300.000 (one million three thousand) euros were destined and distributed among the following organizations: Spanish Red Cross, «Docentes por la Igualdad de Ceuta» (Teachers for equality), Milver Association, Melilla Integra, Fundación para el estudio y promoción de la acción social (Social Action Foundation) and several trade unions.

Employment and Social Security

A special body was created by the Act of 21 July 2015 to promote the institutional participation, in which the Public Service (State and Autonomous Communities or regions) and employers and workers' organizations and trade unions are represented (article 30), according to the International Conventions and Agreements (International Labour Organization, Convention, art. 5). It is a way of assuring the active participation of organizations that represent citizens.

The Act 43/2015 for Third Sector of Social Action

The State Council for NGO's of Social Action is regulated by Royal Decree 235/2005; it is a collegiate organ with inter-institutional and consultative characters, which depends of the Ministry of Health, Social Services and Equality, and which constitutes a space of meeting, dialog and participation of the associative movement and civil organizations to prepare and implement social policies. The State Council for NGO's informs drafts regulations and legislative acts, participates in process to provide subsidies, makes several proposals and formulates ideas about civil participation and civil organizations.

The Platform of the Third Sector, constituted in January, 2012, defends the rights and social interests of the citizens, principally the interests of the persons in situation of poverty or at risk of exclusion. This Platform joined the seven most representative social organizations: the Platform of the Voluntary work of Spain (PVE), the European Network of Fight against the Poverty and the social Exclusion in Spain (EAPN

¹⁷<http://strategija.civilnodrustvo.gov.rs/press-centar/pokrenuta-javna-rasprava-o-strategiji-za-stvaranje-podsticajnog-okruzenja-za-razvoj-civilnog-drustva>

- ES), the NGO's Platform of Social Action (POAS), the Representatives' Spanish Committee of Persons with Disability (CERMI), Spanish Red Cross, Cáritas and the Blind persons' National Organization of Spain (ONCE). Today the Platform joins twenty social and civil organizations. The Commission for the Civil Dialog with the Platform of the Third Sector is integrated by representatives of the Ministry and of the Platform of the Third Sector. Subsidies for the third sector are provided by the State.

3.2.1 The right to associate (de facto), advocacy ability



Charte associative

- **Nature, niveau, date:**

Charte / entités fédérées francophones / adoptée le 12 février 2009

- **Explication:**

La Charte associative vise à redéfinir les rapports entre services publics et secteurs associatifs, notamment en reconnaissant leur rôle de relais entre le citoyen et les pouvoirs publics. La Charte reconnaît tout particulièrement la liberté d'association (« les associations définissent en toute autonomie leur objet social, leurs actions ainsi que leur mode d'organisation et de représentation) et encourage la liberté d'expression des associations, notamment « l'exercice de leur capacité critique ». Elle redéfinit les rapports dans un souci de complémentarité et non de concurrence.

- **Mise en œuvre :**

Dans le Ch. III, plusieurs engagements sont décrits. Ainsi, les pouvoirs publics signataires s'engagent à :

- « à liquider les subventions aux associations dans les délais et à privilégier le subventionnement dans la durée » ; et
- « à soutenir le volontariat, aux côtés de l'emploi salarié, comme acte de solidarité ou de militance dans l'action et la gestion des associations ».

Voici quelques exemples d'actions prises afin de concrétiser la mise en œuvre :

- les pouvoirs publics signataires rédigent pour chaque législature un plan de mise en œuvre des engagements ;
- ils organisent un droit de recours effectif ; et
- ils créent, financent et administrent un portail Internet (www.associations.be).



Commission Consultative des Droits de l'Homme du Grand-Duché du Luxembourg (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

In January 2017, Amnesty International presented a report “Europe: Dangerously disproportionate: The ever-expanding national security state in Europe”. The Luxembourg division invited the CCDH to their press conference, where the Commission presented its opinions on draft legislation in that field. Those opinions were also cited in the report.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The report cited the opinion of the CCDH on draft legislation modifying criminal procedure law in the case of terrorism. The draft legislation expands law enforcement's investigative and arrest powers, and extends considerably their power to collect and use private data. The report states “The National Consultative Commission on Human Rights had criticized the bill for a range of human rights deficiencies. The law does not define what would constitute an “emergency” or “extreme emergency”. The National Consultative Commission on Human Rights had warned that clear and precise definitions of such situations must be delineated in the law. Luxembourg's laws already contain a definition of “terrorism” that

is vague and overly broad. Compounding that with a vague notion of what constitutes an “emergency” or “extreme emergency” would open the way for potential abuse.

Under the new law, the authorities can:

- limit access to counsel for some detainees to 30 minutes;
- wiretap places and vehicles;
- engage in expanded forms of surveillance, including of telecommunications, and seize such information relating to both a suspect and anyone communicating with the suspect; and
- decline to notify a person who has been under surveillance in a terrorism investigation that he or she has been subjected to such scrutiny.”

The report is available on the website of Amnesty International: <https://www.amnesty.org/en/documents/eur01/5342/2017/en/>.

In its opinion, the Commission insisted on the proportionality and necessity principles when adopting anti-terrorism legislation and reminded the government of its obligation to respect the right to privacy and the right to protection of personal data.

The draft law has been amended numerous times and has not yet been voted. Most of the recommendations of the CCDH have been taken into accountⁱ.



Article 4 of the Law on Associations stipulates that registration in the Association Register shall be conducted on a voluntary basis. It also provides that an association acquires status of a legal entity at the date of its entry in the Register. Given that the Law introduces the principle of voluntary registration, it follows that an association can exist as *de facto* association (if it chooses not to be registered) or as an association which has the status of a legal entity.

The aforementioned legislation was confirmed and further elaborated by the Constitutional Court. Namely, on 2 June 2011 the Constitutional Court issued a decision¹⁸ by which it established that the association “Nacionalni stroj” was a secret association whose activities were forbidden by the Constitution. Firstly, the Constitutional Court established that “Nacionalni stroj” substantially met the requirements to be distinguished from informal groups of people, which were for example extreme fans groups (in which case the Constitutional Court would have declared itself as incompetent). It further established that “Nacionalni stroj” did not fulfil lawful formal conditions to be considered association (it wasn’t registered in the Register of Associations; there was no data on the founders; unknown head office and bodies of association etc.). Consequently, on account of the said formal deficiency, the Constitutional Court established that “Nacionalni stroj” was a secret association, especially having in mind that the said deficiency was a result of a conscious intent of this association. Finally, the Constitutional Court prohibited the mentioned *de facto* association to act, promote and spread its program goals and ideas, although it was not registered. Additionally, it follows from this decision that *de facto* association cannot be considered a secret association if it fulfils its obligation to make data relating to the association accessible to public. Contrary to that, in the case at hand, the Constitutional Court established that *de facto* association in question was also a secret organization given that one of its rules was that the members of organization, head office and its activities were secret. Having in mind that according to Article 55 of the Constitution the secret associations are forbidden, the Constitutional Court decided to ban the activities of the association at hand.

Regarding advocacy ability, it should be noted that associations are free to set any goal and to perform any activity that is not aimed at violent overthrow of the constitutional order, breach of the Republic of Serbia’s territorial integrity, violation of the guaranteed human or minority rights or incitement and instigation of inequalities, hatred and intolerance based on racial, national, religious basis as well as on gender, race, physical, mental or other characteristics and abilities (Article 3 of the Law on Associations). The association’s activities are non-profit as a rule, but as an exception, according to Article 37 of the Law

¹⁸ Decision no. VIU-171/2008 available to the Secretariat in Serbian.

association may directly perform an activity that generates profit, under the following conditions: 1) that the activity is related to its statutory goals; 2) that the activity is envisaged by the statute; 3) that the activity is of a smaller volume, i.e. that the activity is performed to the extent necessary for achieving the goals of the association. Although registration of an association is not necessary, registered associations enjoy certain advantages. Namely, unlike an informal (*de facto*) association, a registered association: 1) can conclude contracts and undertake other legal actions in its own name and for its own account; 2) may acquire its own property on the basis of purchase contract, gift, etc.; 3) is liable for its debts only by its own assets (members are not liable by their own property); 4) enjoys customs, budget and tax privileges (in addition, foreign donors predominantly finance projects of registered associations); 5) the name, abbreviated the name and logo of a registered association enjoys a higher level of legal protection, compared to the title, the abbreviated name and the logo of an informal association¹⁹.

3.2.2 Public awareness and recognition of civil society's work



Dialogues, rencontres et partenariat avec la société civile

- **Nature, niveau:**

Echange d'expertise / tous les niveaux de pouvoir

- **Explication:**

Tous les niveaux de pouvoir belges organisent régulièrement des rencontres avec la société civile et travaillent avec celle-ci. De fréquentes réunions *ad hoc* ont lieu afin de recevoir les expériences de la société civile et mieux orienter les politiques. Dans le cas particulier du rapportage belge auprès des différents comités onusiens ou de l'examen périodique universel, la société civile est consultée tant au moment de la rédaction des rapports, que lors du suivi des recommandations effectuées à l'égard de la Belgique.

- **Mise en œuvre :**

Voici quelques exemples de coopération thématique :

- En matière de traite des êtres humains, il existe une plateforme de coordination nationale en vue de lutter contre le phénomène. Elle implique des ONG, plus particulièrement les centres d'accueil qui hébergent et soutiennent des victimes de traite. En 2016, une brochure a été élaborée pour informer les demandeurs d'asile sur les risques d'exploitation économique. Elle a été rédigée en impliquant les administrations concernées, les syndicats et certaines ONGS travaillant avec les personnes sans documents ou dans le secteur de l'asile.

- En matière de la politique d'asile, des représentants des autorités publiques sont présents aux réunions mensuelles de contact organisées par Myria, le Centre fédéral Migration (autorité publique indépendante) et auxquelles de nombreux représentants de la société civile participent.

- En outre, le Ministre des affaires étrangères a rencontré en 2013 la société civile pour un Forum de dialogue consacré à la place des droits de l'homme dans la politique étrangère de la Belgique. Depuis, le Département des Droits de l'Homme des Affaires étrangères organise régulièrement des consultations avec la société civile et plus particulièrement les ONG actives dans le domaine des droits de l'homme (rédaction des rapports aux comités de l'ONU, examen périodique universel et suivi des recommandations effectuées).

¹⁹<http://civilnodrustvo.gov.rs/upload/documents/Prirucnici/Vodic%20za%20primenu%20zakona%20o%20udruzenjima.pdf>



BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

EU program – Europe for Citizens

Since 2012, Bosnia and Herzegovina has been a successful participant in the EU program 'Europe for Citizens' which encourages the cooperation between citizens and their organizations in member countries of the Program, providing support to, among others, groups of citizens, NGOs and local self-government units.

The Parliamentary Assembly of BiH, at the 39th session of the House of Representatives held on 14 December 2016, and at the 25th session of the House of Peoples, held on 15 December 2016, adopted the Decision to approve ratification of the Agreement between the EU and BiH on the participation of BiH in the 'Europe for Citizens' program (Official Gazette of BiH – International Agreements no. 7/16)

In cooperation with civil society organizations and local authorities the Ministry of Justice of BiH, in the period from December 2012 to December 2017, organized more than 20 info days and workshops with the aim of presenting the opportunities offered in the 'Europe for Citizens' program, with the participation of more than 900 representatives of civil society organizations, local authorities, universities, public institutions, informal groups and other potential applicants.



CYPRUS / CHYPRE

"Volunteering culture and active citizen in school" handbook

- **Nature, level, date, explanation of the "good practice":**

It is a step in an effort to promote volunteering, active citizenship and cultivation of voluntary consciousness from the early stages of youth development and education. It targets primary and secondary school teachers and students alike and includes experiential actions and good practices.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Prompts children to engage in actions that make them active citizens given the fact that volunteering is considered a good practice to tackle offending. It is also a healthy way of involving pupils in social supply, enhancing participation and coexistence

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

Volunteerism Week

- **Nature, level, date, explanation of the "good practice":**

Since 1994, the Pancyprian Volunteerism Coordinative Council organizes each year a volunteerism week (1-8 December). The purpose is to highlight the volunteerism in society.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

It gives the opportunity to voluntary organizations to make visible their contributions, to present the big picture of ongoing projects and mobilize people to participate in these projects, to initiate new innovative projects, to bring an added value to volunteerism and to make more visible that hundreds of volunteers make a daily contribution in their communities and society. An annual reception to honor volunteers is organized by the President and the First Lady of the Republic of Cyprus at the Presidential Palace.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.



- **Nature, level, date, explanation of the “good practice”:**

In line with the Paris Principles, NHRIs are pluralistic bodies, representing the different sections of civil society in their work. When organizing meetings and trainings, ENNHRI aims to consistently integrate attention for, and participation of, civil society organisations.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Engagement of ENNHRI with civil society organizations active in the human rights sector is of a continuous nature. For example, every year, ENNHRI and OSCE ODIHR co-organize a week long training for NHRI staff which always includes a specific training session on how NHRIs can engage with civil society actors, and promote and support their work. The NHRI Academy evaluations show that NHRI staff operationalize lessons learned during the NHRI Academy in their home institution. Accordingly, the NHRI Academy contributes to the further awareness raising and recognition of civil society work across the region.



GERMANY / ALLEMAGNE – BY ENNHRI

German Institute for Human Rights (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

Between 2009-2011, the German Institute for Human Rights implemented a project on how the NHRI could strengthen German CSOs in combating discrimination. The project was triggered because of the finding by the NHRI that only a small number of organisations in Germany made use of the chance to work for the protection against discrimination in court proceedings and complaint procedures and that only very few organisations followed an explicit anti-discrimination approach. By offering advice, information and training, the project supported organisations in strengthening their capacities within the framework of court proceedings and national and international complaint procedures as well as in developing a self-conception as an anti-discrimination organisation.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The project aimed at strengthening the implementation and enforcement of non-discrimination rights through organisations, and thereby at promoting a general culture of non-discrimination and human rights in Germany. The project's main findings and recommendations were published ([here](#)) and disseminated by GIHR, including when engaging with state authorities.



RUSSIAN FEDERATION / FEDERATION DE RUSSIE

State Awards

- **Nature of the “good practice”:** Presidential Decree No. 491 "On the State Award of the Russian Federation for Outstanding Achievements in the Human Rights Activities and the State Award of the Russian Federation for Outstanding Achievements in Charity Work" of September 30, 2015.

- **Explanation:** Presidential Decree No. 491 "On the State Award of the Russian Federation for Outstanding Achievements in the Human Rights Activities and the State Award of the Russian Federation for Outstanding Achievements in Charity Work" of September 30, 2015 (hereinafter referred to as "Decree No. 491") establishes two State Awards which are the ultimate recognition of the service of the individuals engaged in human rights and charitable activities to the nation and society.

- **Implementation:** The State Award for Outstanding Achievements in the Human Rights Activities is conferred on the individuals involved in vigorous and fruitful public activities aimed at protecting human and civil rights and freedoms, strengthening and developing civil society institutions and broadly recognized by the general public in the Russian Federation. The State Award for Outstanding Achievements in Charity Work is conferred on the individuals involved in vigorous and fruitful public activities aimed at cultivating the spirit of charity and volunteering, providing gratuitous help to those who need it and broadly recognized by the general public in the Russian Federation. From 2016 on, the State Awards are granted by the President of the Russian Federation and presented annually at a solemn function which is timed, as a rule, to the International Human Rights Day (December 10).
- **Impact:** Decree № 491 is an example of best practices of positive regulatory impact on civil society organizations, human rights activists and national human rights institutions. Such recognition of the achievements of the active civil society representatives on the highest state level (the award is given by the President of the Russian Federation) gives impetus for further development of the activities and projects in the sphere of human rights protection and charity.



UNITED KINGDOM / ROYAUME-UNI – BY ENNHRI

Northern Ireland Human Rights Commission (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The NI Human Rights Commission has worked with the NI civil service to develop a training programme for civil servants involved in policy development on ensuring compliance with human rights. The programme which has both an online and in classroom aspects sets out the relevant human rights frameworks and encourages policy professionals to consider the human rights implications of any proposal.

The NIHRC has created a series of short films to highlight human rights issues in Northern Ireland. These include films on homelessness, carers' rights, domestic violence, migrant workers' rights, and the participation of disabled persons. Importantly the NIHRC has created these through partnerships with civil society and non-governmental organisations, in order to highlight examples of good practice in Northern Ireland. In 2018, the NIHRC will launch a new series of animations on LGBTI rights; the right to freedom of expression, conscience and religion; and the UN treaties. These will be launched at public events, and incorporated into the education programme which the NIHRC will be delivering to post-primary schools across Northern Ireland.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

These resources will ensure the integration of the promotion of human rights within schools across Northern Ireland. The animations being launched in 2018 will encourage the public to rethink certain rights, and raise awareness of human rights protections which they may not have been aware of previously. The NIHRC will measure the impact of this project by receiving feedback from schools and students, enabling the NIHRC to strengthen future work.

3.3 Right to (access) information and freedom of expression



CYPRUS / CHYPRE

Citizen's Day

- **Nature, level, date, explanation of the “good practice”:**

Hold on 15th September each year. The date as well as the whole practice was defined by the Council of Ministers (Dec. No. 78.470). It establishes regular communication with citizens and ensures their rights to transparency, speech and information that broadens their choices, participates in decision-making at all

levels and promotes active participation in society at local, national and European level. It results from the need to encourage their participation in society.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The aim is to optimize the services provided to society and to every citizen with emphasis in youth.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

Campaign entitled "Volunteerism for Green Communities"

- **Nature, level, date, explanation of the "good practice":**

The Pancyprrian Volunteerism Coordinative Council in collaboration with the Environmental Commissioner organizes campaigns with the aim of informing the society via regional meetings about environmental protection.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

A briefing meeting was held on 31/10/17 at the village of Xylopymbou on Climate Change. The briefing was organized by the Commissioner for the Environment, the PVCC and the Larnaca District Voluntary Co-ordinating Council, in cooperation with the Xylotymvos Community Volunteerism Council. The inhabitants of the Xylotymvou community had the opportunity to be informed by the Commissioner of the Environment on the issue of climate change and various actions that everyone can take to protect our environment.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.



Public Councils under the Ministry of Interior (MI) of Russia and its Territorial Bodies

- **Nature of the "good practice":**

Legislation and executive acts on the state level in order to establish public councils in the Ministry of the Interior of Russia and its territorial bodies (Federal Law "On police" of February 7, 2011; Presidential Decree "On public councils under the Ministry of the Interior of the Russian Federation and its territorial bodies" No. 668 of May 23, 2011; Presidential Decree No. 1027 of July 28, 2011).

- **Explanation:**

Federal Law "On police" of February 7, 2011 provides for the establishment of public councils under the MI and its territorial bodies. Presidential Decree No. 1027 of July 28, 2011 approved the Regulation on the Public Council under the MI, which has become the first and so far only public council under a federal executive body, the regulation on which was approved by the Head of State. The activities of the Public Council under the MI of Russia are not funded from the federal budget of the Russian Federation.

Pursuant to the Law and the abovementioned decrees, the Public Council under the MI of Russia and public councils under its territorial bodies were established in 2011 at the federal district, interregional, regional and district levels. They are composed of citizens representing traditional religious faiths, mass media, human rights organizations and other public associations. A public council is established on the basis of voluntary participation in its activities of citizens, members of public associations and organizations.

- **Implementation:**

Members of public councils have the right to:

- Enter the premises occupied by the internal affairs agencies, as well as detention facilities, without special permission;

- Review the complaints of citizens regarding the violation of their rights, freedoms and legitimate interests by the internal affairs officers, as well as with the results of consideration of such complaints;
- Request inquiry into how the personnel of the internal affairs agencies observe the rights, freedoms and legitimate interests of citizens, and take part in such an inquiry and acquaint themselves with its results.

Members of public councils also attend the meetings as well as personal reception of citizens held by the internal affairs agencies. Besides, they may take part in the reception of citizens regardless of the level of authority of an official holding a reception, either the head of a regional Directorate, the chief of a district office or community police officer. In addition, members of public councils have seats on the review boards in the internal affairs agencies and the selection boards to fill vacant posts in the internal affairs agencies.

According to the rules on the drafting of regulatory legal acts in the central office of the Ministry of the Interior of the Russian Federation, approved by Order of the MI of Russia No. 484 of June 27, 2003, the drafts of some regulatory legal acts shall be subject to mandatory preliminary discussion at the meetings of the Public Council under the MI of Russia.²⁰ Since 2014, the Public Council under the MI of Russia has been involved in the discussion and coordination of draft amendments to the federal target program on "Improving road safety in 2013–2020" and the State Program on "Public order and crime prevention" for the Ministry's bodies.

- **Impact:**

The goal of public councils in the MI and its territorial bodies is to harmonize the interests of public importance among citizens, authorities of all levels, public associations, human rights, religious and other organizations, including professional business associations, and address the most important issues of police activities.²¹ This also provides for a greater transparency of the MI work and creates additional human rights safeguards.

The rotation of public councils after expiration of the term of the outgoing membership was an important event of 2016.²² The analysis of the newly formed public councils has shown that they include representatives of public and non-profit organizations (17%), media (17%), science and education (10%), cultural and artistic figures (8%), religious associations figures (8%), lawyers and legal professionals (6%), doctors and medical workers (5%), veterans of the MI bodies (5%), human rights activists (4%), athletes and sports officials (4%), representatives of youth organizations (4%), professional sociologists (2,5%), representatives of the public chambers of the constituent entities of the Russian Federation (2%), representatives of national organizations (2%), psychologists (1,5%), members of volunteer community watch (1%), trade unions (1%), family members of officers killed in the line of duty (1%), and people from other fields of activities (1%).

"Citizen and the Police" campaign

- **Nature of the "good practice":**

Agreement on cooperation between the Ministry of Interior (MI) of Russia and the Moscow Helsinki Group regarding public monitoring of the police work.

- **Explanation:**

The MI of Russia reached an agreement on cooperation with the Moscow Helsinki Group (a regional public association, providing public scrutiny of the police work, hereinafter – MHG) in order to develop partnership relations with the community and to strengthen citizens' confidence.

- **Implementation:**

²⁰ Their list was established by Resolution of the Government of the Russian Federation No. 877 of September 1, 2012 "On the approval of the content of regulatory legal acts and other documents, including program documents, elaborated by federal executive bodies which cannot be enacted without preliminary discussion at the meetings of the public councils under these federal executive bodies".

²¹ Information on current activities of the Public Council under the MIA of Russia and its individual members can be found on the official website <https://oc.mvd.ppf/>, relevant sections on activities of public councils under the territorial bodies of the MIA of Russia are available on the official websites of these bodies departments.

²² The Public Councils were constituted in accordance with Decree of the President of the Russian Federation No. 668 of May 23, 2011 and Order of the MIA of Russia No. 939 of August 15, 2011 "On measures to implement Decree of the President of the Russian Federation No. 668 of May 23, 2011".

Since 2014 the MHG has been conducting the public campaign "Citizen and the Police", which includes the visits to territorial bodies of the MI of Russia, bodies of the MI of Russia for Transport, Traffic Police units (including Inter-district Registration and Testing Agency), police stations, front offices, vetting of the "02" service and helplines. In 2017 migration police units were also visited. These activities are aimed at improving the situation of human rights and the image of the police.

- **Impact:**

As outcomes of the 2014 and 2015 campaigns, the MHG in consultation with the MI of Russia issued the guides "Practices of Public Scrutiny of the Police Activities" and "Citizen and the Police: a Path to Dialogue". Civil activists and participants have a positive view of the MHG activities. Information materials on the events with participation of civil activists and representatives of civil society are posted in the newsfeed of the official website of the Public Council under the MI of Russia (<https://oc.mvd.pf/>). The "Citizen and the Police" campaigns create a more open environment in the work of the police, allow to resolve existing problems through dialogue between the civil society and police structures, as well as raise the level of trust of the society towards the police system.

Detention facilities monitoring by the civil society and national human rights institutions

- **Nature of the "good practice":**

Federal Law No. 76-FZ "On Public Monitoring of Human Rights in Detention Facilities and Assistance to Persons Kept in Detention Facilities" of June 10, 2008; Order No. 196 "On Procedure for Visits to Detention Facilities of the Internal Affairs Agencies by Members of Public Monitoring Commissions" of March 6, 2009.

- **Explanation:**

The Federal Law No. 76-FZ "On Public Monitoring of Human Rights in Detention Facilities and Assistance to Persons Kept in Detention Facilities" of June 10, 2008 sets up a legal framework for participation of public associations in the public monitoring of human rights in detention facilities and assistance to persons kept in detention facilities, including the creation of conditions for their reintegration.

Under the Order No. 196 "On Procedure for Visits to Detention Facilities of the Internal Affairs Agencies by Members of Public Monitoring Commissions" of March 6, 2009 territorial bodies of the MI of Russia cooperate with regional public monitoring commissions in organizing visits to detention facilities for the purpose of monitoring the observance of human rights.

- **Implementation:**

Once the Federal Law No. 76-FZ was adopted, the Civic Chamber of the Russian Federation and Human Rights Ombudsman of the Russian Federation initiated nation-wide seminars and those at the level of federal districts, to which federal executive officials were invited as well. Such seminars are held annually in various regions under the auspices of the Civic Chamber of the Russian Federation with newly elected members of regional public monitoring commissions, where law enforcement officials enhance their vocational training as well.

At the same time, the MI of Russia undertakes a number of additional activities to strengthen interaction with civil society institutions. For example, joint visits to the regions of the Russian Federation (aimed at monitoring the observance of human rights in special police facilities, detention conditions and medical treatment of the persons suspected in or accused of a crime, as well as individuals under administrative arrest) form part of the on-site meetings of the Presidential Council for Civil Society and Human Rights (which consists of civil society representatives).

- **Impact:**

While implementing the principles of transparency and openness of the internal affairs bodies, the Ministry continues its active cooperation with regional public monitoring commissions and human rights commissioners in the regions of the Russian Federation. In 2017 only, public and human rights organizations paid 5,457 visits to the detention facilities of the internal affairs bodies, including 928 visits by human rights ombudsmen and their representatives, 1,050 visits by public monitoring commission members and 3,479 visits by public council members.

This practice creates additional human rights safeguards for persons in detention facilities through independent civil society-driven monitoring mechanisms.

3.3.1 Right to freedom of expression and information (Art. 10) applied to civil society / Human Rights defenders

3.3.2 Free access to official data, reports, initiatives, decisions



The Seimas Ombudsmen's Office (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The Seimas Ombudsmen's Office has prepared an article “Violations of the Right to Obtain Information in State and Municipal Institutions Review of Investigations into Complaints Lodged with the Seimas Ombudsmen” in 2016. The article based on investigations carried out by Ombudpersons gives a concise overview of challenges in implementing the right of the journalist to obtain information also reviews legal aspects by analysing case law of ECHR and national courts.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The material was used in conducting the training for professional journalist in cooperation with the Union of Journalist to raise awareness of the right to get information from state and municipal institutions. A workshop cycle for journalists in several regions including Kaunas, Vilnius and Alytus was conducted in 2016, the summarised material “Violations of the right of access to information at the state and municipal institutions. An overview of complaints for the Seimas Ombudsmen” for the first time in the history of the Seimas Ombudsmen's Office was published in the journalists' professional almanac Žurnalistika 2016 (II).



According to Article 5 of the Law on Associations, the association's activities shall be public (similar provisions also exist in other laws governing specific types of associations, as for example political parties). The same Article provides that securing the transparency of activities shall be regulated by the association's statute. As an example of such practice, we point out to the Statute of the Football Club Red Star²³ which is published and available on the website of the subject sport association. It provides in Article 45 that all club's information is available to the public, except for information that represent business secret. Also, according to Article 46 of the Statute the Club's bodies make sure that the representatives of the media be timely informed about important events and provide them with the necessary data and information, and with the necessary conditions for their work. Finally, on the cited webpage of the Club, apart from the Statute, several rulebooks have been published.

Also, Article 28 of the Law on Associations provides that the Register of Associations (which is public²⁴) includes the following data on registered associations: name and abbreviated name of the association; seat and address of the association; the scope of attaining the goals of the association; the date of foundation of the association; economic and other activities that the association directly conducts; personal name, place of residence or place of residence and unique identity number, that is, the number of travel document and country of issue of the travel document of the association's representatives; the estimated time for which the association is established; membership in a federation of associations; date of adoption, or amendments to the Articles of Association; status change data; data related to liquidation and bankruptcy of associations; a note on initiating a procedure for banning the work of the association and banning the work of the association; cessation of association. Article 38 of the same Law also provides that any association that has received funds to implement programs of public interest (out of the budgets of the Republic, Autonomous Province or local self-government unit) shall at least once a year

²³ <http://www.crvenazvezdafk.com/sr/pages/details/32/Statut-i-pravilnici>

²⁴ <http://pretraga2.apr.gov.rs/ObjedinjenePretrage/Search/Search>

make available to the general public a report on its activities and on the scope and method of acquiring and using the financial means and forward it to the provider of such (financial) means.

As mentioned above, the activities and data of the CSOs are public and available to anyone. In addition, CSOs (as well as all the other persons) have the right to access information held by public authorities. In that respect, we point out to the Law on Free Access to Information of Public Importance ("Official Gazette of RS", nos. 120/2004, 54/2007, 104/2009 and 36/2010), specifically to its Article 39 which enacts responsibility of all State authorities to publicly announce their work reports at least once a year. Article 15 of the same Law also stipulates that every person (which certainly includes CSOs) may submit a request in writing to a public authority to exercise the right to access information of public importance. Also, a legal remedy is provided by Article 22 of the Law, which stipulates that an applicant may lodge a complaint with the Commissioner for Information of Public Importance and Personal Data Protection if a public authority rejects or denies an applicant's request, if a public authority fails to reply to a submitted request within the statutory time limit, or if the reply is incomplete. Article 26 of the Law prescribes that, in order to determine necessary facts, the Commissioner shall be allowed insight in every information held by public authorities. Enforcement of the Commissioner's decisions is regulated by Article 28 of the Law. It is stipulated that the decisions and conclusions of the Commissioner shall be obligatory and enforceable. The enforcement shall be performed by the Commissioner (compulsory fines) according to the law on administrative procedure. If the Commissioner is unable to enforce his decisions, the Government shall help the Commissioner to enforce his decision upon his request. To conclude, the mentioned mechanism for accessing information of public importance is also applicable on CSOs as potential applicants.



SPAIN / ESPAGNE – BY ENNHRI

Defensor del Pueblo (A-Status)

- Nature, level, date, explanation of the “good practice”:

The Defensor del Pueblo makes different surveys in order to better analyse the functioning and the implementation of civil rights in the society. Recently the Institution has finalized a series survey about the [transparency of public institutions](#).

The Institution asks about the difficulty to access to the public information, the way in which citizens access to that information and the clarity of the received answers as well as the time its take to receive the requested data.

The Spanish Ombudsman highlights that different Spanish Councils placed the Institution as one of the best ones in providing better, clear and concise information in the shortest possible time. The Defensor del Pueblo is ranked the second one (after the judicial power) in the field of voluntary transparency.

- Intended outcomes and/or envisaged impact, proof of its impact:

With more than 400 answers, the Institution was able to make some recommendations about the promotion of transparency actuation in the public sphere.



SWITZERLAND / SUISSE

Soucieuse de garantir la transparence et le suivi de l'activité de l'administration, la Suisse a édicté en 2004 la loi fédérale sur le principe de la transparence dans l'administration (loi sur la transparence, LTrans). Celle-ci régit l'accès du public aux documents officiels de l'administration fédérale et des services du Parlement. Entrées en vigueur le 1^{er} juillet 2006, la loi et son ordonnance s'appliquent aux documents qui ont été établis à compter de cette date. En vertu de la LTrans, toute personne, quels que soient sa nationalité, sa domiciliation et son âge, peut accéder à des documents officiels sans devoir motiver sa demande. Ce droit d'accès peut être limité à des fins de protection d'intérêts publics et privés prépondérants, mais l'autorité concernée doit motiver sa décision.

Si une autorité limite, diffère ou refuse ce droit d'accès, le demandeur peut s'adresser au Préposé fédéral à la protection des données et à la transparence (PFPDT). Celui-ci engage alors une procédure de médiation dans le but d'un accord rapide entre les deux parties.

La plupart des cantons ont eux aussi ancré dans leurs législations un principe de transparence similaire en ce qui concerne l'accès aux documents officiels de leurs administrations.



The Swedish Freedom of Press Act, which is part of the Constitution, has a full chapter devoted to the public nature of official documents. Chapter 1, section 1 states that every Swedish citizens shall be entitled to have free access to official documents in order to encourage free exchange of opinion and the availability of comprehensive information. Foreign nationals are equated with Swedish citizens in this regard. The right of access to official documents may be restricted only if the restriction is necessary with regard to (1) the security of the Realm; (2) the central fiscal, monetary or currency policy of the Realm; (3) the inspection, control or other supervisory activities of a public authority; (4) the interests of preventing or prosecuting crime; (5) the economic interests of public institutions; (6) the protection of the personal or economic circumstances of individuals; or (7) the preservation of animal or plant species. As a main rule, any restriction of the right to access to official documents shall be scrupulously specified in a provision of a special act of law, or, if deemed more appropriate in a particular case, in another act of law to which the special act refers.

3.4 Effective participation in decision-making



Launching of www.e-draft.am website

The Open Government Partnership's second Action Plan of the Republic of Armenia for 2014-2016 envisages the provision on public awareness on the lawmaking activity of state governance bodies, the main objective whereof was the creation of general online forum for the publication of draft normative legal acts developed by the government agencies to inform the public about the normative legal acts being developed by the agencies (including, by a subscription principle). The civil society will be given the opportunity to propose recommendations on the draft versions, as well as be informed about their status (i.e. whether it has been adopted or not, how it is edited, as well as the justification for non-adoption).

In the result, N 1134-N decision of the Government "On Making Amendments and Supplements to N 296-N Decision of the Government from March 25, 2010", which enter into force on December 2016, was adopted on September, 2016. In accordance with 3rd point of the decision "All government bodies, drafting legal acts should put the relevant link or should ensure the automatic connection of their websites to the unified website".

On January 25, 2017 the Ministry of Justice of the Republic of Armenia launched www.e-draft.am website²⁵, which serves as a platform for meaningful and direct consultations and discussions of the drafts initiated by both the legislature and the government. This tool contributes to enhanced accountability and transparency in decision making. It provides real-time possibility to present the draft legal acts to the CSOs and general public, to organize online discussions in a user-friendly manner, to address the comments received and as a result, to tap the intelligence and expertise of the public to improve law-making processes. This tool is essential due to several other reasons. Online discussions devise innovative policy designs that experts alone would not have developed, and help ensure that legitimate interests of stakeholders are addressed. Also, open discussions of matters of public interest

²⁵ The official website: <https://www.e-draft.am/eng>

expose CSOs and people to other views, what enables them to share knowledge and evaluate the best arguments. Last but not least, they provide large flow of communication within the Armenian society. Through such processes, the public becomes collaborators and co-creators in the legislative process to the end of improving the quality of legislative outcomes and the effectiveness of governing. During one year of functioning, the e-draft tool proved its efficiency: starting from the point of 4000 users in February 2017 it has reached the point of 105000 users in December 2017, which clearly indicates a dynamic growth of demand for engagement in the decision-making processes in the country.

Creation of Anti-Corruption Board

Another platform for the effective cooperation with civil society organizations is the Anti-Corruption Board, which ensures the fixed positions for the representatives of CSOs. The main activities of the Board include the elaboration of Anti-Corruption Strategy, Concept and Action Plan for 2015-2018. The relevant initiatives related to the amendments to the agenda on Anti-Corruption policy have been brought by the representatives of CSOs and are extensively discussed within the framework of the Board, which resulted in adopting a number of suggestions of the CSO representatives. Thereby, overall the representatives of CSOs have submitted 40 suggestions: 23 in the sphere of healthcare (14 were fully accepted, 5-partially), 8 in the sphere of state revenues (2 were fully accepted), 7 in the sphere of police (1 was fully accepted, 2- partially) and 2 in the sphere of education. Herewith are the most important three measures that were included in the Action Plan based on the suggestions of civil society:

(1) Illicit Enrichment: During the development of the anti-corruption strategy, the civil society raised the importance of criminalization of illicit enrichment, and as a result the measure was involved in the Action Plan, as point 47.

(2) Whistle blowing system: The importance of establishment of a legal ground to encourage reporting corruption was highlighted by NGOs and international organizations while developing the Strategy for 2015-2018 period. As a result a special measure on establishing guarantees of legal protection of persons reporting corruption crimes by law was envisaged by the Action Plan (point 51).

(3) Institutional system: Yet in 2015, the basis of Institutional anti-corruption system was established by RA Government Decision, having the Anti-corruption Council in the centre of that system. However, both international organizations and civil society raised concerns that the Council does not correspond to the requirements of UNCAC article 6. The civil society was insisting on involving a provision on a new anti-corruption institutional system in the Strategy for 2015-2018. After long discussions a special measure on conducting a study on the institutional system for fight against corruption was involved in the Action Plan (point 54).

After having the CSOs proposals in the Action Plan the Government continued the cooperation with them aimed at implementation of those proposals. In the result of this and based on CSOs' proposals in 2017 the Parliament adopted two important pieces of legislation initiated by the Government (a) Amendments to the Criminal Code that introducing criminal liability for illicit enrichment and (b) Law on Whistle blowing.



Consultation de la société civile par le Parlement

- **Nature, niveau:**

Règlement / fédéral / Chambre (2003), Sénat (2013)

- **Explication:**

La Chambre des représentants et le Sénat (assemblées parlementaires belges) prévoient dans leur Règlement des possibilités de concertations avec la société civile.

L'article 28 du Règlement de la Chambre des représentants stipule que « pour la préparation du travail législatif, la commission peut prendre l'avis de personnes ou d'organismes extra-parlementaires, prendre des renseignements documentaires auprès d'eux, accepter ou demander leur collaboration ». L'article 20 du Règlement du Sénat prévoit que « les commissions peuvent également organiser des auditions et des journées d'étude ».

- **Participation de la société civile :**

A de multiples occasions, la société civile a été associée au travail législatif.

Concertation sociale au sein du « Groupe des 10 »

- **Nature, niveau:**

Fédéral / 2015

- **Explication:**

La Belgique a une longue histoire de concertation sociale. Dans l'accord du Gouvernement de 2014, la Belgique a rappelé la nécessité de garantir la concertation sociale : « il est essentiel de garantir la concertation interprofessionnelle ainsi que le rôle des partenaires sociaux dans l'exécution et la gestion de la sécurité sociale ». Depuis 2015, celle-ci s'effectue au sein du « Groupe des 10 », qui réunit les principaux représentants des organisations syndicales et des organisations d'employeurs. Ce groupe des 10 est un des hauts lieux de la concertation sociale au niveau fédéral, entre les interlocuteurs sociaux et le gouvernement fédéral.

- **Mise en œuvre :**

Tous les deux ans est négocié un accord interprofessionnel portant sur les conditions de travail (nombre de jours de congés, durée du travail, etc.) et l'évolution des salaires de salaire. La négociation se base sur un rapport technique comparatif (perspectives d'évolution des salaires dans les pays limitrophes). Le groupe discute également d'autres dossiers interprofessionnels.

Hearings in the Flemish parliament

- **Nature, level:**

Policy participation / regional

- **Explanation:**

The rules of procedure of the Flemish parliament²⁶ provide the possibility to organise hearings, for example when the parliament discusses a proposal for a decree. The commissions of the parliament can invite persons or institutions and hear them or can request them to provide documentation, advice or cooperation.

- **Implementation:**

The Flemish parliament regularly makes use of this possibility. Some selected examples from 2017 are:

- Hearings about the Flemish Action Plan Mental Health 2017-2019 (*Vlaams Actieplan Geestelijke Gezondheid 2017-2019*)²⁷
- Hearings about the evaluation of the Arts decree (*Kunstendecreet*)²⁸
- Hearings about unacceptable behaviour in sports²⁹

National Commission for the Rights of the Child

- **Nature, level, date:**

Consultation platform / national / since 2006

- **Explanation:**

The National Commission for the Rights of the Child was established in 2005 on the basis of a cooperation agreement between the federal state and the federated entities. The Commission started its activities in 2007. The Commission contributes to Belgium's periodic country report on the implementation of the Convention on the Rights of the Child. The Commission also issues general policy recommendations. Civil society organisations are represented in the plenary assembly and the daily office of the Commission. They are also part of the advisory body which provides independent advice to the authorities.

²⁶ <https://www.vlaamsparlement.be/over-het-vlaams-parlement/hoe-werkt-het-vlaams-parlement/reglement-van-het-vlaams-parlement>

²⁷ <http://docs.vlaamsparlement.be/pfile?id=1359742>

²⁸ <http://docs.vlaamsparlement.be/pfile?id=1353464>

²⁹ <https://www.vlaamsparlement.be/parlementaire-documenten/parlementaire-initiatieven/1208404>

- **Implementation:**

In 2017, civil society organisations, through the National Commission for the Rights of the Child, have been closely involved in the elaboration of Belgium's 5th and 6th report to the Committee on the Rights of the Child. The governments agreed with the priorities identified by the civil society organisations. The draft report was submitted to the advisory body for advice and was adapted in line with its comments.

Reflection group for youth policy and children's rights

- **Nature, level :**

Consultation platform / regional

- **Explanation:**

The reflection group for youth policy and children's rights is the platform for dialogue between the children's rights contact points in the government of Flanders, representatives of the academic world and non-governmental youth and children's rights organisations.

- **Implementation:**

The reflection group reflects upon, evaluates and inspires the Flemish youth and children's rights policy. The group meets 3 to 4 times a year. In addition, specific themes are addressed in depth by working groups. The reflection group is not a formal advisory body, but acts as a sounding board for the Flemish administration.



Rules of consultations in legislative drafting and eKonzultacije

The Council of Ministers (CoM) BIH, at their 86th meeting held on 20 December 2016, adopted Rules of Consultations in Legislative Drafting (Official Gazette of BIH, no. 5/17). The objectives of these Rules include the improvement of cooperation with citizens and civil society, strengthening of the consultation culture and dialogue between various social stakeholders, harmonization of the legal and institutional framework and practices for the inclusion of citizens and civil society organizations in the process of shaping public policies in BIH.

In the previous years, the Ministry of Justice of BIH put significant efforts in up-grading the system of transparency, cooperation and openness towards citizens and civil society organizations. These efforts were crowned by the creation of a web platform *eKonzultacije*, developed with the support of the EU-funded project 'Capacity Building of Government Institutions to Engage in Policy Dialogue with Civil Society in BIH' (CBGI)³⁰.

The web platform *eKonzultacije* enables citizens and members of civil society organizations to be fully and timely informed about the process of adoption of legal regulations, and ensures a reliable channel of communication for their participation in the creation of public policies. As of the end of 2017, there were 38 institutions of BIH registered on the web platform *eKonzultacije*, 111 consultations were conducted and 106 consultation reports published.

More information on *eKonzultacije* are available at:

<https://ekonsultacije.gov.ba/>

<http://www.mpr.gov.ba/aktuelnosti/propisi/konsultacije/Default.aspx?id=2444&langTag=bs-BA>

Cooperation between the Council of Ministers of BIH and NGO sector in specific fields

- The Council for Children of BIH is a professional, inter-sectorial, advisory and coordinating body operating within the Ministry for Human Rights and Refugees of BIH. The Council has a continuous cooperation with the 'Stronger Voice for Children' network which gathers 20 NGOs from the entire BIH

³⁰ The BIH Ministry of Justice is a beneficiary of the CBGI project (Capacity Building of Government Institutions to Engage in Policy Dialogue with the Civil Society in Bosnia and Herzegovina) where it actively participates in the realization of various activities aimed at establishing partnership relations and cooperation between the government institutions and civil society.

dealing with the promotion and the protection of children's rights. Two members of the 'Stronger Voice for Children' network participate in the Council for Children of BiH. The Council for Children has prepared its 2015-2018 Action Plan for Children of BiH, which was adopted at the 9th session of the CoM BiH held on 2 June 2015. Members of the 'Stronger Voice for Children' network participate in the preparation of action plans for children at local levels. At the beginning of 2016, the Council for Children of BiH sent an initiative to Entity and cantonal governments to ensure better conditions for the work of the civil society by means of funding and introduction of lower tax rates.

- The Council of Persons with Disabilities of BiH is a permanent professional, advisory, inter-sectorial and coordination body of the CoM of BiH dealing with rights of persons with disabilities in BiH. The Ministry for Human Rights and Refugees of BiH provides professional and administrative support to the Council of Persons with Disabilities of BiH, and in close and active cooperation with this body promotes rights of persons with disabilities in Bosnia and Herzegovina. The Council of Persons with Disabilities of BiH has 20 members, including 10 representatives of the competent institutions of BiH, of the Entities, and Brčko District of BiH, as well as 10 representatives of the organisations of persons with disabilities from both Entities and Brčko District of BiH. Members of the Council are elected for a period of 4 years with a possibility of an additional mandate. Representatives of persons with disabilities in the Council represent persons with various types of disabilities, such as physical, sensory and mental impairment. The Council has started its second mandate in the beginning of 2016.

- Action Plan of BiH for addressing Roma issues in the fields of employment, housing and health care for 2017-2020 was developed with active participation of all Roma associations and the Roma Council of BiH. In the implementation of the activities and strategic goals under the Action Plan, Roma associations are the main actors for the activities in Roma communities, notably in the fields of health care and employment. Each year a report is created on the Action Plan realization which is adopted by the CoM after being considered by the Roma Council. With the aim of reducing discrimination in the field of Roma employment and health care, trainings on access to employment and health care are conducted on a regular basis through Roma associations, and a free legal aid association *Vaša prava* actively participates in legal aid provision, particularly with regard to entry into relevant registers.

- National Minorities Council of BiH, as well as such councils at the level of the Entities, monitor on a regular basis all activities concerning Roma inclusion and improvement of the situation of other ethnic minorities.

- For the purpose of realization of activities through civil society, the Ministry for Human Rights and Refugees sets aside BAM 150,000.00 annually, as assistance to national minorities' associations, and BAM 100,000.00 to the Interreligious Council which primarily deals with freedom of religion. In addition, the Ministry also earmarks around 2 million BAM a year for the realization of activities under Roma Action Plan, which is largely implemented through civil society, notably Roma associations.

- In its 2016 and 2017 budgets, the Ministry for Human Rights and Refugees of BiH set aside BAM 40,000.00 respectively as grant to support organizations of persons with disabilities. These funds were allocated to the organizations of persons with disabilities pursuant to the defined criteria, and general purpose of these funds is to promote rights of persons with disabilities and strengthen NGOs in BiH. These grant funds have also been earmarked for 2018 and funds for these purposes will be earmarked in the coming years, as well.



CROATIA / CROATIE

Pursuant to the Regulation on the Internal Organization of the Ministry of Justice (OG No. 98/17), the scope of work of the Victims and Witness Support Service is also cooperation with CSOs and other bodies that during their work have contact with victims.

In the National Strategy for the Development of Support Systems for Victims and Witnesses (2016/20) the role of CSOs in developing victims' and witness support systems is elaborated in chapters: V "Further involvement of civil society organizations in the victim and witness support system", and VII "Training of experts who have contact with victims and witnesses".

The National Strategy was made by the Commission for the Development and Promotion of Victims and Witness Support Systems, whose members are also representatives of CSOs.

The Ministry of Justice, in co-operation with UNDP and the Victims and Witness Support Association, established a National Call Centre for Victims of Criminal Offenses and Misdemeanours on the basis of the Agreement on Co-operation to Ensure Work of the National Call Centre for Victims of Criminal Offenses and Misdemeanours, signed in 2013.

The Ministry of Justice cooperates on a number of projects to improve the protection of victims whose coordinators or partners are CSOs.

Representatives of CSOs are elected as members of the working bodies and groups through the Government Office for CSOs and are members of the following bodies:

- Committee for the Compensation of Victims of Criminal Offenses, based on the Compensation Act (OG No. 80/08, 27/11);
- Commission for Monitoring and Improving Victims and Witness Support System (1 representative from 2 organizations);
- Working Group for Drafting the Proposal of the Ordinance on the Method of Implementation of Individual Victim Assessment in accordance with the Act on Amendments to the Criminal Procedure Act (membership for representatives of two NGOs was envisaged);
- The National Team for the Prevention and Suppression of Domestic Violence and Violence Against Women - provides for membership of NGOs and provides for membership of local NGOs and county teams for the prevention and suppression of domestic violence and violence against women;
- Commission for Monitoring and Improving the Work of the Bodies of Criminal and Misdemeanour Proceedings and the Enforcement of Sanctions Related to Protection against Domestic Violence.

By the Law on Protection against Domestic Violence, which came into force on 1 January 2018, CSOs or persons employed in these organizations are considered to be competent bodies which in their work contact with victims of domestic violence and accordingly have a duty to report to the police or state attorney the suspicion of domestic violence (breach of this obligation is a misdemeanour) and to inform the police that the perpetrator does not act in accordance with the imposed protective measure.



Public Consultation Day

- **Nature, level, date, explanation of the “good practice”:**

The President of the Republic of Cyprus and the Ministers consult with civil society on issues of their concern. Students, organized groups, citizens and other stakeholders, depending on the target group and the theme to be determined in each Public Consultation, will be able to participate. The views to be formulated are taken into consideration when the Government adopts decisions, measures and policies. It is repeated at regular intervals.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

This consultation is essentially the culmination of a process aimed at bringing the Government closer to the citizen. Through consultations, citizens and organized groups are given an opportunity to express their views and concerns and to make their suggestions on specific policy issues.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

Civil Society Session

- **Nature, level, date, explanation of the “good practice”:**

Since 2010, representatives of 56 NGOs and voluntary organisations participate for one day at the House of Representatives sessions and discussions as “Members of Parliament”. Their participation takes place in the presence of the President of the House and Members of Parliament. Topics discussed during the session are of interest for the NGO society. At the end of the session a report is drawn with conclusions and recommendations. This report is forwarded to the Government and the House of Representatives.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

This is an innovative project which gives voice to NGOs inside the House of Representatives.

- **Information as to whether any good practice has been developed and/or implemented with the cooperation of civil society organisations, human rights defenders or NHRIs (in compliance with the Paris Principles):**

Yes.

Institutionalised Dialogue with the Ministry of Welfare, Social Insurance and Labour

Annually, the Pancyprian Volunteerism Coordinative Council in cooperation with the Ministry of Welfare, Social Insurance and Labour carries out a dialogue with the aim of putting forward issues related to the Council. Volunteer organisations and NGOs at local and pancyprian level participate at the dialogue.

Harmonization of the Family Law

The Minister of Justice and Public Order established two expert groups composed of judges, lawyers, the Commissioner for Children's Rights and academics in the field of family law. The two groups submitted their proposals, which were consolidated by the Ministry, taking on board all recommendations of the Commissioner for Children's Rights, thus achieving full harmonization with the UN Convention on Children's Rights.

As a result, seven bills have been prepared and laid before Parliament on 2 February 2018.



Protection of refugee women

- **Nature/level/date:** Policy-initiative (Protocol of Cooperation between 8 public stakeholders with the assistance of NGOs)

- **Substantive explanation:** The General Secretariat for Gender Equality (GSGE), in cooperation with the Research Center for Gender Equality and with other public/civil agencies and NGOs, specialized and active in the field of refugee support, coordinates its actions towards the effective handling of the refugee crisis in Greece. In this framework, the GSGE provides additional protection to refugee women who belong – in accordance with the law (Law 4375/2016) - to extremely vulnerable groups, such as a) women who have been victims of gender-based violence or/and women exposed to serious risk of gender-based violence and b) to single women with their children. More specifically, separate safe accommodation in the 21 shelters operating almost all over the country, psychosocial support and, if needed, legal counseling regarding issues such as asylum procedures, relocation etc., is offered to the afore mentioned categories of women. The participation of NGOs to this work is essential, due to their presence and help in different stages of the procedure. Their opinions are also taken into consideration, as they are the key actors in the field.

- **Implementation:** Counseling Centers and Shelters of the GSGE receive women belonging to the target group, who are identified in the refugee hosting structures referred to in the protocol. Referral is recommended by the staff of the competent state authorities and/or certified NGOs which are active in the above structures. The reference note accompanying the woman is signed by the person in charge of the state authority of the particular structure (camp coordinator). Following that, women are transferred to the Counseling Center from the institution that proposes the referral and there: 1) a social history is taken, 2) the request is clarified and 3) information is provided about the operation rules of the Shelter, so that women decide whether they will be hosted or not. The operation rules of the shelter are translated into six languages (Arabic, Farsi, Urdu, Kurdish-Sorani, and French). It is common that women are referred to the Counseling Center with their medical record, including medical examinations. In case that women have not been subjected to the necessary examinations, and the emergency room at the shelter (if any) is available, they are accepted for accommodation in the shelter and from there their access to health services (hospitals, health centers, etc.) is facilitated. The final step for the women to be accepted in the

Shelter is to sign a document informing them about the shelter's operation regulations, which they should respect. The issue of interpretation is solved in cooperation with the Research Center for Gender Equality (KETHI) and NGOs that provide interpreters.

The transfer of the women from the Counseling Center to the Shelter is done by the competent Municipality (in order to ensure the confidentiality of the Shelter's physical address) with the assistance of an interpreter. In the shelter, in addition to safe accommodation and food, refugee women are provided with: psychosocial support and/or counseling in employment issues as well as legal support by the staff of the Network of Counseling Centers, provided that interpretation is assured. If there are children, the staff of the shelter is exploring the possibility to enroll them in nearby schools. The accommodation of refugee women and their children has a temporary nature (up to three months with a possibility to extend this period) and is provided together with services to other hosted women and their children. For asylum-seeking women, the staff of the Counseling Center informs the National Center for Social Solidarity (EKKA), as the competent authority for maintaining a registry of asylum seekers' housing applications. For the permanent withdrawal from the shelter for any reason, the staff of the shelter informs the Counseling Center and the Central Operational Migration Body (KEPO.M.), which is an inter-ministerial coordinating body in the Ministry of Interior. The staff involved in providing services to refugee women must be trained on the existing cultural differences and sensitized on gender issues.

- **Outcomes/envisaged impact:**

This policy initiative has already resulted in giving care to 151 beneficiaries, 126 of whom have been sheltered in the Structures of the Network. 79 out of the 126 are refugee mothers; at the same time, 164 children have been sheltered and offered services in the Structures of the Mechanism.

In addition, the initiative has already made a significant difference in the provision of services to refugee women and their children through training and open activities. Such activities, along with the experience of the implementation of the Protocol of Cooperation gained by so many public actors, is already an investment on the way public sector operates in Greece. This investment derives from the initiative's innovative character and from its ambitious goal to connect different organizations of the public sector such as the signatories to the Protocol of Cooperation, along with NGOs and individual professionals on the field and encourage them to cooperate both on a horizontal and vertical level through a detailed procedure, to offer a wide scope of support services to refugee women and children.

Fight against trafficking in human beings

First, Greece has initiated a formal national identification and referral Mechanism for victims and presumed victims of trafficking by virtue of Ministerial Decision 3003/2016, published in the Official Gazette on 20.09.2016. The Office of the National Rapporteur on Trafficking in Human Beings supervises the National Referral Mechanism (NRM) which operates as a hub for coordinated action and partnership building, among all actors involved in combating trafficking in persons (competent state authorities, civil society actors and international organizations). Civil society organizations have been actively involved in the working groups developing the NRM's Standard Operating Procedures (SOPs), and each organization has appointed a focal contact point to facilitate collaboration with the NRM. In addition, specialized NGOs provide annually anonymized data on victims and potential victims of THB that have been assisted by those organizations. Such data are a point of reference for the Office of the National Rapporteur to evaluate prevention and prosecution actions against THB, as well as welfare and protection services offered to victims. NGOs and state authorities' data are used to better elaborate National action plans against human trafficking.

Second, "BREAK THE CHAIN- BtC" is an annual on-going awareness-raising platform that brings in the private and the cultural sector into a strategic partnership with the anti-trafficking community in Greece. Part of the Campaign is the "Break the Chain Festival", an international two-day multidisciplinary festival against Human Trafficking. The Festival was inaugurated in October 2015, in Athens, on the occasion of the 10th EU Anti-Trafficking Day and two more festivals have followed since then.

The festival is aiming to address the general public that is not familiar with the vicious reality of human trafficking and to shed light on all aspects of this heinous organized crime and human rights violation. Through a trans-media conceptual framework, the festival events combine culture and art with awareness raising and social activism. Civil society organizations are actively involved in planning and implementing

the Festival, which gathered the participation of more than 100 artists and 40 stakeholders from state authorities, International Organizations, NGOs, universities and the private sector.

Third, the Office of the National Rapporteur on Trafficking in Human Beings has signed a Memorandum of Cooperation with the Corporate Social Responsibility Hellas Network (CSR Hellas) in December 2014, aiming at raising awareness among businesses, consumers and employees by conducting trainings, organizing workshops and events and by engaging social media tools in order to reach out to broader audiences. A positive example has been set by a major super-market chain in Greece, which decided to commit resources to combating trafficking among other human rights violations. The company participated in trainings provided by an expert organization, as well as in relevant conferences, "Business against Slavery" being one of them.

Fourth, the Office of the National Rapporteur, under law 4198/2013, has initiated an official strategic partnership with more than a dozen NGOs competent in the field of THB. The Office provides a platform for systematic consultation, information exchange and joint projects with a view to benefiting from the added value of the grass root experts in victim assistance. Overall, NGOs are an intrinsic part of our National Referral Mechanism and national action plans and provide assistance to the Office in the advocacy for legislative reforms, awareness-raising campaigns, training, research, psychosocial and legal assistance to the victims of trafficking.



Lutte contre la violence à l'égard des enfants

A Monaco, la société civile joue un rôle important dans la lutte contre la violence à l'égard des enfants et principalement par la participation des Organisations non gouvernementales (ONG) monégasques et des Associations : « Association Mondiale des Amis de l'Enfance », « Innocence en danger », « Jeune J'écoute », « L'enfant d'abord », « Dignity international », « Action innocence Monaco ».

Depuis 2003, « Action Innocence Monaco » entretient une collaboration étroite avec la Sûreté Publique Monégasque afin de lutter contre le trafic de fichiers illicites. Pour ce faire, elle a mis gracieusement à la disposition des services de police un outil permettant de traquer ces fichiers au contenu illicite. C'est grâce à cette étroite collaboration que Monaco a été primée en Avril 2010 pour sa lutte contre la cybercriminalité et a reçu le prix Francopol sur la cybercriminalité. En 2012, après avoir effectué une veille technologique, « Action Innocence Monaco » a procédé à la mise en place d'un nouveau logiciel spécialisé à la Sûreté Publique pour déceler les téléchargements illicites de données à contenu pédopornographique. Les membres de la cellule de cybercriminalité de la Sûreté Publique ont été formés par « Action Innocence Monaco » au paramétrage et à l'utilisation du dit logiciel qui est aujourd'hui utilisé quotidiennement par la Brigade des mineurs.

Lutte contre la violence à l'égard des femmes

En ce qui concerne les ONG, il peut être relevé que les femmes monégasques sont particulièrement actives, notamment dans celles qui offrent une aide s'adressant spécifiquement aux femmes et aux enfants parmi lesquelles : « Femmes leaders Monaco » et « Gender Hopes Monaco ». Le Gouvernement Princier soutient activement les ONG ayant leur siège en Principauté de Monaco, tant sur le plan opérationnel que financier. Ainsi, chaque année se déroule une réunion entre le Gouvernement et les associations monégasques de solidarité internationale.

Il peut être relevé que la Société civile (les Associations « Gender Hopes » et « Femmes Leaders Monaco »), en collaboration avec le Département des Affaires Sociales et de la Santé, a édité en 2014 une brochure et créé un site Internet (« Monaco dit non aux violences »- <http://www.monacosaysnotoviolence.org/fr/>) afin de mieux informer, sensibiliser et fournir une assistance aux victimes de violences conjugales.



NGOs have a strong impact on judicial reform. For example, one of them, CEMI (The Centre for Monitoring and Research), is implementing a Judicial Reform Project that includes monitoring of trials with a special focus on criminal cases. Judicial bodies have contributed to the implementation of this project through the signing of a memorandum of cooperation. The whole project will last for 3 years and represents some kind of continuation of a similar project that was realized in the period from 2007 to 2014.



Various stakeholders, including national human rights bodies, representatives of non-governmental organizations dealing with human rights and civil society, can be invited, in an advisory capacity to the inter-ministerial Committee for Matters of the European Court of Human Rights, chaired by the Government Agent and established in order to ensure the best possible implementation of judgments of the European Court of Human Rights.



Plateforme des femmes - <http://plataformamulheres.org.pt/sobre-nos/>

Plateforme des femmes – section dédiée aux femmes gitanes :

<http://plataformamulheres.org.pt/interseccionalidade/mulheres-ciganas/>

- **Nature:**

Association DH + droits des femmes

- **Niveau:**

National + droits des femmes + information

- **Explication:**

La Plateforme des femmes est une ONG qui s'occupe des questions sociales des femmes. Elle a été instituée en 2004. Elle s'occupe essentiellement de produire des études et des rapports, parfois très poussés, susceptibles d'être pris en compte dans la recherche universitaire et dans la formulation de politiques. En particulier cette plateforme dispose du Centre Alzira Lemos qui est un centre de ressources, nommément documentales, destiné à donner appui aux ONG qui s'occupent des droits des femmes.

- **Impact:**

Fort.

Association Portugaise pour l'Appui aux Victimes de crimes

http://www.apav.pt/apav_v3/index.php/pt/

- **Nature:**

Association DH + victimes de crimes violents

- **Niveau:**

National + droits des victimes

- **Explication:**

Cette association a une importante mission de protection aux victimes nommément en ce qui concerne la prestation de l'indemnité provisoire aux victimes de la part de l'Etat (en attendant le paiement définitif dans le cadre de la procédure pénale avec constitution de partie civile), dans la mesure où elle participe à l'instruction de cette procédure indemnitaire aux termes de la loi relative aux indemnités publiques aux victimes de crimes violents et de crimes contre les femmes. Elle a encore un rôle important en matière de discrimination raciale dans la mesure où ont été créées en 2004, les UVIDRE (unités d'appui aux

victimes de discrimination raciale) dans les commissariats de police, qui aident notamment les victimes d'une possible discrimination raciale à y présenter et y formuler leur plainte.

APAV est affiliée à Victim support Europe, et s'occupe aussi des victimes de cybercriminalité, dont le harcèlement informatique, de trafic de personnes, de violence contre les personnes âgées, de questions en rapport avec les jeunes où ceux-ci peuvent se trouver dans la position de la victime, de victimes de crimes contre le patrimoine, des victimes immigrantes et des victimes de discrimination, de victimes de violence domestique, et de stalking. Enfin, APAV possède aussi un système d'alerte contre le suicide.

- **Impact:**

Fort.



Public councils in the executive bodies

- **Nature of the “good practice”:**

Legislation and executive acts on the state level in order to establish and enhance public councils in the executive bodies (Federal Law No. 212-FZ "On the Fundamentals of Public Control in the Russian Federation" of July 21, 2014; Government decision No. 481 of August 2, 2005; Decree of the President of the Russian Federation No. 842 of August 4, 2006).

- **Explanation:**

Creating conditions for social structures' involvement in addressing the acute issues of socio-political and economic development of the country is on the priority list of the Russian federal authorities. This process is carried out with the participation of the Civic Chamber of the Russian Federation, the Presidential Council for Civil Society and Human Rights, federal and regional ombudspersons. These institutions serve to ensure the interaction of Russian citizens with federal and local authorities in order to accommodate civil interest in the development and implementation of public policy in various spheres.

For over a decade public councils in the executive bodies have been operating in Russia. These bodies were established to consult the interests of citizens, protect their rights and freedoms in shaping and implementing public policy (set up in accordance with Government decision No. 481 of August 2, 2005 and Decree of the President of the Russian Federation No. 842 of August 4, 2006).

- **Implementation:**

Since 2014 the Civic Chamber and the Government of the Russian Federation have been working together to redesign public councils. Systematic efforts are being made to enhance public councils and prevent them from "bureaucratization". As of January 2018, eight councils have been relaunched with ten more bodies at their final stage.

With the participation of the Presidential Council for Civil Society and Human Rights and the Civic Chamber of the Russian Federation, Federal Law No. 212-FZ "On the Fundamentals of Public Control in the Russian Federation" of July 21, 2014 has been drafted. This groundbreaking regulation allows non-profit organizations (NPOs) to be involved in the oversight of the executive and participate in the public decision-making process. Pursuant to the above document, the institution of "zero reading" of draft laws has been developing within the Presidential Council for Civil Society since 2014. It provides a social assessment of draft legal acts developed by ministries and agencies to agree the interests of citizens, NPOs and authorities.

In addition, public control procedures include full-time monitoring of the Unified State Examination, availability and quality of high-tech medical care, situation in orphanages, as well as relations in the areas of ecology, education, housing and public utilities and other social spheres.

- **Impact:**

Creation of public councils in the executive bodies to provides for active civil society participation in the decision-making.



On 26 August 2014 the Government of Republic of Serbia adopted the Guidelines for inclusion of CSOs into the procedure for adoption of regulations³¹. It should be noted that paragraph 3 of the Guidelines sets forth the following levels of participation of CSOs in the process of preparation, adoption and monitoring of the implementation of regulations: 1) Informing; 2) Counseling; 3) Inclusion; 4) Partnership. Informing represents a one-way process within which State administration bodies inform CSOs in order to ensure timely, complete and objective informing. The usual methods of informing are: information materials on the Internet, media campaigns, round tables, presentations. The same paragraph further specifies that Counseling represents a two-way process during which State authorities require and receive information from CSOs in the process of adopting regulations. The goal of this level of participation is to acquire information about problems, possible solutions, as well their advantages and disadvantages. Common methods of Counseling are: counseling in writing, interviews, focus groups, professional and public debates, round table discussions, meetings, workshops and internet counseling. Further on, the Guidelines define Inclusion as a higher level of a two-way process which implies that representatives of CSOs actively participate in the process of drafting regulations. The goal of this level of participation is to enable that the interests of CSOs are viewed continuously. The usual methods of Inclusion are: meetings of working groups, professional and public discussions (round tables) and workshops. Finally, Guidelines define Partnership as the highest level of cooperation whose aim is to enable that CSOs participate actively, both in the process of drafting regulations and in the process of their application. Common methods of Partnership are: body meetings made up of representatives of State authorities and representatives of CSOs (councils, commissions, negotiating bodies, thematic conferences and more).

We shall in addition adduce a few examples of effective participation of CSOs in decision making process and in the process of application of regulations. As a first example we indicate that on 14 August 2015 the Office for Cooperation with Civil Society in cooperation with the Office for Human and Minority Rights (both State bodies) issued a Decision on the election of candidates for member and deputy member (of the Council for Monitoring the Implementation of the Action Plan for the Implementation of the Strategy for Prevention and Protection against Discrimination for the period 2014-2018)³². The elected candidates were from the Committee of Lawyers for Human Rights (JUKOM), both members of the cited CSOs. Also, on 3 January 2017 the Committee composed of representatives of the Office for Cooperation with Civil Society and the Office for the Fight Against Drugs (also a public body) adopted the final Decision on the selection of CSOs for partnership with the Serbian Drugs Office in the field of combating drug abuse in the Republic of Serbia³³. By the final decision, 11 CSOs were selected to sign a Memorandum of Cooperation with the Office for the Fight Against Drugs and thus became partners in the fight against drug abuse in the Republic of Serbia. This form of inclusion of CSOs in the process of adoption of regulations has been defined as a "partnership" and is recognized as the highest form of cooperation between civil and public sector.



The Ministry of Education takes into account civil organizations and other public entities, in general, in order to evaluate the impact of the educative programs or plans (specially about school failure), and in order to prepare the content of formative plans (specially about social and ethical values and Human Rights in education).

The State Council for Gipsy Population is created and regulated by Royal Decree 891/2005; it is a collegiate organ with inter-institutional and consultative characters. The essential purpose of this State Council is to promote the participation and collaboration of the associative gipsy movement in the development of the general policies and to impulse the equality of opportunities for gipsy population.

³¹ https://civilnodrustvo.gov.rs/upload/old_site/2012/10/SR-smernice.pdf

³² Annex 2 - Committee's Decision 022 no: 119-01-0026/1/2015-01 of 14 August 2015

³³ Annex 3 - Committee's decision no: 035-00-1/2017-01/205-8 of 3 January 2017

Nowadays, the vice-chair of the Council is a gipsy woman, which allows also to promote the integration of the woman in gipsy population. The State Council for Gipsy Population NGO's informs drafts regulations and legislative about gipsy population, makes several proposals and formulates ideas about integration and participation for gipsy population.

The Observatory of Childhood is a collegiate organ assigned to the Ministry of Health, Social Services and Equality; it provides a platform of participation for all the social agents and organizations who are working to promote the rights and obligations for children and for teenagers; the observatory allows the participation and collaboration between the State and the civil organizations for children: all of them participate in elaboration of norms and dialogue through this observatory: <http://www.observatoriodelainfancia.msssi.gob.es/>. The General Directorate of Services for the Family and the Childhood cooperates with NGOs to provide subsidies to put in practice programs of attention for persons with needs of integral sanitary attention, educational needs or at risk of exclusion; in 2017 a total of 1.937.846'14 euros have been financed in relation by programs of infancy (21 projects developed by 18 entities).



SWITZERLAND / SUISSE

Différentes possibilités s'offrent aux organisations de la société civile soucieuses d'apporter leurs idées et leurs réflexions aux procédures d'élaboration des textes constitutionnels et législatifs, par ex. durant la procédure de consultation, par le biais du droit d'initiative ou par un référendum.

- *Procédure de consultation* : phase durant laquelle on examine si les projets de loi d'une grande portée politique, financière, économique, écologique, sociale ou culturelle sont pertinents quant au fond, s'ils sont exécutables et s'ils ont des chances d'être acceptés. Les projets en question sont soumis à cet effet aux cantons, aux partis politiques représentés à l'Assemblée fédérale, aux associations faïtières des communes, des villes et des régions de montagne, aux associations faïtières de l'économie et aux autres milieux concernés dans les cas d'espèce. Toute personne peut se prononcer sur un projet, même si elle n'a pas été invitée à participer à la consultation. Les organisations de la société civile recourent souvent à cette possibilité. Les réponses des participants à la consultation sont évaluées avant que le Conseil fédéral ne fixe les grandes lignes de son projet.

- *Droit d'initiative et référendum* : les citoyens suisses peuvent influencer sur la législation et apporter leurs idées au processus législatif en lançant une initiative populaire (<https://www.bk.admin.ch/themen/pore/vi/index.html?lang=fr>). Toute personne qui dispose du droit de vote peut en outre initier un référendum contre une loi ou un projet décidé par le Parlement. Si la demande de référendum aboutit, le projet fédéral est alors soumis à l'approbation du peuple.



SWEDEN / SUEDE

Thematic Consultation Forum

A well-functioning and open consultation between the Government and civil society organizations is key for the work of both parties in promoting and protecting human rights. The Swedish Government considers that it is important to be able to make use of civil society's skills and perspectives in a qualitative and efficient way. For the organizations, regular open consultation affords a way to obtain information about and to influence the Government's efforts. For these reasons, the Government Offices of Sweden developed a model aimed at achieving deeper and more structured open consultation with civil society organizations. This model (in Swedish: *sakråd*) is founded on a Government decision, which was taken following about a year of consultations with civil society. It is based on the six principles for civil society policy and the Council of Europe's Code of Good Practice for Civil Participation in the Decision-Making Process. The motivation for inviting an organization to participate in focused discussion must be based on the organization's factual knowledge and perspective. The selection of organizations is to be

suited to the purpose of the focused discussion, and relevant actors may therefore vary for different parts of a focused discussion.

The focused discussion model aims to:

- improve the quality of the Government's evidence base by deepening and broadening the Government's knowledge and perspective on particular issues;
- facilitate and enhance the efficiency of acquiring knowledge and other communications on matters between the Government and civil society organizations; and
- better coordinate the Government ministries' contacts with civil society organizations for greater consistency within the Government Offices of Sweden.

3.5 Resources and long-term support



Civil society organisations working on gender, sexual identity and disability issues: Structural subsidization + policy participation

- **Nature, level :**

Subsidies + policy participation / regional / since 2000

- **Explanation:**

The Flemish Equal Opportunities policy finances on a yearly basis 9 organisations working on gender (4), sexual identity (4) and disability (1), for a total of € 2,5 mio (on a total working budget of € 4,7 mio). These organisations play a role in the implementation and realisation of the equality policy. They also have an informing, awareness-raising and supporting role towards the policy makers. The numbers show that civil society is an important partner of the policy makers.

- **Implementation:**

Each year the organisations make an action plan with target goals. These documents are negotiated between the organisation and the administration, and *in fine* agreed upon by the Minister of Equal Opportunities. The financing is formalised in a ministerial decree valid for one year. Each year the exercise and agreement are renewed.

- **Participation of civil society:**

Civil society plays an important role in the process of policy making. They can indicate opportunities and bottlenecks, as well as policy gaps or problems. The dialogue is almost organic.



Financing CSOs from the revenue from lottery games

Funding of NGO projects is provided by public sources – from lottery games based on the Lottery Games Act (OG No. 87/09, 35/13, 158/13, 41/14, 143/14), and in accordance with The Regulation on Criteria for Determining the Beneficiaries and the Method of Distributing Revenues from Lottery Games for 2016 (OG No. 38/16), the Law on Associations (OG, No. 74/14), and in accordance with the provisions of the Regulation on Criteria and Procedures for Funding and Contracting of Programs and Projects of Common Good carried out by associations (OG No. 26/15).

The Ministry of Justice, since 2016, grants funds to CSOs on the basis of available funds from part of the revenues from lottery games based on public calls. In 2016 and 2017 were published:

1. Public Call for CSOs Projects directed to enhancing other CSOs by providing education, transfer of knowledge and skills applicable in work with victims of criminal offenses,
2. Public Call for CSOs Projects for providing support to victims and witnesses in counties where Victims and Witness Support Units are not established;

3. Public Call for funding activities of the partnership network for supporting victims and witnesses in counties where Victims and Witness Support Units are not established;
4. Public Call for funding CSOs projects and programs targeted to the provision of support for the implementation of an individual prison sentence execution program and educational measure. In this way, the Directorate for the Prison System of the Ministry of Justice has co-operated with thirty different civil society organizations whose programs and activities cover different areas of work, such as dealing with drug and alcohol addicts, participation in rehabilitation of addict prisoners, improving the quality of life of prisoners and their families, increasing employability and social inclusion.

Examples of IPA grant schemes related to activities of CSOs

1. IPA 2008 programme “Enhancing the capacities of the civil society sector for monitoring of the implementation of the EU acquis”

Grant scheme *“Enhancing the capacities / roles of the CSOs in monitoring of the implementation of the EU Acquis in field of the comprehensive anti-discrimination strategy”*

The overall objective of the grant scheme was to foster structured dialogue and formalize consultation between Croatian CSOs and Croatian state administration/ EU institutions within the process of shaping, monitoring and evaluation of public policies at the national and EU level.

Achieved result is increased effectiveness of the CSOs and their partner organizations in independent monitoring and advocacy initiatives focused on comprehensive anti-discrimination policy (age, health status, ethnic origin, sex/sexual orientation, social or economic status, gender, etc.) at the national and regional level, assuring an open and accountable process of decision-making, implementation and evaluation.

Financed: 5 projects implemented by associations from April 2011 till October 2013.

Total value of the projects: 1.150.057,00 EUR

List of contracted projects:

<https://udruga.gov.hr/jacanje-uloga-i-kapaciteta-nevladinih-organizacija-koje-nadgledaju-provedbu-antidiskriminacijskih-strategija-i-njihovo-uskladjivanje-s-pravnom-stecevinom-eu/3242>.

Results of implemented projects:

<https://udruga.gov.hr/UserDocsImages/dokumenti/IPA%202008%20-%20rezultati.xlsx>

and <https://magic.piktochart.com/output/6106009-untitled-infographic>

2. IPA 2009 programme „Enhancing the Sustainability and the Development of CSOs as Proactive Social Actors in the Implementation of the EU Acquis“

Grant scheme: *„Building capacities of CSOs for monitoring and advocacy in the field of democratization, human rights, minority integration and sustainable refugee return in the Areas of special state concern“*

The Overall objective of the grant scheme was to improve the environment conducive to development and sustainability of CSOs as proactive social actors in the implementation of the EU Acquis by strengthening capacities of the CSOs to act both as proactive policy advocates and watch-dogs in important areas of EU accession such as democratization, human rights, refugee return and integration of Serb minority.

Achieved result: Capacities of CSOs for monitoring and advocacy in the field of democratization, human rights and refugee return at the local level strengthened.

Financed: 9 projects implemented by associations from December 2011 till January 2014.

Total value of the projects: 2.062.178,17 EUR

List of contracted projects:

https://udruga.gov.hr/UserDocsImages/UserFiles/file/Popis%20projekata%20ugovorenih%20u%20sklopu%20darovnice%20IPA%202009_.pdf

Results of implemented projects:

<https://udruga.gov.hr/UserDocsImages/dokumenti/IPA%202009%20-%20rezultati.xlsx>

and <https://create.piktochart.com/output/7740779-ipa-2009-demokratizacija>

3. IPA 2010 programme “Assisting CSOs in developing, implementing and monitoring public and Acquis related policies”

Grant scheme *“Supporting CSOs in promoting and monitoring of equal opportunities and non-discrimination related policies”*

The overall objective of the grant scheme was to consolidate the cooperation between public sector and CSOs in the process of implementation of non-discrimination and equal opportunities policy.

Achieved result: Capacities of CSOs active in the field of equal opportunities and non-discrimination strengthened to consolidate cooperation with relevant institutions at the local level.

Financed: 4 projects implemented by associations from April 2011 till November 2013.

Total value of the projects: 689.209,90 EUR

List of contracted projects:

<https://udruga.gov.hr/UserDocsImages/UserFiles/file/IPA%202010%20popis%20projekata.pdf>

Results of implemented projects:

<https://udruga.gov.hr/UserDocsImages/dokumenti/IPA%202010%20-%20rezultati.xlsx>

and <https://magic.piktochart.com/output/6159669-ipa-2010-jednake-mogucnosti>

4. IPA 2012 programme “CSOs – Internal Control Mechanism for Safeguarding the EU Standards”

Grant scheme: *“Building Capacities of CSOs for Ensuring Effective Implementation of the EU Standards in the Enforcement of Human Rights”*

The overall objective of the grant scheme was to ensure effective implementation of the EU standards in the enforcement of human rights. The aim of the grant scheme was to affirm CSOs as equal partners in ensuring consistent enforcement of human rights and to build networks between CSOs, as well as inter-institutional cooperation and networks to help access to human rights of vulnerable groups.

Achieved result: CSOs’ affirmed as equal partners in ensuring consistent enforcement of human rights; Networks between CSOs built up, and inter-institutional cooperation and networks built to help access to human rights of vulnerable groups.

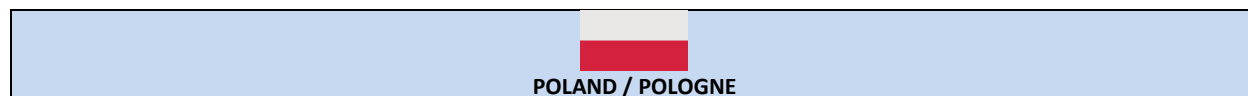
Financed: 22 projects implemented by associations from October 2015 till November 2017.

Total value of the projects: 3.182.815,26 EUR

List of contracted projects:

https://udruga.gov.hr/UserDocsImages/dokumenti/IPA%202012_popis%20projekata_Ljudska%20prava.pdf

Results of implemented projects will be prepared once all final project reports are approved and endorsed.



The 1% mechanism

- **Nature, level, date of the “good practice”:**

The 1% mechanism is one hundredth part of the personal income tax that a taxpayer can transfer to a public benefit organization of their choice that exists in the Polish legal system since 2003 and is operating since 1 January 2004. The possibility of transferring 1% of personal income tax was introduced in 2003 by the Act of 24 April 2003 on Public Benefit and Volunteer Work, and specific provisions specifying who and how can transfer 1% of tax are included in the Act of 26 July 1996 on Income Tax of an Individual – following necessary amendments of the latter.

- **Substantive explanation:**

1% is not a donation or a relief. It is the disposition of a taxpayer, addressed to the State Treasury, so that 1% of their income tax will be used for social purposes carried out by an entity working for public benefit. The disposition is being made while filing the PIT tax declaration by a taxpayer.

- **How it is concretely implemented:**

Implementation by establishing necessary taxation legal framework as well as organizational developments that facilitate the process of participation in the 1 % mechanism by taxpayers. For example, the list of organizations having the status of public benefit organization is available in the Public Information Bulletin of the Chancellery of the Prime Minister (<https://bip.kprm.gov.pl/kpr/wykaz-organizacji-pozyt/4504,wykaz.html>). There is also a possibility to file the PIT tax declaration via Internet

with the usage of the free software provided by the Ministry of Finance (<http://www.finance.mf.gov.pl/systemy-informatyczne/e-deklaracje>).

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The figures show that the society's involvement in the 1 % mechanism is successively growing. According to the Ministry of Finance, in the first year of the regulation (2004) there were only 80 000 taxpayers (0.3% of the total) making such contributions, and organizations received 10.4 million PLN. Ten years later, in the year 2014 the 1 % mechanism was used by over 12 million people (45 percent of the total number of taxpayers, 56% of the number of taxpayers reporting tax due). In total, the public benefit organizations received over 506 million PLN. In the year 2016 the public benefit organizations received 617,5 million PLN as the 1% mechanism was used by 13,2 million people (49 percent of the total number of taxpayers, 59% of the number of taxpayers reporting tax due). In the year 2017 the public benefit organizations received 660,2 million PLN as the 1% mechanism was used by 13,6 million people (50 percent of the total number of taxpayers, 60% of the number of taxpayers reporting tax due).



Socially oriented non-profit organizations

- **Nature of the "good practice":**

Amendments to the Law "On Non-Profit Organizations" to introduce the concept of "socially oriented non-profit organizations" (April 2010), as well as the status of a non-profit organization – "provider of socially useful services" (from 2017).

- **Explanation:**

In April 2010, with the direct participation of the Presidential Council for Civil Society and Human Rights, the amendments were drafted to the Law "On Non-Profit Organizations" to introduce the concept of "socially oriented non-profit organizations" (SO NPOs) in the Russian legal field and clarify the procedure for public financial, information and other support.

- **Implementation:**

A legal framework has been created to ensure that viable NPOs receive additional privileges and preferences for rendering social services to the population. In particular, starting from 1 January 2017, NGOs can claim the status of a non-profit organization – "provider of socially useful services" which paves the way to budget financing and participation in public social programs. A NPO – provider of socially useful services means a socially oriented NPO rendering socially useful services of proper quality for at least one year.

- **Impact:**

Due to the increased state support the number of Russian SO NPOs is steadily growing every year. By the end of 2005 there were 140,031 organizations, by the end of 2016 – 143,136 organizations. As for now, the register of non-profit organizations – providers of socially useful services includes 85 socially oriented non-profit organizations.



Article 36 of the Law on Associations prescribes that an association may acquire assets from membership fees, voluntary contributions, donations and presents, financial subsidies, dead persons' estates, interest rates on deposits, rental fees, dividends and in other ways permitted by law. The same Article also stipulates that individuals and legal entities that make contributions and give presents to the associations may be exempt from particular tax liabilities.

In addition, Article 38 of the Law stipulates that the (financial) means for promoting programs of public interest that the associations are carrying out shall be secured out of the Republic of Serbia's budget. The same Article provides that the Government or the ministry responsible for the association's area of work assigns the funds referred to on the basis of the completed open competition. It is further stipulated that

the following programs shall be considered as of public interest: social security; disabled war veterans' security; security of persons with disabilities; social child care; security of internally displaced persons from Kosovo-Metohija and refugees; promotion of birth-rate; assistance to senior citizens; health care; protection and promotion of human and minority rights; education; science; culture; information dissemination; environmental protection; sustainable development; animal protection; consumer protection; combating corruption; as well as humanitarian aid programs and other programs whereby the association pursues public needs exclusively and directly. It should be noted that the mentioned provisions are being implemented in practice. For example, the Office for Cooperation with Civil Society publishes a large number of public competitions for which financial means have been provided in the Republic of Serbia budget, which is public and visible to all.³⁴



The Income Tax Normative enables every citizen to decide the destination of a part of his contribution (rate of 0,7 %) to social purposes and social actions; this money is distributed among civil and social organizations (Spanish Red Cross, Caritas, etc.).

4. Human Rights Defenders (HRDs)



The Polish Commissioner for Human Rights (CHR) (A-status NHRI)

The Commissioner for Human Rights (CHR) often receives human rights defenders (from Poland and other countries) in his office to discuss current human rights challenges. **The Commissioner established also a network of “Ambassadors of Human Rights”, composed of students which had their internships in CHR office, for the promotion and education of HR.**

4.1 Supportive regulatory framework



The Constitution of the Republic of Croatia stipulates that freedoms and rights can only be restricted by law to protect the freedoms and rights of other people and legal order, public morality and health. Furthermore, any restriction of freedom or rights must be proportionate to the nature of the need to limit each case (Article 16 of the Constitution of the Republic of Croatia). The Criminal Code in Article prescribes as a criminal offense: the act of violation of the freedom of thought and expression of thought (Art. 127) and the criminal offense of violation of the right to association (Art. 129).*

The act of violation of the freedom of thought and expression of thought is committing the one who denies or restricts the freedom of speech or public appearance, freedom of the press or other means of communication or the free establishment of a public communications institution. A prison sentence of up to one year is prescribed. The same punishment shall also be imposed on the person who orders or carries out censorship, unlawfully denounces or restricts the freedom of reporting to the journalist, or who unlawfully prevents the printing, sale or distribution of books, magazines, newspapers or other printed

³⁴ <http://www.civilnodrustvo.gov.rs/%D0%B8%D0%BD%D1%84%D0%BE-%D1%81%D0%B5%D1%80%D0%B2%D0%B8%D1%81/%D0%BA%D0%BE%D0%BD%D0%BA%D1%83%D1%80%D1%81%D0%B8/%D0%BA%D0%BE%D0%BD%D0%BA%D1%83%D1%80%D1%81%D0%B8.79.html>

matter, or production and broadcasting of radio and television programs, news agency programs, or the release of other media content.

The violation of the right to association commits one who denies or restricts the right to establish political parties, trade unions or other associations, including joining them or withdrawing from them in accordance with a law for which a sentence of up to one year of imprisonment is envisaged.

4.1.1 Protection from threats, attacks and other abuses



Article 30 of the Law on Police ("Official Gazette of RS", no. 6/2016), *inter alia*, stipulates that police affairs include safeguarding certain public gatherings, personalities, bodies, facilities and space. According to a report of the Independent Associations of Journalists of Serbia during the whole 2011, there were at least three journalists under continuous police protection in the Republic of Serbia³⁵.

4.1.2 Legislation to protect whistle-blowers



La législation française en matière de lanceurs d'alerte

- **Nature, niveau:**

L'article 4 de la loi n° 2016-483 du 20 avril 2016, relative à la déontologie et aux droits et obligations des fonctionnaires, a fixé des dispositions protectrices en faveur de ces derniers lorsqu'ils relatent ou témoignent de faits relatifs à une situation de conflit d'intérêts, à savoir « toute situation d'interférence entre un intérêt public et des intérêts publics ou privés qui est de nature à influencer ou paraître influencer l'exercice indépendant, impartial et objectif de ses fonctions ».

La loi n° 2016-1691 du 9 décembre 2016, relative à la transparence et à la lutte contre la corruption et à la modernisation de la vie économique, a transcendé la situation particulière de la fonction publique pour mettre en œuvre un régime du lanceur d'alerte qui assure une protection des personnes physiques, quel que soit leur secteur d'activité et leur statut juridique et professionnel. Au vu de ces dispositions, la confidentialité de l'identité du lanceur d'alerte doit être garantie. En outre, celui-ci doit, pour être protégé contre les représailles sur le plan professionnel, agir de bonne foi et de manière désintéressée. Sous cette double condition et celle de respecter la procédure de signalement, l'auteur d'une alerte ne peut être sanctionné, licencié ou faire l'objet d'une mesure discriminatoire pour avoir révélé ou signalé les faits en cause.

La loi n° 2017-399 du 27 mars 2017, relative au devoir de vigilance des sociétés mères et des entreprises donneuses d'ordre, oblige par ailleurs les entreprises multinationales à mettre en place un plan de vigilance comportant des mesures propres à identifier les risques et à prévenir les atteintes graves envers les droits de l'homme et les libertés fondamentales, la santé et la sécurité des personnes ainsi que l'environnement. Ce plan prévoit, entre autres, une concertation avec les organisations syndicales représentatives pour mettre en place un dispositif de signalement des alertes.

Ces dispositions législatives ont été complétées par le décret n° 2017-564 du 19 avril 2017, relatif aux procédures de recueil des signalements émis par les lanceurs d'alerte au sein des personnes morales de droit public ou de droit privé ou des administrations de l'Etat, qui institue, depuis le 1^{er} janvier 2018, une nouvelle obligation pour les entreprises employant au moins 50 salariés, à savoir la mise en place, par voie d'accord conventionnel ou de décision unilatérale de l'employeur, d'une procédure de recueil des signalements émis par les salariés ou par les collaborateurs extérieurs et occasionnels.

³⁵ <http://www.nuns.rs/codex/Mediji-u-demokratiji/Zastita-bezbednosti-novinara.html>

- **Explication:**

En vertu de l'article 6 de la loi n° 2016-1691 du 9 décembre 2016, relative à la transparence et à la lutte contre la corruption et à la modernisation de la vie économique, « un lanceur d'alerte est une personne physique qui révèle ou signale, de manière désintéressée et de bonne foi, un crime ou un délit, une violation grave et manifeste d'un engagement international régulièrement ratifié ou approuvé par la France, d'un acte unilatéral d'une organisation internationale pris sur le fondement d'un tel engagement, de la loi ou du règlement, ou une menace ou un préjudice graves pour l'intérêt général, dont elle a eu personnellement connaissance ». La même loi précise toutefois que les faits, informations ou documents, quels que soient leur forme ou leur support, couverts par le secret de la défense nationale, le secret médical ou le secret des relations entre un avocat et son client sont exclus du régime de l'alerte qu'elle institue.

Le nouveau dispositif d'ensemble se caractérise par l'institution d'une procédure graduée de signalement. Ainsi, pour voir sa protection assurée, le salarié doit procéder en trois temps. D'abord, au sein de l'entreprise, le signalement doit être effectué auprès du supérieur hiérarchique direct ou indirect, de l'employeur ou d'un référent désigné. Ensuite, en l'absence de réaction à la suite du signalement interne dans un délai raisonnable, celui-ci est adressé par le lanceur d'alerte à l'autorité judiciaire, à l'autorité administrative ou aux ordres professionnels. Enfin, là encore à défaut de traitement du signalement par l'autorité précédemment saisie dans un délai de 3 mois, l'alerte peut être portée à la connaissance du public. Il y a lieu toutefois de préciser que le signalement peut être porté directement devant les autorités et être rendu public en cas de danger grave et imminent ou en présence de dommages irréversibles. La législation assure la protection du salarié lanceur d'alerte contre toute forme de discrimination, de sanction, de licenciement en raison du signalement effectué et aménage un régime d'inversion de la charge de la preuve en cas de litige : l'auteur de mesures défavorables au lanceur d'alerte doit prouver que celles-ci sont justifiées par des éléments étrangers à l'alerte. Toute personne qui fait obstacle à la transmission d'un signalement, effectuée conformément à la procédure d'alerte décrite plus haut, est punie d'un an d'emprisonnement et de 15 000 euros d'amende. De plus, une plainte pour diffamation contre un lanceur d'alerte jugée abusive ou dilatoire peut donner lieu à une amende civile de 30 000 euros. Enfin, le manquement à l'obligation de confidentialité à la charge de l'ensemble des destinataires du signalement, quant à l'identité des auteurs du signalement, des personnes visées par le signalement et des informations recueillies, est puni de 2 ans d'emprisonnement et 30 000 euros d'amende.

- **Mise en œuvre :**

La législation française en matière de protection des lanceurs d'alerte a donné lieu à l'élaboration par le Défenseur des droits en juillet 2017 d'un guide sur l'orientation et la protection des lanceurs d'alerte.³⁶

Par ailleurs, les organisations syndicales relaient le nouveau cadre légal et réglementaire en direction des salariés, en ayant initié par exemple une pétition invitant la Commission européenne à entamer le processus d'adoption d'une directive européenne sur le lanceur d'alerte (Confédération générale du travail, Confédération française démocratique du travail).³⁷

- **Évaluation par la société civile :**

L'action des organisations syndicales intervient en parallèle de celle des associations. Ainsi, Transparency International France a également conçu un guide pratique à l'usage du lanceur d'alerte français,³⁸ après avoir été directement associée aux travaux du Conseil d'Etat qui a publié en 2016 son étude : « Le droit d'alerte : signaler, traiter, protéger ».³⁹ Mme Nicole-Marie Meyer, responsable de l'alerte éthique au sein de l'association Transparency International France, juge qu'avec le nouvel encadrement du régime des lanceurs d'alerte la France dispose de l'un des quatre statuts les plus protecteurs au monde, avec l'Angleterre, l'Irlande et la Serbie (large définition du lanceur d'alerte, nullité des représailles, réintégration d'un agent dans la fonction publique, intervention d'une autorité indépendante - le Défenseur des droits, sanctions pénales).

³⁶ Ce guide est disponible à l'adresse suivante : <https://www.defenseurdesdroits.fr/fr/guides/guide-orientation-et-protection-des-lanceurs-d-alerte>

³⁷ Cette initiative est présentée sur le site suivant : <https://whistleblowerprotection.eu/>

³⁸ Ce guide est disponible à l'adresse suivante : <https://transparency-france.org/actu/guide-pratique-a-lusage-lanceur-d-alerte-francais/>

³⁹ Cette étude est disponible à l'adresse suivante : <http://www.conseil-etat.fr/Actualites/Communiqués/Le-droit-d-alerte-signaler-traiter-protéger>



MONTENEGRO

On 1 January 2016 the new Law on Prevention of Corruption ("Law") entered into force in Montenegro, replacing the Law on Prevention of Conflicts of Interest and certain provisions of the Law on Public Officials and the Labour Law. The aim of this Law is to comprehensively regulate potential conflicts of interest and impose restrictions on the exercise of public duties, as well as to protect whistleblowers who were previously protected under different regulations. Among the most significant changes introduced by the new Law are the protections provided to whistleblowers. The Law prescribes penalties in the range of between EUR 1,000 and EUR 20,000 for legal entities and between EUR 500 and EUR 20,000 for responsible person within a legal entity for violating the protections afforded to whistleblowers under the Law.



SERBIA / SERBIE

The Law on Protection of Whistle-blowers ("Official Gazette of RS", no. 128/2014) sets forth that employees are entitled to disclose, *inter alia*, violation of human rights to their employer, competent State authorities or media (art. 5 and 13 of the Law). Consequently, the employee enjoys certain protection mechanisms as a whistle-blower. Firstly, Article 10 of the said Law stipulates that a person authorized (by the employer) to receive disclosures shall protect the whistle-blower's personal data, unless otherwise indicated by whistle-blower. Secondly, Article 21 stipulates that whistle-blower is guaranteed not to be put in an unfavorable position due to whistle-blowing (in relation to promotion at work, disciplinary measures and penalties, working conditions, termination of employment, salary etc.). According to Article 22 of the Law, in cases of inflicting damaging consequences due to whistle-blowing, a whistle-blower shall have the right to compensation for damage in accordance with the law regulating contract and torts. A whistle-blower that suffered damaging consequences due to whistle-blowing has the right to court protection. Article 25 of the Law sets forth that an acting judge shall have special competences in the field of whistle-blowers. Article 29 of the Law stipulates that in case the plaintiff has shown a likelihood during the proceedings that he had suffered damaging consequence due to whistle-blowing, the burden of proof shall be on his employer and the employer shall have to prove that the damaging consequence is not in causal relation with whistle-blowing or that the whistle-blower failed to act in good faith. Finally, Article 31 of the Law prescribes that in a court protection proceedings regarding whistle-blowing, the court may establish the facts even when not in dispute among the parties, and may also independently investigate facts not presented by either party in the proceedings, if the court deems it important to the outcome of the proceedings.

In fact, in certain situations employees are obliged to disclose corruption and violation of regulations. This obligation is stipulated by Article 18 of the Law on civil servants ("Official Gazette of RS", nos. 79/2005, 81/2005, 83/2005, 64/2007, 67/2007, 116/2008, 104/2009, 99/2014 and 94/2017) which reads as follows „A civil servant shall be obliged to refuse the execution of a verbal and written order whose execution would represent a criminal offence and informs the director in writing, namely the authority that supervises the work of the state authority if the order was issued by director“.

Regarding other good practices, we point out to activities of the website <https://pistaljka.rs/> which is financed through grants from USAID, Open Society, UNDP, EU, Dutch Embassy and the Serbian Ministry of Culture and Information. "Pištaljka" investigates abuses in government, public and private enterprises and other institutions and advocates for whistle-blowers' rights. "Pištaljka" also offers legal advice to whistle-blowers and organizes seminars in order for lawyers to specialize in this field of law. Finally, the said website contains various articles on whistle-blowers who disclosed corruption in public sector and therefore encourages others to follow the same practice.

4.2 Conducive political and public environment



Danish Institute for Human Rights (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The Human Rights annual award to an exceptional person or organisation that has promoted and protected human rights is awarded by DIHR's Human Rights Council. The Council sets up a jury panel of four members chosen among Council members and two external members, appointed by the Council. The award cannot be given to a person or organisation that is the member of the Council. Candidates are nominated through public consultation and the media. DIHR functions as a secretariat for the jury and does not have a say in who is to be nominated or selected. The award has existed since 2014, and until date, no state authority has been member of the jury.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The purpose of the Human Rights Award is to acknowledge the endeavours of a single person or an organisation who has promoted human rights. For instance, in 2016 the award was given to 20 transgender activists, who had raised awareness on transgender issues in the society and who through their advocacy made transgender issues relevant. <https://menneskeret.dk/nyheder/transkoennede-faar-menneskerettighedspris>. In 2017, the award was given to Poul-Erik Rasmussen, who represented the Landsforeningen Godhavnsdrengene (Association of Godhavns Boys), an association who fought for the rights of children who were neglected while in care. <https://menneskeret.dk/nyheder/godhavnsdreng-faar-menneskerettighedspris>



- **Nature, level, date, explanation of the “good practice”:**

For the period 2018-2021, ENNHRI has adopted a strategic focus on the promotion and protection of rule of law and democratic space, including attention for how NHRIs can promote and protect a conducive environment for all human rights defenders across Europe.⁴⁰ Accordingly, ENNHRI will allocate dedicated attention and resources to data collections, awareness raising, capacity-building and engagement activities related to this priority concern.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Through sharing and promoting good practices, organizing capacity building activities for its members and engaging with relevant stakeholders at national and international level, ENNHRI envisages to strengthen the contribution of European NHRIs to a conducive environment for all human rights defenders across Europe, including also CSOs. ENNHRI will evaluate its activities throughout the strategic period 2018-2021 to enable the best possible impact of its activities on the work of European NHRIs.

⁴⁰ See also: ENNHRI Statement on “Promoting and Protecting a Sustainable Human Rights Environment in Europe by Strengthening the Democratic Space and the Rule of Law”, adopted on 30 November 2017 at the ENNHRI General Assembly Meeting, Brussels. Available [here](#).



Commission Nationale Consultative des Droits de l'Homme (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

For the last 30 years, CNCDH gives the annual human rights prize of the French Republic which rewards Human Rights Defenders and NGOs working in the human right field. HRDs apply to the CNCDH. Then the members of the commission select the laureates of the prize. French embassies might be solicited to provide details about the applicants.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

This Award has a protective value and has a very important international profile. To mark the thirtieth anniversary of the prize, the CNCDH contacted many laureates of the prize to collect information about the impact of the prize. Answers were gathered in one document available on the website⁴¹ of the CNCDH.



Defensor del Pueblo (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The Defensor del Pueblo established on a biennial basis the Institution of the Defensor del Pueblo Award to identify the entity or non-governmental organization that has contributed on a unique way to the development of the role that the Defensor del Pueblo plays as a guarantor of the rights and freedoms that the Constitution recognizes. The objective of the award is to recognise the work done by entities or non-governmental organisations which have contributed to the work done by the Defensor del Pueblo. In 2002, within the framework of collaboration on the promotion and study of human rights, the Defensor del Pueblo and the University of Alcalá, with the support of His Majesty the King, created the King of Spain Human Rights Award, which is awarded on a biennial basis and has an economic prize currently set at € 25,000 and a medal created for this award. The purpose of this award is to serve as recognition and encouragement to entities of public or private nature in Spain, Portugal and other countries of Ibero-America distinguished by their work in the defence and promotion of human rights and democratic values, or that promote research and the implementation of action programs aimed at promoting these values.

<https://www.defensordelpueblo.es/edicion-premio/vi-premio-de-derechos-humanos-rey-de-espana-vii/>

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The delivery of the Premio Institución del Defensor del Pueblo has had a clear positive **impact** because the award is endowed with an economic compensation of € 6,000 which encourages institutions to work harder for the promotion of human rights. Even though it does not change legislation, it highlights the importance of certain institutions promoting several human rights and draws attention to the important matters that these organisations and the Defensor del Pueblo work on. <https://www.defensordelpueblo.es/edicion-premio/ii-edicion-premio-institucion-del-defensor-del-pueblo/> Premio de Derechos Humanos Rey de España has a clear positive **impact** on the work of institutions. This award carries with it a huge economic prize which, in addition to help the work of the winning institution, encourages other institutions to work as hard as the winning ones do so that they can receive the award and the economic compensation to continue with the promotion of human rights. It not only helps those organisations that win; it also brings to the spotlight some issues concerning human rights and makes them more available for the public.

⁴¹ <http://www.cncdh.fr/fr/actualite/remise-du-prix-des-droits-de-lhomme-de-la-republique-francaise-2017-liberte-egalite>

4.2.1 Stigmatisation, marginalisation and the right to privacy

4.2.2 Protection mechanisms



GERMANY / ALLEMAGNE – BY ENNHRI

German Institute for Human Rights (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The German Institute for Human Rights organises in cooperation with civil society organisations the annual “Werner Lottje Lecture”; a panel discussion featuring the work of human rights activists around the globe who operate in perilous situations.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Protection through visibility: either in general or in Europe/Germany to make people aware of the lectures’ protagonists.



NETHERLANDS / PAYS-BAS

Shelter City Initiative

The Shelter City initiative is a project at national level, which started in 2012 and is ongoing. It is an initiative of the NGO Justice and Peace in collaboration with Dutch cities and the Dutch Ministry of Foreign Affairs. Human Rights Defenders from around the world who are under intense pressure because of their work can apply for a three-month temporary shelter in one of the eleven Dutch Shelter Cities: Amsterdam, The Hague, Middelburg, Maastricht, Nijmegen, Utrecht, Tilburg, Groningen, Haarlem Zwolle and Deventer.

During their stay in the Netherlands, the Human Rights Defenders may continue their work safely. Furthermore, they are able to extend their network of civil society organisations and political contacts in The Hague, Brussels and further. The Human Rights Defenders also follow trainings to strengthen their skills and improve their safety, while increasing public awareness in the Shelter Cities by speaking about human rights and the work they do at public events and workshops.

The national coordination of Shelter City lies with Justice and Peace Netherlands. Justice and Peace arranges for the travel and visa of the Human Rights Defenders and is also responsible for the stay of each Human Rights Defender. Justice and Peace collaborates with each participating municipality as well as with local organisations and universities. The participating municipality provides lodging for the human rights defenders. In every city, local partner organisations take care of the daily support of human rights defenders.

The Human Rights Defenders are selected by an independent selection committee (consisting of representatives from Justice and Peace, two other NGO’s, the Dutch MFA and the University of Amsterdam). Candidates for the programme are sought through the international network of Justice and Peace Netherlands and other human rights organisations, as well as the network of the Dutch MFA. About 20 Human Rights Defenders can be hosted per year. Participating Human Rights Defenders enter the Netherlands on a 3-month multiple entry Schengen visa.

One of the main objectives of the project is to temporarily shelter Human Rights Defenders and to provide them with resources to continue their work safely and efficiently after return. Additionally, the project aims to increase citizens’ awareness of human rights within the Dutch Shelter Cities. Since 2017, Justice and Peace and the Ministry of Foreign affairs have also added supporting and kick-starting the creation of regional shelters for Human Rights Defenders at risk to its objectives.

Since the start of the project, a growing number of Human Rights Defenders has been hosted in the Shelter Cities. In 2017 twenty-two Human Rights Defenders were hosted. During their stay, participating Human Rights Defenders have i.e. followed courses at Dutch universities and have taken part in trainings given by Justice and Peace. Additionally, they met with different NGO’s, politicians at local level, and with

policy makers from several governmental organisations. Next to that, participating Human Rights Defenders have engaged with Dutch citizens by for example giving presentations at schools, universities and other events. Recently, regional Shelter Cities in Tbilisi, Costa Rica and Dar es Salaam have opened their doors, partly due to the support and expertise offered by Justice and Peace and the Ministry of Foreign Affairs of the Netherlands.

Links:

<https://en.justiceandpeace.nl/human-rights-defenders-and-security/shelter-city-initiative>

<http://www.sheltercity.nl/>



The Criminal Code ("Official Gazette of RS", nos. 85/2005, 88/2005, 107/2005, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014 and 94/2016) establishes a criminal act called Compromising of Security in Article 138, which reads as follows: "Who threatens the security of a person by threatening to attack the life or body of that person or a related person, shall be punished by a fine or imprisonment not exceeding one year". If the mentioned criminal act is committed against certain persons (the President of the Republic, a Deputy, Prime Minister, members of the Government, a judge of the Constitutional Court, a judge, a Public Prosecutor and a Deputy Public Prosecutor, a lawyer, a police officer) including a person performing affairs in the field of public informing, the perpetrator shall be punished by imprisonment for a term between six months and five years. It follows from the above cited legislation that if the criminal act is committed against a journalist, editor, etc., then the perpetrator shall be punished for aggravated type of the criminal act of Compromising of Security, which include a more severe punishment.

Also, by amending the Criminal Code in the year 2009, media professionals are included among members of the profession with a status of activity of public importance, such as health, education, public transport, lawyers and the like (Article 112, paragraph 32). Since jobs of public importance carry an increased risk for the safety of those who carry them, physical threats and attacks against them with severe physical consequences are subject to more severe sanctions (in comparison to crimes committed against members of other occupations).



The Protector of Citizens of the Republic of Serbia (A-Status NHRI)

In collaboration with local non-governmental organizations and public libraries in fifteen towns and municipalities in Serbia, Ombudsman established an effective and sustainable online communication channel with citizens. Citizens can come to their respective local libraries and via Skype address the Ombudsman's staff for any potential problem they might have.



Defensor del Pueblo (A-Status NHRI)

- Nature, level, date, explanation of the "good practice":

Any citizen, Spanish or foreigner, regardless of his age or legal status in Spain, and legal entities can file a complaint to the Defensor del Pueblo at no cost whatsoever, because the Defensor's services are free of charge.

The Defensor del Pueblo can act to defend your constitutional and fundamental rights if and only if the violation comes from a public administration. Complaints may be submitted individually or collectively, when any individual or group of people feels that the actions of any central, regional or local

administration or public company or service have violated their rights. If the violation does not come from a public institution/company, the complainant will be sent a letter explaining the reasons why we cannot investigate and whenever possible, advising the complainant as to the legal channels to which he or she has recourse.

No matter how, each citizen that contacts the Defensor del Pueblo receives an answer, that can be either, positive if the Institution can try to solve the situation, or if the matter falls out of its jurisdiction, the complainant will be advised other legal channels to mediate the situation.

The Defensor del Pueblo has created an exclusive section (consult your complaint) in its web page where the individual citizen is allowed to be informed of the steps that are being followed and the dates of the actions of the Defensor, to know the administration or organism that should submit an answer as well as its meaning. The person or persons that address the Defensor del pueblo will find in this web page instructions on how to access their documents using their own password from wherever and at any time of the day. It's important to note that this area is completely private and only the interested person can access to the information there provided.

4.2.3 Lack of proper investigations



Office of the Ombudswoman of the Republic of Croatia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In 2016 we have started mapping of human rights situation at regional and local level through meetings with regional and local authorities, representatives of centers of social services, NGOs, representatives of national minorities and citizens. Focus is on access to public services in rural areas, including poverty and social exclusion

By mapping human rights challenges at regional and local level, we are trying to increase visibility of our Institution and make it more accessible to citizens. At the same, we are trying to raise awareness among local and regional authorities on their obligations to provide key services.

While we were visiting one of the counties, we were informed by the city authorities that they provide social service of care for elderly on all islands within their mandate. However, as we visited the islands and talked to the citizens living there, we discovered that citizens (mostly the elderly) did not even know of the existence of the service and were not using it at all. Following, we have opened the investigation, further communicated this issue with the city as well as other stakeholders, such as the NGO Otočni sabor (Island Parliament). As a result, new budget, adopted by the city council, included financial resources to ensure provision of this service at all islands.

During the mapping of human rights at regional and local level, the first meeting we organize is with representatives of local NGOs, minority representatives and LAGs (associations dealing with rural development), with whom we discuss major challenges in relation to human rights in their local communities (accessibility of services, position of the elderly, minority rights, Roma rights...). After that, we convey their concerns and issues they raise at meetings with the local and regional authorities. Additionally, we always discuss financing of civil society organizations and support of authorities to them.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Based on these visits, we open cases and as a result we introduced a new chapter within our Annual Report to the Parliament, on unequal regional development, with specific focus on rural areas and a special chapter on civil society organizations and environment they work in.



GEORGIA /GEORGIE – BY ENNHRI

Public Defender of Georgia (A-status NHRI)

In 2012, the representatives of the Georgian law enforcement agencies conducted an operation near the village of Lapankuri located in Lopota Gorge, which, according to official information, resulted in the loss of lives of seven members of an armed group and three staff members of Georgian law enforcement agencies. Because of a high profile of the case as well as to ensure protection of the victims' rights, resting upon the competences and authorities granted by the Law of Georgia on Public Defender, on 22 October 2013 the Public Defender set up a public council to study and document evidence of alleged violations of human rights and freedoms.

4.3 Right to information and freedom of expression

GEORGIA /GEORGIE – BY ENNHRI

Public Defender of Georgia (A-status NHRI)

Taking into consideration that the media has a very important role in the process of elimination of gender inequality and discrimination, the Public Defender conducts trainings for journalists (the 'Human Rights Academy') to ensure that they are provided with full information about gender equality and women's rights. Moreover, the Public Defender participates in the Real Space, the social talk show on the First Channel of Georgian Public Broadcaster once in a month and answers the questions of citizens.



GREECE / GRECE

The enhancement of transparency and pluralism in the ownership of online media is a priority for the Greek national authorities. To this aim, the Ministry of Digital Policy, Telecommunications and Media launched in 2017 the online media registry, which, apart from promoting transparency and pluralism, protects journalistic content by preventing plagiarism.

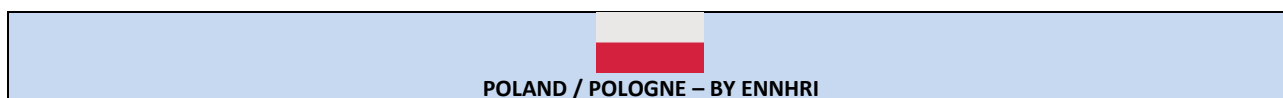
As to the tackling of hate speech in the media environment, the Greek National Broadcaster, with the participation of journalists and agencies specializing in issues relating to refugees and vulnerable social groups, organized a four-day seminar, aiming to draft and implement an interactive web-map of good practices and to issue a journalistic code of conduct in order to address hate speech in media.



LUXEMBOURG – BY ENNHRI

*Commission Consultative des Droits de l'Homme du Grand-Duché du Luxembourg (A-Status NHRI)***- Nature, level, date, explanation of the “good practice”:**

The CCDH will organise in April a briefing session for journalists on accessibility of the media and wording and formulation when reporting about persons with disability.



The Polish Commissioner for Human Rights (CHR) (A-status NHRI)

In order to promote some HR initiatives, the CHR organizes “working breakfasts” with some journalist and media.



According to Article 4 of the Law on Public Informing and the Media ("Official Gazette of RS", nos. 83/2014, 58/2015 and 12/2016) public informing is free and is not subject to censorship. It is further indicated in the same Article that a free flow of information through media, as well as the editorial autonomy of media should not be jeopardized, and in particular by conducting pressure, threats, or blackmail towards the editor, journalist or source of information. The same Article prescribes that physical attack on the editor, journalists and other persons involved in the collection and dissemination of information through the media is punished by law. Finally, according to Article 4 of the Law, freedom of public informing must not be harmed by the abuse of office and public authority, property and other rights, and by the influence and control over the means of printing and distribution of newspapers or electronic communications networks used for the distribution of media content. In addition, Article 52 of the Law provides that the journalist is not obliged to disclose the source of information, except for data related to a criminal offense, or a perpetrator of a criminal offense for whom a prison sentence of at least five years is prescribed, if the data for this criminal offense cannot be obtained otherwise.

As an example of good practice we point out to the project that made possible for the members of Independent Association of Journalists of Serbia to make use of free legal aid⁴² which certainly makes journalists less exposed to potential lawsuits.

4.3.1 Freedom of the media



Human Rights Defender Institution of the Republic of Armenia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

During 2017 the Defender periodically organised capacity building trainings and workshops for media representatives to enhance their capacities in investigating, as well as more accurately and duly reporting on human rights issue. Particularly, in 2017, due to the Defender's endeavors, 5 journalists had an opportunity to participate in language courses to practice and improve their English proficiency. This initiative helped them to get familiar with current issues that journalists face globally and ensured active communication with their international colleagues.

At the end of the 2017, the Defender with the help of the Embassy of the Federal Republic of Germany in Armenia, organised a study visit for journalists to Berlin. In the framework of the training “Human Rights and Domestic Violence” the journalists had numerous meetings with representatives of organizations working towards prevention of violence in families, visited courts specializing in matters of domestic violence, met with the heads of NGOs acting against domestic violence.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

⁴² <http://www.nuns.rs/Projekti/ongoing-projects/series/15/pravni-saveti-i-zastupanje-na-sudu-za-clanove-nuns--a.html>

The visit was a significant opportunity to get familiar with the directions of best international practices in the field of domestic violence prevention which can be later implemented in Armenia. Thanks to this visit, the journalists also reported different articles on Germany's exemplary practice on legislative regulations to tackle domestic violence.



In 1766 Sweden became the first country in the world to permit freedom of the press. Nowadays it is regulated in the Freedom of Press Act and the Constitutional Law on Freedom of Expression. One basic principle in the legislation on freedom of expression in the media is the principle of protection of informants. The protection of informants and sources has several components: the freedom to communicate information, the freedom to procure information and intelligence, the right to anonymity, the prohibition against inquiry and a prohibition against reprisals.

4.3.2 Right to access and communicate with international bodies



People's Advocate (Avokati i Popullit) (A-status NHRI)

The Albanian People's Advocate has established a network of PA friendly media and journalists who meet regularly to discuss media coverage of human rights issues.



Office of the Ombudswoman of the Republic of Croatia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

Media and journalist are invited and regularly input our Annual Report.

We work directly with journalists, providing them with information regarding the human rights situation in the country, but also connecting them with communication officers of international human rights organisations (eg FRA, CoE) and providing spec for their reports.

In May 2017 we connected national news agency HINA with Michael O'Flaherty, Director of European Union Agency for Fundamental Rights (FRA). The contact was made after coordination with the Communications Coordinator in the Director's Office. The interview took place during his stay in Zagreb, on the occasion of the conference “Reclaiming Human Rights in Europe: How to Enhance the Democratic Space” organized to mark 25th anniversary of the Ombudsman institution in Croatia. It was also published in other media, such as: <https://www.tportal.hr/vijesti/clanak/o-flaherty-u-zagrebu-vecina-ljudskih-prava-podlozna-je-o-granicavanju-20170512>.

During the country visit of CoE Commissioner for Human Rights Nils Muiznieks in 2016, Ombudswoman's communication Officer helped to establish the contact between national news agency Hina and the most watched news program in the country, Nova TV and the Head of Communication Unit in the Office of the Commissioner for Human Rights. The same cooperation with CoE and Croatian media was established in September/October after the Report on Commissioner's national visit was published.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The intended impact was:

- To raise the visibility of international human rights stakeholders in Croatia

- To raise awareness among the general public and national media on the role and work of international human rights stakeholders
- To make their work relevant to citizens and “everyday life” in our country



DENMARK / DANEMARK – BY ENNHRI

Danish Institute for Human Rights (A-Status NHRI)

Nature, level, date, explanation of the “good practice”:

Cooperation with the Danish Ministry of Foreign Affairs to ensure civil society inclusion in UPR second cycle process chosen as best practice⁴³. We would propose this as an innovative good practice on how NHRIs can be instrumental in ensuring access of CSOs to international mechanisms.



FRANCE – BY ENNHRI

Commission Nationale Consultative des Droits de l'Homme (A-Status NHRI)

Nature, level, date, explanation of the “good practice”:

In March 2017, the CNCDH organized a seminar with NGOs in order to mobilise the CSOs and to provide information about the third cycle of the UPR. The aim was to build capacity of civil society to contribute to the process.

Intended outcomes and/or envisaged impact, proof of its impact:

NGOs were much more involved in this third cycle.



GERMANY / ALLEMAGNE – BY ENNHRI

German Institute for Human Rights (A-status NHRI)

Practice of bringing together domestic civil society actors with UN or regional mandate holders (e.g. UN Special Rapporteurs, FRA Director, UN WGs), GIHR is thereby providing a forum for information exchange and networking between CSOs and international/ regional mandate holders.



LUXEMBOURG – BY ENNHRI

Commission Consultative des Droits de l'Homme du Grand-Duché du Luxembourg (A-Status NHRI)

Nature, level, date, explanation of the “good practice”:

In preparation of the CRPD reporting process, the CCDH organised a briefing for DPO's and other NGO's on the guidelines for the reporting. The CCDH organises on a regular basis, empowerment meetings for people with disabilities to inform them about their rights and obligations.

Intended outcomes and/or envisaged impact, proof of its impact:

The aim is that they can claim and exercise their rights autonomously.

Nature, level, date, explanation of the “good practice”:

In 2016 and 2017, the CCDH organized, together with the Centre for Equal Treatment and Info Handicap, several empowerment meetings for persons with disabilities.

⁴³ https://www.uprinfo.org/sites/default/files/generaldocument/pdf/2016_the_butterfly_effect.pdf

These meetings helped persons with disabilities understand their rights better and supported different organisations of persons with disabilities in contributing to the effective implementation and monitoring of the CRPD at national level. It also helped them take a more assertive attitude towards government representatives.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

As an example, in December 2017, a round table was organised by the government to discuss the National Action Plan (NAP) on the transposition of the CRPD and the recommendations issued by the CRPD Committee in August 2017. Many persons with disabilities and representative of civil society organisations were present during this meeting and made various recommendations to public authorities concerning the rights of persons with disabilities and the next NAP.



The Portuguese Ombudsman (A-status NHRI)

As an observer in the Portuguese National Human Rights Committee, the Portuguese Ombudsman monitors the compliance of national authorities with its human rights obligations and takes notice of the reports that are sent to the human rights bodies.

The Ombudsman is represented in the Portuguese National Human Rights Committee, with an observer status. The Ombudsman is also a member of the National Committee for the Protection of children at risk and the committee for the protection of people with disabilities. There is also a strong cooperation with the Portuguese High Commissioner for Migrants.



Equality and Human Rights Commission (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The Commission engages extensively with civil society in all areas of our work. The Commission is required to facilitate the participation of civil society in treaty monitoring and reporting. We have chosen to fulfil this responsibility by contracting civil society organisations to raise awareness of and collect evidence and views for cross-sector reports to the UN.

In recent years we have funded successful projects to support civil society to engage with the UK examinations for:

- The International Covenant on Economic, Social and Cultural Rights;
- The Convention on the Rights of the Child.

We also funded the England civil society report and supported a delegation of children from CRAE and the Scottish Youth Parliament to present their own evidence in Geneva;

- The Universal Periodic Review (UPR)
- The Convention on the Elimination of Racial Discrimination (CERD); and
- The Convention on the Rights of Persons with Disabilities (CRPD) and supported a delegation of individuals from DPOs to present their evidence in Geneva.

In 2018 we are funding three women’s rights organisations to develop civil society reports on CEDAW and will be supporting civil society organisations to engage in the UK Government’s forthcoming examination by the Committee Against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment (UN CAT).

- **Intended outcomes and/or envisaged impact, proof of its impact:**

All of these civil society reports had a significant influence on the respective UN treaty bodies and the recommendations made to the UK government and have helped to raise awareness domestically of the

international human rights framework. We have commissioned an external evaluation of our civil society project on CERD, the findings of which will be available in Spring 2018.

Other activities aimed at supporting civil society engagement in treaty reporting and monitoring carried out by EHRC this year are the production of alternative formats of the CRPD Concluding Observations including an easy read version and BSL version. We are also preparing a **guide for civil society organisations** on how to engage with the UK Government's forthcoming examination by UN CAT – due to be published in March 2018

5. National Human Rights Institutions (NHRIs)



The strengthening of NHRI functions

On December 6, 2015 the Republic of Armenia adopted the amendments to the RA Constitution, which envisages the adoption of the New Constitutional Law "On Human Rights Defender". The Draft was elaborated in close cooperation with relevant stakeholders, including CSO representatives, state authorities as well as international counterparts. After finalization, on October 2016 the Draft was also sent to the Venice Commission for expert opinion. The New RA Law on "Human Rights Defender" was adopted on 16 December, 2016. The main amendments worth mentioning are as follows:

The Defender shall be entrusted with the mandate of the National Preventive Mechanism provided by the Optional Protocol — adopted on 18 December 2002 — to the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the National Preventive Mechanism").

Now the Institute of Human Rights Defender of the Republic of Armenia complies with the requirements and standards of the National Ombudsman Institute. The Institute has an "A" status, which indicates compliance with the Paris Principles, as well as being an accredited National Institute of the United Nations.

The Defender shall have the right to submit a written opinion on draft normative legal acts regarding human rights and freedoms prior to their adoption to the relevant bodies.

According to the annual report of the Defender's office more than 90 legal acts had been submitted to the Human Rights Defender's office for opinion during 2016, 55 of which had received comments and suggestions. The human rights defender has examined the RA Constitutional Law "On Elections" and RA Tax Code on his own initiative and submitted public suggestions addressed to the competent authorities.

The Defender may organize training for the staff thereto as well as for beneficiary bodies and organizations on issues related to human rights and freedoms.

Given that this regulation is a strategic direction of the activities of the NHRI, during 2016, the staff of the Human Rights Defender had implemented a number of trainings, in close cooperation with international organizations, for the representatives of state authorities, CSOs and the representatives of media. A training program was elaborated for journalists on legal awareness, mainly in relation to criteria which are being used during the assemblies, the importance of defining the right moment of deprivation of liberty, the guarantees of exercising the rights of a person deprived of liberty. The trainings were also held for the servants of the penitentiary department of the Ministry of Justice within the sphere of strengthening human rights protection and healthcare.

For the purpose of receiving professional assistance in the capacity of the National Preventive Mechanism, based on the requirements set forth in the announcement thereon made on the official website or through other public sources, the Defender may engage independent specialists and (or) representatives of non-government organizations, who acquire the status of an expert of the National Preventive Mechanism.



SWITZERLAND / SUISSE

La Suisse a lancé en 2011 un projet pilote d'Institution Nationale des Droits de l'Homme (INDH). Ce projet, limité dans le temps, est constitué d'un réseau universitaire – le Centre suisse de compétence pour les droits humains (CSDH) – auquel la Confédération achète des prestations pour un volume d'un million de francs par an. L'évaluation du projet pilote a confirmé l'utilité d'une INDH pour la Suisse et l'existence d'une demande pour une institution de cette nature ; la majorité des personnes interrogées a également soutenu la création d'une institution permanente. Plusieurs options ont été soumises au Conseil fédéral en 2016 et celui-ci a opté pour un développement de la solution adoptée dans le cadre du projet pilote (option « statu quo + »). Les autres options présentées étaient celles d'une instance de médiation, d'une commission extraparlamentaire, d'un institut ou la pérennisation de la solution pratiquée dans le cadre du projet pilote.

L'option « statu quo + » conserve les avantages établis du projet pilote et corrige ses points faibles, en particulier la limitation d'indépendance induite par l'achat de prestations. Elle prévoit que les tâches d'une INDH soient remplies par un centre universitaire bénéficiant d'une aide financière de base d'un million de francs par an (chiffre indicatif). A la différence du projet pilote, le subventionnement prend la forme d'une aide financière sous la forme d'une contribution aux frais de fonctionnement. Ceci présente l'avantage de laisser l'INDH décider elle-même de ses activités dans le cadre de son mandat et de lui permettre de réagir rapidement à de nouveaux développements. Grâce à cette solution, elle dispose ainsi de l'indépendance qui caractérise une INDH. Tout comme le projet pilote, il est prévu que l'INDH fournisse des prestations, moyennant rétribution, pour des autorités et des organisations privées.

L'avant-projet de loi a été soumis à une consultation publique de juillet à octobre 2017. Les résultats de la consultation confirment les grandes orientations du projet. Sur la base de ces travaux, un projet de loi est actuellement en cours d'élaboration.

5.1 Supportive regulatory framework



- **Nature, level, date, explanation of the “good practice”:**

The Paris Principles lay down international standards to enable the independent and effective functioning of NHRIs, and include requirements to be embedded in regulation at the national level. ENNHRI provides technical advice to European governments and parliaments when they are willing to adopt regulation to establish or develop an NHRI to be in compliance with the Paris Principles. In 2016 and 2017, for example, ENNHRI provided advice in-country to Bosnia i Herzegovina and Italy.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Start 2018, 25 of 47 CoE states have established by law and/ or constitution an NHRI in compliance with the Paris Principles: Albania, Armenia, Azerbaijan⁴⁴, Bosnia and Herzegovina, Croatia, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Russian Federation, Serbia, Spain, Ukraine, United Kingdom (Great Britain, Scotland and Northern Ireland).

⁴⁴ Although still A status, an SCA recommendation for the institution to be downgraded to B-status will be reviewed in May 2018.

5.1.1 Competence and responsibilities



Since 2008, the Ombudsman has been the only national institution for the protection and promotion of human rights (NHRI) in Croatia with status "A" in accordance with the UN Paris Principles defining the parameters of independence of national human rights institutions. The Ombudsman is defined by the Constitution of the Republic of Croatia as the authorized commissioner of the Croatian Parliament for the promotion and protection of human rights and freedoms established by the Constitution, laws and international legal acts on human rights and fundamental freedoms adopted by the Republic of Croatia. Anyone may file a complaint with the Ombudsman if he/she considers that his/her constitutional or legal rights have been endangered or violated due to illegal or improper work by state bodies, local and regional self-government bodies and bodies with public authority. The Ombudsman is elected by the Croatian Parliament for a term of eight years. The Ombudsman is independent in his/her work. The conditions for the election and dismissal of the Ombudsman and his/her deputies, scope and work frame shall be regulated by law. In order to protect fundamental constitutional rights, certain powers in relation to legal and natural persons may be conferred on the Ombudsman by law. The Ombudsman and other commissioners of the Croatian Parliament for the promotion and protection of human rights and fundamental freedoms have immunity, the same as MPs in the Croatian Parliament.



The role of the National Human Rights Institution in Greece has been assigned to the Greek National Commission for Human Rights (GNCHR), the independent advisory body to the State, established in 1998 with a legislative mandate to protect and promote human rights. The GNCHR was established by Law 2667/1998 (Official Gazette 281/A/18.12.1998), in accordance with the Principles relating to the Status of National Institutions (The Paris Principles) and was convened in plenary session for the first time on 10 January 2000. The GNCHR has a broad mandate (Article 1(1) of its founding law), covering the whole range of human rights, as they are enshrined in the Constitution, in international and European treaties and directives, as well as in soft law instruments such as declarations and guidelines, including on social, economic and cultural rights. The text of the founding law of the NCHR is available online in the English language (<http://www.nchr.gr/index.php/2013-04-03-10-13-40/2013-04-03-10-15-59>).



L'Ordonnance Souveraine n° 4.524 du 30 octobre 2013 a constitué un apport fondamental, en créant un Haut-Commissariat à la Protection des Droits, des Libertés et à la Médiation. Il apparaît comme le point focal du mécanisme de protection à l'adresse des sujets de droits dans leur ensemble. Ainsi :

- En ce qui concerne la protection des droits et libertés de l'administré dans le cadre de ses relations avec l'Administration : toute personne physique ou morale qui estime que ses droits ou libertés ont été méconnus par le Ministre d'Etat, le Président du Conseil National, le Directeur des Services Judiciaires, le Maire, de même que par les établissements publics, ou par le fonctionnement d'un service administratif relevant d'une de ces autorités ou d'un établissement public, peut saisir le Haut-Commissaire (article 15 de l'Ordonnance Souveraine n° 4.524 du 30 octobre 2013 précitée). Cette saisine directe est un gage d'indépendance ;
- Le Haut-Commissaire peut être saisi de réclamations émanant de personnes physiques ou morales estimant avoir, dans la Principauté, été victimes de discriminations injustifiées (article 28 de l'Ordonnance Souveraine) ;

- Le Haut-Commissaire peut être saisi de demandes d'avis ou d'études sur toute question relevant de la protection des droits et libertés de l'administré dans le cadre de ses relations avec l'Administration, ainsi que de la lutte contre les discriminations injustifiées (article 33 de l'Ordonnance Souveraine).



The Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman) was established by way of a Law which was passed by the Assembly of Montenegro on 10th July 2003. They work on protection of human rights and freedoms and acting upon complaints, on protection from discrimination, on promotion of anti-discrimination standards and on raising awareness. Under the Law on the Protector of Human Rights and Freedoms of Montenegro (entered into force on 23rd August 2011) the Ombudsman has two new competences and it became the institutional mechanism for protection against all forms of discrimination and the National Preventive Mechanism for the protection and prevention of persons deprived of liberty against torture and other forms of cruel, inhuman or degrading treatment or punishment. Competencies of the Protector of human rights and freedoms of Montenegro are based on Article 27 of the Law on the Protector of Human Rights and Freedoms of Montenegro („Official Gazette of Montenegro“ No.42/2011, 32/2014), by Article 21 of the Law on Prohibition of Discrimination, („Official Gazette of Montenegro“ No.46/2010, 18/2014) and by Article 1 of the Law on Prohibition of Discrimination of Persons with Disabilities („Official Gazette of Montenegro“ No.35/2015). Also, the latest amendments of the Law on Gender Equality („Official Gazette of Montenegro“, no.46/2007, 35/2015) have established a full competence of the Protector in acting on the bases of complaints against violation of the principle of gender equality.

About Litigation powers they formally decide on complaints (e.g. decision or recommendation addressed to the parties) but such decisions are not legally binding and their role is to initiate or interfere in court proceedings initiated in civil litigation with the consent of the discriminated person.



Haut Commissariat pour les Migrations <http://www.acm.gov.pt/acm>

- **Nature:**

Institution publique des DH

- **Niveau:**

Etatique + discrimination + migration

- **Explication:**

Le Haut Commissariat est un département du Gouvernement sous la dépendance de la Présidence du Conseil des Ministres qui coordonne la politique des droits de l'homme autour des questions associées aux migrations et à la non-discrimination des groupes vulnérables qui y sont inclus.

Deux centres nationaux d'appui aux immigrants (CNAI) ont été institués à Lisbonne et à Porto qui accueillent les immigrants en les appuyant en diverses démarches. Au niveau local, l'ACM a des extensions sous la forme de centres locaux d'appui aux immigrants (CLAI) qui appuient ceux-ci dans leurs démarches locales. À ces CLAI sont associés les médiateurs gitans qui opèrent le lien entre les communautés gitanes et l'administration locale.

Le Haut Commissariat continue, dans la lignée des organisations qui l'ont précédé, l'ACIDI et le ACIME, à intégrer la Commission pour l'Egalité et contre la Discrimination qui juge au plan administratif, des infractions contre l'égalité et la non-discrimination raciales. Suite à une plainte de la part d'une victime, cette plainte est acheminée vers une inspection administrative (du travail, des finances, d'un secteur d'activité économique) qui l'instruit et propose une sanction administrative dont fait partie la possibilité d'accès à un marché relevant pour une période de temps, cette sanction étant décidée au final par la CICDR présidée par l'ACM. Cette procédure est critiquée pour son inefficience et sa lenteur, elle a

l'intérêt d'introduire une plainte de nature administrative pouvant intervenir dans un secteur d'activité économique (comme le refus d'entrée dans un magasin adressé à un membre d'une minorité).

L'Observatoire des Migrations et l'Observatoire des Gitans font partie de la structure du ACM et produisent d'importantes études et rapports sur différents sujets de ces grands thèmes, en sorte à permettre la formulation de politiques ou de décisions plus adaptées à ces populations. En plus de cela, les travaux de ces observatoires ont une grande importance pour le monde académique dont ils informent la recherche.

Enfin, le Plan Stratégique pour les Migrations contient les lignes orientatrices de la politique de l'Etat en cette matière. L'ACM y contribue grandement et contribue aussi à son application puisqu'il est, de façon générale, l'un des organes chargés de son exécution.

- **Impact:**

Fort car l'institution existe depuis le Secrétariat des Programmes d'Education Interculturelle de 1993, son plus lointain prédécesseur.

Médiateur de la République <http://www.provedor-jus.pt/>

- **Nature:**

Institution Publique des Droits de l'Homme en accord avec les Principes de Paris

- **Niveau:**

Etatique + plaintes c. l'Administration /Ombudsman.

- **Explication:**

Le Médiateur de la République est une institution publique de promotion et de défense des droits de l'homme en accord avec les Principes de Paris, possédant le statut A de ces principes. Parmi les nombreuses fonctions du Médiateur, celui-ci est le mécanisme national de prévention à l'abri du Protocole additionnel à Convention des Nations Unies contre la Torture qui prévoit également des plaintes de victimes de mauvais traitements au Comité institué par la Convention. En qualité de mécanisme national de prévention, le Médiateur effectue des visites aux prisons et à tout établissement pouvant opérer la détention d'une personne, dans le but de vérifier les conditions auxquelles les détenus sont soumis, prévenant ainsi des dysfonctionnements qui pourraient contrevenir à la CAT des N.U. et susciter la réprobation internationale du Portugal. Le Médiateur possède aussi des lignes spéciales pour les femmes, les enfants et les personnes âgées en situation de détresse, des lignes SOS, et les plaintes qui lui sont adressées peuvent être rédigées et envoyées sur une plateforme électronique à cet effet.

- **Impact:**

Fort.

Réseau d'institutions nationales de droits de l'homme de la CPLP

<http://www.cplp.org/id-4447.aspx?Action=1&NewsId=3659&M=NewsV2&PID=10872>

- **Nature:**

Réseau d'instit. DH

- **Niveau:**

Coopération internationale, CPLP

- **Explication:**

Les Médiateurs de la République des pays membres de la CPLP ont institué un réseau d'institutions nationales de droits de l'homme. Ce réseau crée une collaboration entre médiateurs et un échange d'informations entre ceux-ci.

Déclaration conjointe instituant le réseau des droits de l'homme de la CPLP :

<http://pfdc.pgr.mpf.mp.br/atuacao-e-conteudos-de-apoio/temas-de-atuacao/direitos-humanos/internacionais/cplp/declaracao-rede-de-direitos-humanos-da-cplp>

- **Impact:**

Fort.

Commission pour l'Égalité des Genres <https://www.cig.gov.pt/a-cig/atribuicoes/>

- **Nature:**

Institution publique de DH.

- **Niveau:**

Administration + droits des Femmes + discrimination

- **Explication:**

Institution de la Commission pour l'Égalité des Genres. Cet organisme gouvernemental dépendant de la Présidence du Conseil des Ministres a pour fonctions de veiller à la promotion de l'égalité des femmes et des hommes. Cet organisme propose des mesures législatives, administratives et de politique en ce sens, il élabore des rapports et diffuse de la documentation sur ces sujets. L'une de ses fonctions est de recevoir des plaintes pour discrimination à l'égard des femmes et de les acheminer vers les entités décisionnelles compétentes.

- **Impact:**

Fort.

Commission pour l'égalité et la non-discrimination dans le travail et dans l'emploi

<http://www.cite.gov.pt/pt/acite/dirdevtrab.html>

- **Nature:**

Institution de DH, public + partenaires sociaux

- **Niveau:**

Administration + Droits des Femmes + Travail + Discrimination

- **Explication:**

Commission pour l'égalité et la non-discrimination dans le travail et dans l'emploi. Une institution tripartite formée de représentants du ministère du travail, des ministères de la tutelle de chaque domaine intéressé et des partenaires sociaux (syndicats et employeurs) qui formule des avis et élabore des recommandations nommément en ce qui concerne des plaintes relatives à la discrimination hommes-femmes au travail.

- **Impact:**

Fort.

Commission nationale pour les droits de l'homme

<http://www.gmcs.pt/pt/resolucao-do-conselho-de-ministros-n-272010-comissao-nacional-para-os-direitos-humanos>

- **Nature:**

Coopération interministérielle + administration + DH

- **Niveau:**

Administration publique centrale.

- **Explication:**

La Résolution crée la Commission nationale pour les droits de l'homme (CNDH), une organisation interdépartementale de l'Administration Publique, non indépendante et non correspondante aux principes de Paris relatifs aux institutions indépendantes de DH, mais d'une grande utilité dans la mesure où cette commission réussit à coordonner et à articuler avec efficacité l'AP dans sa réponse aux défis posés par les DH et les OIG de DH et à donner une réponse cohérente sur le plan de la politique internationale de DH de l'Etat. La CNDH promeut des réunions annuelles ouvertes à la société civile, lors desquelles les associations peuvent s'exprimer sur les différents sujets de leur activité en rapport avec les droits de l'homme. Ces réunions annuelles sont souvent dédiées à un thème qui est alors présenté par des experts spécialisés. Depuis 2011, la 4ème réunion de la CNDH a compté avec la participation du Centre Nord-Sud du Conseil de l'Europe, en janvier 2012, la 6ème réunion élargie à la société civile a permis de faire connaître les thèmes du mécanisme de révision périodique universelle du Conseil des Droits de l'Homme des Nations Unies, ainsi que les questions de la réforme de la Cour EDH, en juin 2012, la 7ème réunion, élargie, elle aussi, a compté avec la participation de M. Morten Kjaerum, alors président de la FRA. Elle a été dévouée aux questions de la justice, des enfants, des migrants, des gitans, des femmes et des différents groupes vulnérables. En 2013, la 9ème réunion, élargie elle aussi a été dédiée à l'égalité des genres, la 12ème réunion, élargie elle aussi, n'a pas eu de thème spécifique, il s'agissait d'informer sur les activités de la CNDH. En 2015, la 16ème réunion a été dévouée au thème de la protection des enfants, en particulier, de la vente, de la prostitution et de la pornographie infantiles, et, en 2016, la 18ème réunion a été dévouée, en décembre, au thème de la santé mentale au Portugal.

- **Impact:**

Fort.



Protector of Citizens

Article 2 of the Law on a Protector of Citizens ("Official Gazette of RS", nos. 79/2005 and 54/2007) stipulates that the Protector of Citizens is independent and autonomous in performance of his/her duties. According to Article 18 of the same Law, the Protector has the right to propose laws from his/her jurisdiction. Article 19 of the Law sets forth that the Protector shall have the power to initiate proceedings before the Constitutional Court for the assessment of legality and constitutionality of laws, other regulations and general acts which govern issues related to the freedoms and rights of citizens. According to Article 20 of the Law, the Protector shall have the power to publicly recommend the dismissal of an official who is responsible for violation of citizen's right, i.e. to initiate disciplinary proceedings against such employee. If revealed that activities of an official or an employee of the administrative authorities contain elements of criminal or other punishable act, the Protector shall have power to submit a motion to initiate misdemeanor, criminal or other appropriate proceedings. Article 21 of the Law establishes duty of administrative authorities to co-operate with the Protector and to enable him access to their premises and information available to them, regardless of the degree of confidentiality of such information, unless it is contrary to law. Also, The Protector has the power to interview any employee of administrative authorities when it is of significance for the proceedings he/she runs. Finally, according to Article 22 of the Law the Protector shall have authority to freely access correctional institutions and other places where persons deprived of liberty are held and to speak in privacy with those persons. Further on, Article 24 prescribes that, in addition to the right to initiate and run proceedings, the Protector has the right to act preventively by offering good services, negotiating and giving advice and opinions related to issues from his competency, with the view of improving the work of administrative authorities and protection of human rights and freedoms. According to Article 31 of the Law if the Protector of Citizens determines that irregularities existed in the work of the administrative authority, he shall deliver a recommendation to the administrative authority on steps to be undertaken in order to rectify the noted irregularity. If the administrative authority fails to proceed pursuant to the recommendation, the Protector of Citizens may so inform the public, the National Assembly and the Government, and may recommend proceedings to determine the accountability of the official in charge of the administrative authority. Finally, according to Article 33 of the Law, the Protector is obliged to submit a regular annual report to the Assembly that shall include information on activities in the preceding year, noted irregularities in the work of administrative authorities and recommendations to improve the status of citizens.

According to the Report for the year 2016⁴⁵, during the year 2016 the Protector of Citizens issued 1340 Recommendations to public authorities. During the same period 991 Recommendations were accepted or executed by the public authorities.

Commissioner for the Protection of Equality

Commissioner for the Protection of Equality was established by the Law on Prohibition of Discrimination. Article 33 of the said Law prescribes that Commissioner: 1. receives and considers complaints for violation of the provisions of this Law and gives opinions and recommendations in concrete cases; 2. issues warnings and notifies public in case his/her recommendations are not implemented; 3. provides the complainant with information on his right and the possibility of initiating a court or other protection procedure, or recommending a conciliation procedure; 4. files lawsuits with the consent and for the account of the discriminated person; 5. submits motions for initiation of misdemeanor proceedings; 6. submits an annual and special report to the National Assembly; 7. warns the public of the most common, typical and severe cases of discrimination; 8. monitors the implementation of laws and other regulations, initiates the adoption or amendment of regulations; 9. recommends to the public authorities and other

⁴⁵ <http://www.ombudsman.rs/index.php/izvestaji/godisnji-izvestaji>

persons the measures for achieving equality. In practice, a large number of Opinions and Recommendations was published on the web site of the Commissioner⁴⁶.

After a review of the Commissioner's Report for the year 2016⁴⁷, it should be noted that during the year 2016, opinions were issued by the Commissioner in 51 cases upon complaints of the citizens, of which in 46 cases discrimination was determined. For the same period, the Commissioner issued 40 opinions on the draft laws and other general acts, three criminal charges were submitted, one motion for initiation of a misdemeanor procedure, one proposal for assessment of constitutionality and legality, one initiative for change of laws, nine warnings and 25 press releases.

Commissioner for Information of Public Importance and Personal Data Protection

Commissioner for Information of Public Importance and Personal Data Protection was established by the Law on Free Access to Information of Public Importance. Article 35 of the mentioned Law establishes the list of responsibilities and competencies, by stating that the Commissioner: 1) Monitors compliance with the obligations (established by this Law) by the authorities and reports to the public and the National Assembly about this; 2) Initiates the adoption or amendment of regulations in order to implement and improve the right to access information of public importance; 3) Proposes to the authorities to take actions with a view to improving their work regulated by this Law; 4) Takes actions necessary for training of employees in state bodies and informs employees of their obligations regarding the right to access to information of public importance; 5) Decides upon an appeal against a decision of the authorities which violated the rights regulated by this Law; 6) Informs the public about the content of this law, as well as about the rights regulated by this law; 7) May initiate a procedure for assessing the constitutionality and legality of laws and other general acts. Article 15 of the Law stipulates that every person may submit a request in writing to any public authority to exercise the right to access information of public importance. In case a public authority rejects or denies an applicant's request, or if it fails to reply to a submitted request within the statutory time limit, or if a reply is incomplete, Article 22 of the Law empowers an applicant to lodge a complaint with the Commissioner. Further on, we point to Article 39 of the Law which enacts duty of all State authorities to publicly announce its work reports at least once a year. In addition, Article 40 of the Law provides that the Commissioner enacts an instruction for the creation and publishing of mentioned work reports.

Commissioner's competences in the field of personal data protection are regulated by the Law on Personal Data Protection. Namely, Article 44 of the mentioned Law stipulates that the Commissioner: 1) Supervises the enforcement of data protection; 2) Decides on appeals in cases set out in this Law; 3) Maintains the Central Register of data; 4) Supervises and allows transborder transfer of data from the Republic of Serbia; 5) Points out to the identified cases of abuse in data collection; 6) Produces a list of countries and international organizations with adequate provisions on data protection; 7) Gives his/her opinion on the formation of new data files or introduction of new information technologies in data processing; 8) Give his/her opinion to the Government in the procedure of enactment of instruments governing the methods of data filing and safeguards for particularly sensitive data; 9) Monitors the implementation of data safeguards and suggests improvements; 10) Gives proposals and recommendations for improving data protection; 11) Gives prior opinion on whether a certain processing method constitutes specific risk for a citizen's rights and freedoms; 12) Keeps up to date with the data protection arrangements in other countries; 13) Determines the way in which data are to be handled if a data controller ceased to exist, unless provided otherwise. According to Article 45 of the Law the Commissioner has the right of access to data and documents relating to data collection and other processing activities. However, the right of access and examination may be restricted if it could seriously prejudice the interests of national or public safety, national defense or crime prevention, detection, investigation and prosecution. If a controller deems that reasons for restrictions referred exist, he shall, within eight days of service of a request, seek the opinion of the chairperson of the Supreme Court of Cassation to clarify whether reasons for restricting the Commissioner's right of access and examination pertain.

⁴⁶ <http://ravnopravnost.gov.rs/misljenja-i-preporuke/misljenja-i-preporuke-u-postupku-po-prituzbama/>

⁴⁷ <http://ravnopravnost-5bcf.kxcdn.com/wp-content/uploads/2017/10/Poverenik-Skraceni-godisnji-izvestaj-za-2016-srp-za-odobrenje-za-stampu.pdf>

According to the Report of the Commissioner⁴⁸, during the year 2016, the Commissioner closed 8,061 cases, including 5,135 cases in the field of freedom of information, 2,454 cases in the field of personal data protection and 472 cases relating to both fields. Also, in 2016 the Commissioner's interventions pursuant to complaints resulted in information requesters receiving the requested information in a high percentage of cases (92%).



Law on the Human Rights and Equality Institution

- **Nature, date:**

- The legislation – Law on the Human Rights and Equality Institution of Turkey – was adopted on 6/4/2016 and came into effect on 20/4/2016.

- **Explanation:**

By this Law the Institution has been vested with broad mandate including carrying out activities to protect and promote human rights and prevent violations; fighting against torture and ill-treatment and action as equality body. The Institution has also been mandated to cooperate with public institutions and agencies, non-governmental organizations, professional organizations and universities working in the field of protection of human rights and fight against discrimination.

In addition to this, a consultative commission shall be set up with the participation of public institutions and agencies, non-governmental organizations, unions, social and professional organizations, higher education institutions, printed and audio-visual media, researchers and relevant persons, agencies and organizations so as to discuss problems and proposed solutions pertaining to non-discrimination issues and to exchange information and opinions on these matters. The Institution shall carry out consultation meetings in the centre and provinces with the participation of public institutions and agencies, non-governmental organizations, unions, social and professional organizations, higher education institutions, printed and audio-visual media, researchers and relevant persons, agencies and organizations so as to discuss human rights-related issues and to exchange information and opinions on these matters.

- **Implementation:**

The Institution has conducted several meetings with civil society organizations working in the area of human rights such as fighting against mobbing and promotion gender equality. Also, a delegation from the Institution has attended to International NGO Fair held on 10 December 2017 in Istanbul. On the other hand, the consultative commission has just been formed and will hold two meeting in 2018. Moreover, the consultation meetings will be held 10 times in a year in different regions at the country to comprehend human rights issues within the specific regions.

- **Intended outcomes, impact:**

The Institution aims to build deep and strengthen cooperation with the civil society/non-governmental organizations. To acknowledge issues regarding discrimination in the country and try to fight against these issues.

5.1.2 Composition and guarantees of independence and pluralism



People's Advocate (Avokati i Popullit) (A-status NHRI)

The Albanian People's Advocate has established a Civil Society Advisory Board with members appointed from coalitions/groups of civil society across the various fields of activities. The Board advises the People's Advocate on human rights issues and brings to his attention important matters of concern for the broad public.

⁴⁸ <https://www.poverenik.rs/en/commissioners-report.html>



CROATIA / CROATIE – BY ENNHRI

Office of the Ombudswoman of the Republic of Croatia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

Article 31 of the Ombudsman Act defines the role of the Council for Human Rights. Accordingly, the Council for Human Rights is an advisory body that considers and proposes strategic guidelines in the field of promotion of human rights and freedoms, ensures permanent cooperation between the Ombudsman, civil society, academic community and media, and considers other issues of importance for the work of the Ombudsman. The members of the Council for Human Rights are appointed by the Ombudsman for a period of four years. The members do not receive any compensation for their work in the Council. Furthermore, the Standing Orders of the Ombudsman defines that the Council has 8 members: 2 representatives from CSO, 2 representatives of national minorities, 2 representatives from academia and 2 representatives from media. The members of the Council are elected based on the public (open) call. The Council meets at least twice a year.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Based on the proposal of the Council, Ombudswoman and parliament's Committee on Human and National Minority Rights have organized a thematic session marking 50th anniversary of two UN Covenants. The session provided opportunity to CSO representative (a member of the Council) to present their role in monitoring the implementation of Covenants in Croatia and work they do as a follow up to recommendations.

The mandate for 7 members of the Council has finished in November 2017. Our last session was an opportunity to informally evaluate our work: identify good practices and formulate recommendations to strengthen the work of the Council.



DENMARK / DANEMARK – BY ENNHRI

Danish Institute for Human Rights (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

The DIHR's Council for Human Rights is composed of the representatives of a number of civil society organisations and authorities who meet to discuss the undertakings of DIHR. The members of the Council are selected after a public consultation procedure every four years. Selected organisations should reflect the diversity of the society and be engaged in human rights activities. The Council meets at least four times a year to assess DIHR activities, implementation of strategies, etc. The Council may propose new activities to the DIHR Executive Board and engage in critical dialogue with DIHR. The Council is independent of DIHR Executive Board.

The Council for Human Rights appoints six of the 14 Executive Board members in accordance with DIHR's statutes section 3. The Council has three sub committees: Equal Treatment Committee, UPR-Committee and a Communication committee. The Equal Treatment Committee gives input to DIHR's Equal Treatment Department. The UPR-Committee – the purpose of the committee is to coordinate, cooperate and exchange priorities and knowledge among its members in relation to the universal periodic review of Denmark. Especially the committee focuses on a joint stakeholder report to UN Human Rights Council and a joint midterm report. The Communication Committee primarily functions as a network for communication professionals among the members of the Committee.

DIHR's Human Rights Council is composed of 54 different civil society organisations, three ministries and three national authorities. (List of organisation can be found at: <https://www.humanrights.dk/about-us/the-council-human-rights> . The Council elects a Chair and a Vice-Chair among its members.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The Council's role in accordance to our statutes is to advise the Executive Board. So far, the Council has not put any suggestions forward to the Executive Board. But this situation could change with the newly constituted Council and new chair.



GEORGIA /GEORGIE – BY ENNHRI

Public Defender of Georgia (A-status NHRI)

Thematic consultative and advisory councils have been operating at the Office of the Public Defender of Georgia for several years now. E.g. since 2014 Advisory council of the National Preventive Mechanism supports the activity of NPM in preventing torture and other forms of ill-treatment. Members of the advisory group are academic circle representatives and experts from local and international NGOs.



GREECE / GRECE

The Greek National Commission for Human Rights (GNCHR) ensures pluralism both through its large and diverse membership, as well as through its cooperation with a broad range of social forces involved in the promotion and protection of human rights. In particular, the GNCHR has a pluralistic composition, of sixty-three (63) members, both regular and alternate, who are designated by bodies the activities of which cover the whole spectrum of human rights, such as: Non-Governmental Organisations (NGOs), third-level trade union organisations, independent authorities, universities, bar associations, political parties, Parliament and the Administration. Twenty-seven (27) among them are women, a number corresponding to almost 43% of the total GNCHR members. Moreover, the GNCHR has over the years developed several mechanisms of cooperation with the abovementioned actors in order to enhance its effectiveness and credibility. This extends to both Government and Parliament representatives, with whom the GNCHR is required by the Paris Principles to interact with, with due respect to its independence. The GNCHR is fully independent, which is not only expressly stated in its founding law (Article 1(1), "*The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the State on matters pertaining to human rights protection*"), but also reflected in its overall presence and functioning through several elements which play a crucial role in safeguarding its independence, such as *inter alia*: its legal autonomy, its financial autonomy, the guarantees concerning the appointment and dismissal procedures, as well as the full personal and functional independence of its members, who serve in their own individual capacity rather than on behalf of the organisation they represent. As an advisory commission, the GNCHR is not mandated to investigate individual cases and focuses mainly on advising the State on human rights issues and/or conducting human rights research.



MONACO

Haut-Commissaire à la Protection des Droits, des Libertés et à la Médiation

Le Haut-Commissaire à la Protection des Droits, des Libertés et à la Médiation accomplit les missions qui lui sont dévolues avec neutralité, impartialité et de manière indépendante. Ce principe tutélaire est posé par le premier alinéa de l'article 6 de l'Ordonnance Souveraine n° 4.524 du 30 octobre 2013. Le Haut-Commissaire ne reçoit en outre, dans le cadre de l'exercice de ses missions, notamment de la part du Ministre d'Etat, du Président du Conseil National, du Directeur des Services Judiciaires et du Maire, aucun ordre, instruction ou directive de quelque nature que ce soit (deuxième alinéa de l'article 6 de l'Ordonnance Souveraine).

S'agissant de l'indépendance du Haut-Commissaire, elle est d'abord financière. L'article 13 de l'Ordonnance précitée précise que l'Etat garantit au Haut-Commissaire les moyens matériels d'exercice desdites missions. En outre, les crédits nécessaires à la rémunération du Haut-Commissaire, à celle des personnels mis à sa disposition ainsi que, de manière plus générale, au financement des moyens matériels d'exercice de ses missions font l'objet d'une inscription spécifique au budget de l'Etat (article 46 de l'Ordonnance Souveraine).

Son indépendance tient également au fait que les fonctions de Haut-Commissaire sont incompatibles avec celles de Conseiller national, de Conseiller communal, de membre du Conseil économique et social ainsi qu'avec l'exercice, à Monaco ou à l'étranger, de tout mandat électif à caractère politique (alinéa premier de l'article 10). Par ailleurs, l'exercice desdites fonctions est également incompatible avec l'exercice, à Monaco ou à l'étranger, de toutes autres fonctions publiques ou de toute activité lucrative, professionnelle ou salariée (second alinéa de l'article 10 de l'Ordonnance Souveraine).

En outre, le principe est clairement posé, en vertu duquel le Haut-Commissaire ne peut avoir, par lui-même ou par personne interposée, sous quelque dénomination ou forme que ce soit, des intérêts de nature à compromettre son indépendance (premier alinéa de l'article 11 de l'Ordonnance Souveraine). Par ailleurs, il s'abstient de toute démarche, activité ou manifestation incompatible avec la discrétion et la réserve qu'impliquent les missions qui lui sont dévolues, que ce soit pour son propre compte ou pour celui de toute autre personne physique ou morale (second alinéa de l'article 11 de l'Ordonnance Souveraine).

L'indépendance et l'autonomie du Haut-Commissaire reposent également sur les différentes garanties dont bénéficie l'administré durant la procédure d'instruction de la requête. Celles-ci consistent ainsi en l'application d'une procédure d'instruction de la requête intégrant une phase d'investigation et garantissant le respect du contradictoire, et l'information de l'administré (articles 19 et 20 de l'Ordonnance Souveraine). Au bénéfice d'une relation directe avec l'administré, le Haut-Commissaire l'informe des suites susceptibles d'être réservées à sa saisine, et peut en outre lui communiquer toutes informations pertinentes au sujet de la médiation et notamment, s'il y a lieu, quant à l'échéance des délais de recours (article 19 de l'Ordonnance Souveraine).

Cette indépendance fonctionnelle ressort, en outre, du pouvoir d'investigation dont dispose le Haut-Commissaire : consultation et audition des services concernés, examen de dossiers, entretien avec le requérant.

Ainsi, le Haut-Commissaire dispose de la faculté de requérir des services administratifs compétents tout document, information ou assistance nécessaire à l'accomplissement de sa mission. Le Haut-Commissaire peut également demander verbalement à l'administré et aux services susmentionnés des éléments complémentaires propres à l'éclairer sur tout différend. Il veille au respect du principe du contradictoire en entendant leurs explications, si nécessaire et sauf impossibilité, l'administré ou son représentant de même que l'autorité administrative concernée (article 20 de l'Ordonnance Souveraine).

Par ailleurs, le Haut-Commissaire bénéficie, dans l'exercice de ses prérogatives, d'une protection fonctionnelle, au bénéfice de laquelle l'Etat lui assure, selon des instructions données par décision souveraine, la protection contre les menaces, outrages, injures, diffamations ou attaques de toute nature dont il serait l'objet lors de l'accomplissement des missions qui lui sont dévolues (premier alinéa de l'article 12). A cet effet, l'Administration est par ailleurs subrogée aux droits de la victime pour obtenir des auteurs des faits délictueux, la restitution des indemnités qu'elle aurait versées à titre de réparation.

En dernier lieu, à l'instar de ses homologues étrangers, indépendants comme institutionnels, le Haut-Commissaire possède, en application des articles 23 et 30 de l'Ordonnance Souveraine n° 4.524 du 30 octobre 2013 précitée, un réel pouvoir de recommandation, c'est-à-dire de proposition, à l'adresse du Ministre d'Etat, du Président du Conseil National, du Directeur des Services Judiciaires et du Maire, fondé sur l'analyse des faits, du droit et de l'équité. Le Haut-Commissaire assure enfin, s'il y a lieu, le suivi de l'application de la décision ou de l'accord qui aura été pris sur la base de sa recommandation.



Netherlands Institute for Human Rights (A-status NHRI)

In the Act establishing the NIHR, the duties of the Institute are listed. One of those duties is to 'cooperate on a systemic basis with civil society organisations [...], for example by organising activities in partnership with civil society organisations.' The NIHR has an advisory council, which advises the Institute on proposed policy plans and advises the Minister on appointment of Commissioners. Several of its members are drawn from civil society organisations.



According to the wording of the relevant laws, both the Protector of Citizens and the Commissioner for the Protection of Equality are elected by the National Assembly by a majority vote of all deputies, on the proposal of the committee of National Assembly responsible for constitutional issues. The Commissioner for Information of Public Importance and Personal Data Protection is also elected by the National Assembly by a majority vote of all deputies, but on the proposal of a different committee (committee of National Assembly responsible for informing). Similar procedure is conducted in case of the dismissal of the mentioned officials. As the longer term of the office can be a guarantee of independence, we note that, by the wording of Article 30 of the Law on Free Access to Information of Public Importance, the Commissioner is elected for a period of seven years, while the same person may be elected as the Commissioner only twice. Contrary to that, both the Commissioner for the Protection of Equality and Protector of Citizens are elected for a period of five years, while the same person can be elected for the Commissioner for the Protection of Equality only twice, and for the Protector of Citizens only twice in a row. Additional guarantee of independence is the fact that the person appointed for the office of the mentioned NHRIs cannot be member of political party, employed in other state body, or in hold of some other public function.



Law on the Human Rights and Equality Institution

- **Nature, date:**

The legislation – Law on the Human Rights and Equality Institution of Turkey – has been adopted on 6/4/2016 and came into effect on 20/4/2016.

- **Explanation:** The Board is the decision-making body of the Institution. Pursuant to the Law the Board shall exercise its duties and powers given by the Law and other legislation under its own responsibility and independently. No body, authority, office or individual shall give neither orders nor instructions nor recommendation or suggestions to the Board on matters falling under its mandate. The Board shall consist of eleven members, including a Head and a Deputy Head. Eight members of the Board shall be selected by the Cabinet and three members by the President of the Republic. One of the members to be designated by the Cabinet shall be selected from among two candidates, who shall be academics working in the field of human rights, to be proposed by the Council of Higher Education; and seven members from among candidates nominated by NGOs, unions, social and professional organizations, academics, lawyers, members of press and media, and the experts who are working in the area of human rights or from among persons applying to be a member.

- **Implementation:** Background of the members:

- one of the members, the Head of the Institution, was a lawyer general coordinator of a human rights association;

- one of the members, the Deputy Head of the Institution, was a undersecretary and advisor of the Prime Ministry;
- one of the members was a former auditor in public sector;
- one of the members – a woman with disability – was a former diplomat;
- one of the members was an academician;
- one of the members was a lawyer and a former chief of a bar;
- one of the members was a literature teacher and a member of a trade union;
- one of the members was a bureaucrat at the Turkish Radio and Television Association;
- one of the members was a member of the Energy Market Regulatory Board.
- **Intended outcomes, impact:** The Institution aims to conduct its work in a pluralistic and inclusive manner and all decisions will be held by the Board which is the semi-judicial organ. Moreover, none of the members abstain from voting and attending the meetings.



Human Rights Commission of Ukraine (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**
In 2012, in line with the legislative mandate of the Ukrainian Commissioner for Human Rights, an Advisory Council was established composed of 28 CSO representatives. The Advisory Council's composition follows a broad and transparent consultation process amongst Ukrainian civil society and its working methods are determined in regulations approved in consultation between the Ukrainian NHRI and the Advisory Board members. The Advisory Board provides thematic expert advice including advice on how the Commissioner can better cooperate with CSOs across its work. The Advisory Board's proposals are discussed with the Commissioner and can result in a decision of the Commissioner to submit the proposals to Parliament to introduce amendments to acting legislation.
- **Intended outcomes and/or envisaged impact, proof of its impact:**
As reported upon by Freedom House in 2012, the Commissioner's enhanced cooperation with CSOs has had a positive effect on the rule of law in Ukraine, especially in the sphere of freedom of information, non-discrimination and the prevention of torture. To ensure public transparency and accountability of the consultations with the Advisory Council by the Commissioner, the relevant documents are made publicly available on the website of the Commissioner. The Commissioner promotes transparency and public monitoring of its activities.

5.1.3 Methods of operation, models, roles and activities



Human Rights Defender Institution of the Republic of Armenia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**
To ensure the sustainability of cooperation with civil society and receive professional support within the scope of the National Preventive Mechanism status, and based on the requirements posed by an announcement thereof which is uploaded on the official web-site or disseminated through other public means, independent experts and (or) representatives of non-governmental organizations are involved by the Defender, who obtain the status of an expert of National Preventive Mechanism. Independent experts and representatives of non-governmental organizations are being involved in the work of National Preventive Mechanism based on a contract concluded with them, in an individual status, which provides an opportunity for their remuneration, and establishment of mutual rights and duties. At the same time, the guarantee foreseen by the Constitutional Law for the persons who occupy a position in the Defender's

staff, to provide explanations or be questioned only on the basis of written agreement of the Defender also extends to the experts of National Preventive Mechanism.

- **Nature, level, date, explanation of the “good practice”:**

On 17 July 2016, a group of armed people attacked the Police Patrol-Sentry service regiment in Yerevan. During this period both peaceful and violent assemblies took place. The HRDO were actively examining the situation all along that period, particularly by recording and monitoring all alleged cases of torture and ill-treatment by the Police towards media representatives and activists. As a result, the Defender sent materials on revealed human rights violations to relevant stakeholders for proper reaction and now is in the drafting process of a public report on the above-mentioned events.

The [Report](#) is identifying and presenting in a systemized way the armed attack on the Police Patrol-Guard Service Regiment of the Republic of Armenia in the period of July 17-31, 2016, when subsequent events violating human rights took place. It is worth mentioning that the Report is not only highlighting the cases of concrete rights violations but also suggests, in an unbiased manner, ways of overcoming systematic challenges in the country's human rights protection system.

This report has no objective of assessing the actions of the armed group members who have attacked the Police Patrol-Guard Service Regiment or actions of officers representing law-enforcement bodies who were engaged in special operations aimed at disarming the armed group. Thus, the report also does not discuss questions that are subject to criminal case investigations and are outside of the scope of Human Rights Defender's authority. The Report consists of 4 Chapters: the rights to peace assembly, the right to personal liberty and safeguards against limitation thereof, Treatment of the assembly participants and the use of special means and freedom of expression. Normally, in each of the chapters, firstly the rule, principles and relevant legal documents related to that particular right and prescribed by international and national law are presented briefly. This summary is then followed by presentation of factual circumstances pertaining to concrete events; afterwards, an analysis is conducted based on the outlined rule, principles and relevant legal documents.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

As for the impact of the report it is worth mentioning that a number of relevant stakeholders, namely the RA Police, Prosecutor General's Office, Special Investigation Service and some parliamentarians of National Assembly immediately commented on that regard.



Ombudsmen of Bosnia and Herzegovina (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In 2013 the ombudsperson of BiH received the suggestion of the NGO Sarajevo Open Centre to prepare a special report on the status of human rights of the LGBT persons in BiH? During 2015 the Joint Commission for human rights of the Parliamentary Assembly of Bosnia and Herzegovina to prepare a special report on the rights LGBT persons. In its Strategy for the period 2016 – 2021, the Institution of Human Rights Ombudsman of Bosnia Herzegovina planned the preparation of the said report. Preparation of the mentioned reports was a challenge for Ombudspersons of BiH since before that, there were no analysis or report of any kind on human rights of LGBT persons in BiH made by any official authority. In addition to the absence of individual complaints lodged by LGBT persons, which are usually the basis for the Ombudsman's special reports. For the mentioned reasons it was necessary to carry out a broad range of consultation and comprehensive research in order to define substantive problems and disadvantages and to make specific recommendations of suggest measures to improve the position of LGBT persons. To this end, the ombudsman institution conducted a comprehensive survey, which included information gathering activities from relevant executive authorities, administrative bodies at all levels in BiH, police authorities, criminal justice institutions and non-governmental organisations involved in the protection of LGBT rights persons. NGO have made significant contributions to the drafting of the Special Report with their suggestions.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The resulting special report was finished in 2016 and represent the basis for the definition of the future goals and measures to be taken by the public authorities and the civil sector in order the improve the status of LGBT persons in BiH.



Commissioner's for Children's Rights Young Advisors Team

The Cypriot Commissioner's for Children's Rights ("The Commissioner") Young Advisors Team ("YAT") was established by the Commissioner, in 2010 as a non-formal consultation group. The YAT consists of young persons with, as far as possible, a balanced representation of Cypriot society, in terms of geographical area, sex, age, ethnic background, religious beliefs, cultural origin and social groups, including children with disabilities.

In view of its successful operation, and upon of a recommendation of the Commissioner, the establishment and operation of the YAT was regulated by legislation in 2014 (an amendment to the Commissioner for the Protection of Children's Rights Law). The Law secures the balanced representation of children as stated above and specifies the goals of the YAT as follows:

- Exchanging views between the young persons and the Commissioner on any matter concerning children's rights
- Forming opinions, proposals, suggestions and submitting them to the Commissioner, on any matter concerning children and their rights
- Discussing with the Commissioner issues concerning children and which the children themselves consider important
- Empowerment of the children through workshops on matters concerning children's rights and or/matters of interest to, and/or affecting, children;
- Exchanging views, co-operating and taking part in activities of other young advisors teams in other European states and/or taking part in programs of the European Network of Ombudspersons for Children-ENOC;
- Co-organizing and taking part in activities of the Office of the Commissioner in relation to children's rights.

The Law provides that the selection process, the manner of functioning, the duration and mode of renewal of its term as well as any other matters relating to the smooth and efficient functioning of the YAT, shall be prescribed by guidelines compiled by the Commissioner in consultation with the YAT.

YAT members receive training on children's' rights through interactive workshops and they are empowered so as to feel confident to express their views and discuss among themselves but also with adults (the Commissioner, Ministers, and other state of officials).

An example of how YAT can influence policies is the Sexuality Education at schools in Cyprus. With the aim to provide children with a channel for their voices to be heard regarding Sexuality Education and have an influence on the policy planning, the Commissioner organized in March 2015 a consultation of the YAT with the Minister of Education.

Prior to the consultation, the YAT had been empowered within a series of workshops through which they had the opportunity to build adequate knowledge on the issue. During the consultation with a Minister, the YAT stressed that children do not receive reliable information on sexuality either from parents or the school, thus, having to resort to other sources, such as the internet or other youth. They, at the same time, made a number of suggestions to the Minister, who committed himself to take them into consideration in the formulation of his policy.

In 2016, the Ministry of Education produced a comprehensive Policy Paper on Sexuality Education which was circulated to all Elementary and Secondary Education schools. With this the Ministry acknowledged its responsibility to provide "holistic" sexuality education to all children as a legal obligation of the State, derived from human rights Instruments. The Minister acknowledged the contribution of YAT to the production of the Policy Paper.

The same year, YAT members took part in 'I'M SET!', an 18-month bilateral cooperation project between Cyprus and Norway. The project aimed to promote the sexual rights of teenagers through the implementation of mandatory human rights based Comprehensive Sexuality Education (CSE) in middle schools in Cyprus. The project involved collaboration between civil society organisations and educational authorities in Cyprus. It was developed by and was coordinated by the Cyprus Family Planning Association (CFPA), with the active participation of the Commissioner for Children's Rights, the Pedagogical Institute - Ministry of Education and Culture, the Mediterranean Institute of Gender Studies in Cyprus and Sex og Politikk - Association for Reproductive and Sexual Health and Rights in Norway. The project consisted of a situational analysis in Cyprus on young people's Sexual Reproductive Health and Rights, an assessment of the needs of middle school students for CSE and teachers for teaching CSE. On the basis of data collected, a Teachers' Manual for delivering CSE, was developed guided also by empirical evidence on CSE in Europe and shared best practices with Norway. The Manual and teaching materials were disseminated to all middle schools in Cyprus. Furthermore, the views of the YAT on sexuality education were taken on board by the Commissioner and formed an essential part of a "Position Paper on the Right of Children Sexuality Education" issued by the Commissioner in June 2017.

Commissioner for Administration and Protection of Human Rights

The Commissioner for Administration and the Protection of Human Rights (Ombudsman), in the framework of her competences, has done a number of actions that could be regarded as Good Practices in the promotion and protection of human rights in Cyprus (training seminars, educational activities for young people, awareness raising campaigns, publications, etc.).

Aiming at ensuring the continued alignment of the Republic of Cyprus with the Security Council Resolutions 2263 (2016) and 2300 (2016), the Commissioner for Gender Equality has undertaken, in close cooperation with civil society, the drafting/preparation of the first National Action Plan on the implementation of the Security Council Resolution 1325 (2000), covering the period 2018-2021, which will ensure full implementation of Women, Peace and Security agenda.



FINLAND / FINLANDE – BY ENNHRI

Human Rights Centre (A-Status NHRI)

- Nature, level, date, explanation of the “good practice”:

It was the first broad scope overview of HRE in the Finnish education system. Before that, a proper study on the amount, extent or quality of human rights education had not been carried out in Finland. The national baseline study on HRE was published on 14 February 2014.

The Human Rights Delegation (the Delegation) contributed actively to the study. It appointed a human rights education division that included Delegation members and other HRE experts from NGOs and academia. The division functioned as a steering group and together with the Centre drafted recommendations based on the study. These recommendations for the promotion of human rights education and training in Finland were accepted by the Delegation in December 2013 and were published as part of the baseline study report. The recommendations are as follows:

1. The Government should draft an action plan for human rights education and training
2. Human rights should be included in all forms of education and training.
3. Human rights education should support and promote the realisation of a learning environment where human rights are respected.
4. The human rights knowledge and skills of teachers and educators should be strengthened.
5. The human rights knowledge and skills of public servants and other persons exercising public power and functions should be ensured.
6. The materials and methods for teaching human rights should be developed.
7. Human rights education, teaching, learning and knowledge should be monitored, evaluated and developed.

During the study, education officials were also consulted.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The recommendations and research results of the baseline study have had an effect on the role of HRE in the Finnish education system. Also, different actors have used it as a reference in the promotion of HRE.

From 2014 onwards, the National Agency of Education (FNAE) has adopted national curricula with human rights emphasis in various topics. An important improvement in the core curriculum for basic education 2014 was that human rights are now explicitly mentioned also in the guiding obligatory principles – not only in the value basis. HRE is also one of the central themes in the Second National Action Plan (NAP) on Fundamental and Human Rights 2017–2019.

In 2016–2017, teacher education institutions in co-operation with NGOs carried out a project on democracy and human rights education in teacher education across Finland. Alongside with the project they produced a publication (November 2017) on good practices with a view to teaching human rights, participation and active citizenship skills as part of human rights and democracy education.

At the moment one of the Centre's HRE priorities is that HRE is further systematized in teacher education. The Centre has taken part in the Finnish Educational Research Associations Conference 2017 to promote HRE research, baseline study results and to reach teacher educators and key stakeholders in the education sector. The Centre also supports new UNESCO-professorship of Values, Dialogue, and Human Rights in the University of Helsinki. In addition, the Centre promotes a research proposal and a pilot course on democracy and human rights in teacher education. For co-operating on this matter, initial discussions with governmental authorities (Ministry of Justice and FNAE) and university representatives have been held.

The baseline study has been an inspiration and contributed to the Centre's other HRE activities with NGOs and education authorities. These activities are described below.

Lecture series on fundamental and human rights:

- video lectures were produced in expert co-operation. The Human Rights Delegation members took part in and commented on the test lectures. Some members even provided their input to the video series by lecturing on fundamental rights. The lecture series material is suitable especially for adult education, civil servants, teachers and everyone interested in or working with HR.

- Lectures have been and are distributed in 2017–2018 to teachers and for wider audience. The lecture series have had almost 11 000 views.

- Co-operation is starting in 2018 to distribute the series at a new e-learning platform for civil servants. Potential reach rate can be 72 000 civil servants.

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EDUCA fair

- The Centre has promoted human rights education through an exhibition at the country's biggest event for educators (teachers, principals, education management etc.). In 2018 Educa fair had 17 900 visitors and the exhibition point reached estimate 6000 people.

- The exhibition was organised in co-operation with the following NGOs: Amnesty International Finnish section, Finnish Committee for UNICEF and the Finnish League of Human Rights.

- HRE materials of the Centre and of the NGOs were introduced and distributed at the exhibition. Information was also given on NGO websites of pedagogical practice and HRE and on the Centre's lecture series.

- NGOs and the Centre also organized a stage performance at the fair, with emphasis on participation. Children and high school students told about their visions of HRE, actual HRE actions in schools and about child's rights based school model.

Fundamental and human rights education for principals and educational management

- Together with the Parliamentary Ombudsman's Office the Centre conducted visits to schools, to Regional State Administrative Agencies and to the Finnish Education Evaluation Centre. The goal of the

project was to promote fundamental and human rights knowledge in the education sector. The visits resulted in another project with the Regional State Administrative Agencies, FNAE, Trade Union of Education, Finnish Principals Association, Finnish Association of Educational Directors and Experts and the Association of Finnish Local and Regional Authorities.

- This project includes five fundamental and human rights trainings for principals and educational management in different Finnish regions. Last year the same training tour reached 750 participants.
- The educational module of fundamental and HRE is carried out in co-operation with the Parliamentary Ombudsman's Office and FNAE. The training includes following themes: HRE overview, general complaints, and current topics such as hate speech, equality in school culture, and equity and equality planning of schools.
- Teacher Trade Union (OAJ) in Finland has a good reach to the education sector. The education material of the upcoming fundamental and HRE module might be distributed on their website as well.



The Greek National Commission for Human Rights actively engages with both national as well as international, regional and European actors involved in the promotion and the protection of human rights. In particular, the GNCHR closely cooperates with the Council of Europe monitoring mechanisms, including in the context of their visits to Greece, with a marked increase in its interaction with the European Court of Human Rights (ECtHR) in recent years. Indeed, the GNCHR, in the framework of its promotional mandate, has been translating into Greek the ECtHR factsheets on the Court's case-law and pending cases, which are then made available on the official website of the Court. Moreover, the GNCHR carries out a dissemination effort, providing specific information on issues regarding the ECtHR (constantly updated list of ECtHR judgments v. Greece, information on how to access the ECtHR, press releases on ECtHR judgments etc.), while in all of its Reports and Opinions the GNCHR consistently refers to the case-law of the ECtHR making recommendations to the State for the fulfillment of its obligations under the European Convention on Human Rights (ECHR). GNCHR reports have been referenced in 30 judgments of the European Court of Human Rights concerning Greece. Furthermore, the GNCHR, taking into account the importance of the Turin process, cooperates with the European Committee for Social Rights, which often refers to the Commission's work. Furthermore, the GNCHR actively engages with the UN human rights system, by interacting among others with the UN Human Rights Council and the UN Treaty Bodies. The activities and recommendations of the GNCHR are very often referred to in the reports of universal and regional human rights mechanisms and the decisions and judgments of quasi-judicial and judicial bodies.

The GNCHR is also particularly active in both the European (ENNHRI) and the international (GANHRI) networks of national human rights institutions, having been elected in the European Coordinating Committee (ECC), ENNHRI's governing body for a three-year term of office (2016-2019) and was co-chairing the Working Group on Asylum and Migration for the period 2015-2017. The GNCHR has been consistently involved in drafting all major communications produced by both GANHRI and ENNHRI and communicates them to the Parliament and the ministries, with significant policy impact.



Commission Nationale Consultative des Droits de l'Homme (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

CNCDH is in charge of monitoring the measures of the State of Emergency, and issues numbers of opinions, statements and communication towards the side effects of that difficult political climate.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

In February 2016, the CNCDH issued an opinion against the draft constitutional reform aimed at putting in the constitution the emergency powers and the deprivation of nationality for terrorists. Finally, this project was abandoned one month later. The opinion of the CNCDH, gathered with other critics, have ground down it.



Commission Consultative des Droits de l'Homme du Grand-Duché du Luxembourg (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

Last year, the Commission also consulted the Ombuds-Committee on the Rights of the Child on the topic of asylum seekers that are (unaccompanied) minors.

Two formal meetings took place, respectively in October and in November 2017. In addition, informal contacts were maintained.

The Ombuds-Committee on the Rights of the Child gave insights in their work, especially on their now-published report on the situation of asylum seekers and on trends in relation to individual cases and in respect to their interactions with

public authorities. The Commission gave its input on the wider situation of asylum seekers in Luxembourg.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The consultations contributed to a report on the accommodation of asylum seekers in general, including minors, the Commission is currently working on. Moreover, the exchange helped to harmonize the message of both institutions in relation to the topics at hand.

A coordinated approach to issues relating to child asylum seekers allows both institutions to carry a stronger message in the public sphere and in their contacts with public institutions, and thus to be more effective on the promotion of human rights in general, and of the rights of child asylum seekers in particular.



L'approfondissement des liens avec la société civile a été une préoccupation du Haut-Commissariat à la Protection des Droits, des Libertés et à la Médiation, dès sa création (par Ordonnance Souveraine n° 4.524 du 30 octobre 2013). La concertation avec la société civile et les différents acteurs impliqués dans le fonctionnement de l'Etat est un outil précieux pour éclairer le Haut-Commissariat, en parallèle des saisines, sur les difficultés rencontrées par les administrés.

Dans cette optique, le Haut-Commissariat s'attache à approfondir son dialogue avec les associations et groupements représentant les diverses communautés vivant en Principauté. A cet égard, associations et syndicats ont un rôle à jouer dans la sensibilisation du public aux missions de l'institution et sont en outre, de par leur bonne connaissance du terrain, à même de faire remonter certaines difficultés ou d'apporter des éléments complémentaires de réflexion contextuelle dans leur champ de compétence.

Au mois d'octobre 2015, à l'invitation du Haut-Commissariat, une vingtaine d'associations monégasques actives dans le domaine social et humanitaire ont participé à une table ronde destinée à mieux les

informer sur le rôle et les missions de l'Institution et à explorer les synergies possibles entre l'action dévolue à cette nouvelle entité de protection des droits, et celle déployée sur le terrain par les ONG au service des populations fragiles de Monaco.



Netherlands Institute for Human Rights (A-status NHRI)

Human rights education is listed as one of the duties of the NIHR in the establishing Act (Article 3(d)).

Awareness raising is something we do on a regular basis.

- Our website provides information about human rights.
- We regularly write about a news item or court decision and put it into a human rights perspective. This helps people understand why something is a 'human rights issue'. (<https://www.mensenrechten.nl/toegelicht>)

- We are in the process of creating a tool box on human rights education, together with civil society organisations. The tool box is aimed at schools and teachers in primary and secondary education.

- With EU funding, we have created a training on stereotypes in recruitment and selection of staff. This very successful training is created for human resources staff, but we have also given the training to other people within organisations involved in recruitment and selection.



Polish Commissioner for Human Rights (CHR) (A-status NHRI)

The CHR together with the Children Ombudsman established a special expert committee to work on more efficient execution of alimonies for children. The results of the committee's work were presented at the conference in the CHR office.



Portuguese Ombudsman (A-status NHRI)

The Portuguese Ombudsman has signed a memorandum of understanding with the Ministry of Education, under which regularly visits schools and gives lectures to the students regarding the promotion and protection of human Rights.

In 2016 the Portuguese Ombudsman started a project through which he is visiting the Portuguese prisons, in order to evaluate and monitor the respect for the human rights of people in detention. Since the beginning of the project 11 prisons were visited.



Protector of Citizens of the Republic of Serbia (A-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

Ombudsman's NPM team, which conducts preventive visits to correctional facilities and places of detention, is composed, among others, of the representatives of the most prominent civil society organizations. Protector of Citizens in cooperation with the Belgrade Centre for Human Rights visited Shelter for Foreigners in Padinska Skela in 9. Jun 2017

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Majority of these recommendations are still being monitored for the implementation.

In collaboration with the Commissioner for Information of Public Importance and Personal Data Protection and the Anti-Corruption Agency, the Ombudsman conducted training courses for local patient's rights advisors, as the newly formed local mechanism for the protection of the rights of the patients.



SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE – BY ENNHRI

Slovak National Centre for Human Rights (B-Status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

Pursuant to an agreement with the Unit of the Extremism and Spectator Violence of the Criminal Police Department of the Presidium of the Police Force of the Slovak Republic, the Slovak National Centre for Human Rights delivered training for lecturers- the police officers from the Department of Criminal Police of Regional Directorates of the Police Force in the area of combating extremism.

1 training delivered on 29 April 2014, for 16 trainees that should internally train others.

The main topic concerned human rights and extremism (i.e. freedom of speech, freedom of assembly, freedom of association, human dignity, personal liberty etc.).

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The Centre has developed a regular cooperation with the Police Force on the issues of extremism and spectator violence. As part of this cooperation, the Centre provides further trainings (e.g. in February 2015, the Centre provided a human rights training in Bratislava for the newly hired members of police working in the area of extremism) and legally advised in certain cases. The Centre is being approached by members of the Police Force working on cases of extremism seeking advice relating to applicable human rights standards.

- **Nature, level, date, explanation of the “good practice”:**

The Slovak National Centre for Human Rights co-organised in 2016 with the Ministry of Labour, Social Affairs and Family of the Slovak Republic and the State School Inspection an expert seminar on issues of bullying and discrimination of children at schools for experts from practice, including experts on violence against children and its prevention.

The Slovak National Centre for Human Rights has for several years been monitoring and addressing issues of territorial segregation and constructions of the so called Anti-Roma walls in Slovakia and with this regards it has, inter alia, officially addressed the Ministry of Transport, Construction and Regional Development in March 2013 with a request to include a clause aiming to prevent from segregation in the amendment of the Building Act underlying international standards introduced in the International Convention on the Elimination of All forms of Racial Discrimination.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The clause has not been integrated in the Building Act. The Centre keeps addressing the issue of territorial segregation of Roma in Slovakia and regularly covers it in annual reports on the observance of human rights including the principle of equal treatment in the Slovak Republic in chapter on Roma rights and right to housing. Annual reports always address recommendations in the area and are distributed to a wide range of stakeholders. It is hard to identify the impact and as the Roma rights issues are a main human rights challenge in the country, there are many stakeholders working in the area, so it is problematic to establish which reports/advocacy activities were behind concrete actions.

Generally speaking, there has been some development in the area. In May 2017, the Parliament passed an amendment to the Act No. 330/1991 Coll. on Land Adjustments, Organisation of Land Ownership, Land Offices, Land Fund and Land Owners Cooperatives in order to help settle lands under the dwellings in Roma communities. The Ministry of Agriculture and Rural Development has prepared the amendment by addressing the need to organize the ownership and usage conditions for the land located under the settlements of the marginalised Roma communities and lands in grange yards.



SPAIN / ESPAGNE – BY ENNHRI

Defensor del Pueblo (A-Status NHRI)- **Nature, level, date, explanation of the “good practice”**

The Defensor del Pueblo has published reports based on work sessions with specific groups particularly persons affected by celiac disease. [Celiac disease](#) has one specific characteristic compared to other chronic diseases, which is that the only possible treatment consists of following a gluten-free diet. In the Mediterranean culture, the consumption of wheat and all kinds of grains is embedded in the base of our food pyramid, and the daily consumption of these products is recommended. Other Mediterranean countries like France and Italy have benefits and assistance for citizens who suffer from this disease, but Spain has not implemented any measures to provide financial help to the citizens who suffer from celiac disease.

The Defensor del Pueblo has received multiple complaints from groups of people suffering from celiac disease, and therefore it is now classified as one of the targeted groups to in order to protect and defend their rights.

In April 2017, the Defensor devised a report addressing the issues that affect this particular group of people and proposing measures and solutions in order to defend their rights.

The main goal of this report was to contribute to the improvement of the quality of life of celiac citizens, to encourage the research on this disease, to disseminate the importance of its diagnosis and to devote more attention the need for medical speciality and the difficulties they face on a regular basis.

- **Intended outcomes and/or envisaged impact, proof of its impact**

This report had a very positive impact in society, given the fact that it is one of the first reports that address the issue of celiac disease in Spain. The interventions that the Defensor del Pueblo has carried out following on the issue have been:

1. having access to reliable food lists
2. conducting official controls on food products and good practices on their production
3. acknowledging the taxation of specific products, particularly regarding the VIT
4. spreading information about this disease among the population.

- **Nature, level, date, explanation of the “good practice”:**

The Defensor del Pueblo organised a seminar “Moving towards the effective protection of the children of women who are victims of gender violence” that took place on the November 20th, 2017 on International Children's Day that took place on the same date. The aim of this seminar was to highlight the situation of these boys and girls who are also victims of gender based violence. This meeting took place with the collaboration of the Defensor del Pueblo, the organisation Women's Links and counted with the support of the General Council of the Judiciary and the participation of experts on the issue, from Universities, from civil society and from the United Nations. This is a clear good practice that shows cooperation with other actors.

Additionally, a seminar on Reception and inclusion of refugees in Spain took place on October 5th, 2016 and was organised by the Institution of the Defensor del Pueblo and UNHCR and was aimed at developing a framework for the reception and integration of refugees in Spain, coordinating all public administrations and taking under consideration the scope of each one. Not only was this a practice which showed cooperation between the UN and the Defensor del Pueblo but also representative from the autonomous regions and most populated cities participated.

The Defensor del Pueblo and UNHCR sent several questionnaires before the seminar to the organisations that were going to participate and that were later discussed in working groups during the meeting. Gathering all this information several conclusions and proposals have been published by the Defensor del Pueblo, which serve to see that this seminar do have a positive impact. Among the proposals by the Institution we can highlight some of them:

- Ameliorate communications between central, regional and local administrations in order to achieve a better coordination for the reception and inclusion of refugees and make it a more decentralised model.
- Strengthen the work some by city councils and NGOs
- Establish communications with civil society groups
- Making sure that refugees, both men and women, can manifest their opinion
- More specifically, each working group presented conclusions and recommendations related to three sectors: housing, education and employment.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

This kind of seminars have a significant impact, not only on the public opinion because it raised awareness about a topic that might not always be very known, but also because the institution has made this one of its main concerns and has been carrying out actions regarding this matter for several years now, for instance:

The Defensor del Pueblo initiated actions before the Government Delegation for Gender Violence to finally establish the measures adopted aimed at strengthening the minors, sons and daughters of victims of gender violence, in the frame of the Organic law 8/2015 of July 22nd and the Law 26/2015 of July 28 concerning the modification of the protection system of children and adolescence.

Publication of the Protocol of derivation between reception centres for women victims of gender violence and their sons and daughters (Protocolo de derivación entre centros de acogida para las mujeres víctimas de violencia de género y sus hijos e hijas). Among its objectives, the protocol aims at coordinating networks of resources of women shelters and the establishment of a common list of documentation that might be demandable to benefit from those resources.⁴⁹

- **Nature, level, date, explanation of the “good practice”:**

In the annual reports that the Defensor del Pueblo all institutional activities and results are analyzed. In these reports, one can find a detailed account of the Institution's action plans, resolutions, the administrations that do not collaborate with the Defensor despite numerous requests and the average response time of the Institution and the administrations, along with the Institution's budgetary breakdown. Moreover, the Defensor del Pueblo in Spain holds the status of National Preventative Mechanism (NPM) and it also publishes an annual report with detailed information about the preventative visits to penitentiary centres and prisons in order to verify that Spanish public authorities and personnel act in conformity with the criteria required by Spanish law and internationally accepted for these types of institutions, to the effect that they do not foster conditions that may facilitate maltreatment or torture in these agencies.

All annual reports are presented before the Mixed Committee of Relations with the Defensor del Pueblo. To access the official summaries of all annual reports since 2003 follow: <https://www.defensordelpueblo.es/en/publications/summaries-of-annual-reports/>



TURKEY / TURQUIE

The Human Rights and Equality Institution of Turkey works as a presidency preparing documents and reports, paying visits to penitentiary institution and a Board semi-judicial decision making organ. The Institution's roles are fighting against discrimination and torture and ill-treatment (operating as national preventive mechanism) and preparing ex-officio, advisory reports on other issues. Additionally, the Institution prepares yearly reports of those areas, monitors the implementation of the international human rights agreements, and gives opinion on laws regarding human rights and support education institutions in preparing course of human rights.



UNITED KINGDOM / ROYAUME-UNI – BY ENNHRI

Equality and Human Rights Commission (A-Status)

- **Nature, level, date, explanation of the “good practice”:**

Convening stakeholders with widely differing religions and beliefs has proven challenging in the past. The EHRC decided to convene organisations and individuals with opposing views, to enable discussion and seek opportunities to find common ground in this arena. This allows for a broad cross section of views to be aired and for partnership working to take place.

⁴⁹ <https://www.defensordelpueblo.es/cursos-y-jornadas/jornada-hijos-victimas-violencia-genero/>

We started with a three-year (2013-16) strategy on religion or belief issues. The strategy involved drawing on the expertise, beliefs and views from organisations representing particular religions or beliefs, equality groups, trade unions and academics. This enabled us to hear views of many different aspects and were able to ascertain areas of consensus and of disagreement between stakeholders. Through our use of advisory groups, face-to-face meetings and correspondence with stakeholders, backed up by social media, we ensured that our work received a positive reception despite the differences between stakeholders on key issues.

We found that our approach to stakeholder engagement had an immediate positive impact, particularly in the advisory group, leading to the dialogue between stakeholders becoming more reasonable and objective. This represented a significant step forward from the often-acrimonious public debate between different groups on contentious issues. By earning the respect of all parties, the EHRC was thus able to make an important contribution to the quality of the debate.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The outcome of the programme of work was the publication in December 2016 of an evaluation of the current legal framework on religion or belief, Religion or belief – is the law working? and of guidance on key religion or belief topics in the workplace and service delivery. The guidance included a downloadable guide to the law; a step-by-step approach to properly considering a religion or belief request; and a series of frequently asked questions on key topics.

In collaboration with the Arbitration and Conciliation Advisory Service and the Trades Union Congress, the Commission has also prepared online training modules to provide direct advice to line managers and union representatives.

Developed with business, the new guidance and training is designed to help managers navigate their way through issues of religion or belief in the workplace and decide the appropriate steps they should take.

- **Nature, level, date, explanation of the “good practice”:**

The Commission uses the recommendations we secure from the UN to encourage change to law and policy. We chair a cross-government treaty monitoring working group, which includes senior officials from several Government departments. The Commission uses the treaty framework to provide a unique perspective to our advice to the Westminster Parliament about new legislation. The Commission also uses our treaty work to influence the agendas of Parliamentary Select Committees. The Commission also utilise our powers to advise on legislation in its passage through Parliament, stating if we consider it is not compliant with law and general principles of equality and human rights frameworks.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

We have a number of examples of where we have worked with parliamentarians on amendments to draft legislation during its passage through the UK and Scottish Parliaments, but it is often difficult to be sure where we were the key player in these amendments.

Northern Ireland Human Rights Commission (A-status NHRI)

The NI Human Rights Commission produces an annual statement summarising developments relating to human rights which have occurred each year. The Commission provides its own assessment of developments by way of a traffic light system. The statement is presented to the Speaker of the NI Assembly each year and the Commission routinely appears before committees of the NI Assembly to present the report and its key findings.

The Scottish Human Rights Commission (SHRC) (A-status NHRI)

SHRC has just commissioned a Scotland specific piece of audience insight research to better understand public attitudes to human rights in Scotland and determine what messages people need to hear to support and improve those attitudes.

SHRC currently works with Her Majesty's Inspector for Prisons in Scotland to support their Human Rights Based Approach to monitoring of prisons, SHRC has been assisting Her Majesty's Inspectors of Prisons Scotland (HMIPS), since 2015, to undertake inspections to ensure human rights standards are respected. SHRC is currently collaborating with EHRC to support the Scottish Government to take a right based approach to the development of new social security powers.



UKRAINE – BY ENNHRI

Human Rights Commission of Ukraine (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In order to ensure cooperation of the Commissioner with citizens and representatives of CSOs at regional level the Commissioner with support of donor and international organizations (UNDP Project) has created a network of Regional coordinators for public relations composed of local CSOs. The creation of the network of regional coordinators for public relations is caused by the need to respond quickly to the violation of human and citizens' rights and freedoms.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

Due to this initiative regional offices of the Commissioner function in almost all regions of the country. As expressed by CSOs, the existence of this network significantly increased the level of confidence in the monitoring visits which are conducted by the Commissioner's Secretariat.

5.1.4 Accreditation with the Global Alliance of National Human Rights Institutions (GANHRI)



- **Nature, level, date, explanation of the “good practice”:**

The ENNHRI Statute requires all ENNHRI members to be dedicated to complying with the Paris Principles, and ENNHRI provides tailored support to its members to safeguard and further strengthen their compliance with the Paris Principles. In line with the rules of procedure of the GANHRI accreditation committee, ENNHRI provides advice to members undergoing review, and also contributes to the GANHRI accreditation process with a view to make it more transparent, rigorous and consistent for both NHRIs undergoing review and for third parties with an interest in the accreditation process, including CSOs. CSOs can submit information on the Paris Principles compliance of an NHRI that is undergoing review which will be taken into account when the GANHRI committee on accreditation makes its assessment.⁵⁰

- **Intended outcomes and/or envisaged impact, proof of its impact:**

ENNHRI currently gathers 42 NHRIs from across Europe; 27 ENNHRI members are in compliance with the Paris Principles (A-status), 8 are partly compliant (B-status), and 7 ENNHRI members have currently no accreditation status.⁵¹ The Paris Principles compliance of ENNHRI members gradually increases every year. In 2017, for example, the NHRIs from Lithuania and Norway have been added to the GANHRI Chart of A-status NHRIs after review of their compliance with the Paris Principles.



GREECE / GRECE

The Greek National Commission for Human Rights (GNCHR) was first assessed by the Sub-Committee on Accreditation (SCA) of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in 2001 and was granted *A-status*, at a time when only a small group of 12 NHRIs from EU member-States were recognised as fully compliant with the Paris Principles. The GNCHR has since consistently maintained its *A-status*, despite the challenges posed by the financial crisis.

⁵⁰ For details on the submission of information by CSOs, see the GANHRI accreditation webpage [here](#).

⁵¹ See full list of ENNHRI's members here : <http://ennhri.org/List-of-members>

5.2 Conducive political and public environment, compliance in practice with Paris Principles



- **Nature, level, date, explanation of the “good practice”:**

ENNHRI provides tailored support to its members when they face threats, in line with its 2016 Guidelines on Support to NHRIs under Threat.⁵² Such tailored support may result in the adoption of a public ENNHRI statement or a letter in support of the NHRI addressed to state authorities. ENNHRI can also promote action from other relevant stakeholders at national, regional and international level in support of its members under threat. In addition, ENNHRI also undertakes action to prevent situations where NHRIs come under threat and supports members in challenging contexts to perform their mandate in compliance with the Paris Principles. For example, ENNHRI has obtained EU funding to carry out a project (2017-2020) to support NHRIs' roles in situations of conflict and post-conflict.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

ENNHRI has directly informed how relevant state actions could risk breaching the requirements of the Paris Principles, such as in letters to the Ukrainian Parliament and Ministry relating to the nomination process of the Ukrainian Parliamentary Commissioner for Human Rights⁵³ and an open statement underlining the need for financial independence for the Polish NHRI.⁵⁴ In each case, processes were delayed or amended. ENNHRI's support to NHRIs where the environment is not conducive to compliance with the Paris Principles also includes joining with partners, such as a joint statement with Council of Europe, OSCE/ODIHR and OHCHR/Europe.⁵⁵ This resulted in greater awareness of the conditions required for compliance with the Paris Principles (including press coverage) and, as with ENNHRI's 2017 statement on Promoting and Protecting a Sustainable Human Rights Environment in Europe by Strengthening the Democratic Space and the Rule of Law⁵⁶, resulted in increased understanding, solidarity and morale for NHRIs across Europe.

ENNHRI's Project on the Role of NHRIs in Situations of Conflict and Post-Conflict aims at enhancing the effectiveness of NHRIs to promote and protect human, including where the political or public environment is not conducive to compliance with the Paris Principles in the wider Europe. This will include capacity building of NHRIs, and awareness-raising of stakeholders, on the role of NHRIs and the requirements for in compliance with the Paris Principles in practice in such situations.



GREECE / GRECE

The Greek National Commission for Human Rights (GNCHR), with the active support of the UNHCR, established in 2011 the Racist Violence Recording Network (RVRN), as an effective data collection system, taking into account the need for coordination among organisations recording, on their own initiative, incidents of racist violence. The RVRN has 42 members, namely NGOs and CSOs created by groups usually targeted by racist violence and/or offer medical, social and legal services or/and come in direct contact with victims of racist violence or victims of other hate-motivated violent attacks. Taking into account the impact of its work on society, public opinion and the competent authorities, the RVRN was nominated in 2015 for the Emilio F. Mignone International Human Rights Prize.

The GNCHR, in the context of its advisory function, encourages ratification or accession to human rights instruments and advises the Government on the precise nature of the obligations the State would assume

⁵³ <http://ennhri.org/ENNHRI-calls-for-the-respect-of-the-Paris-Principles-in-the-process-of>

⁵⁴ <http://www.ennhri.org/ENNHRI-renews-support-for-Poland-s-Commissioner-for-Human-Rights>

⁵⁵ http://ennhri.all2all.org/IMG/pdf/joint_statement_concerning_polish_commissioner_for_human_rights_final.pdf

⁵⁶ http://ennhri.org/IMG/pdf/ga_statment_30.11.2017-2.pdf

upon ratification. In order to support this work, the GNCHR systematically reviews existing as well as draft legislation to ensure compatibility with human rights norms and has drawn up for this purpose a comprehensive table of all international, regional and European human rights instruments the Greek State has signed and ratified or should sign and ratify.



Human Rights Commission of Ukraine (A-status NHRI)

- **Nature, level, date, explanation of the “good practice”:**

In 2013, with support of the United Nations Development Programme in Ukraine, the first evaluation of the Commissioner’s work by CSOs was completed and presented by the head of the Centre for Civil Liberties (an all-Ukrainian NGO). The evaluation was carried out through surveying representatives of Ukrainian and international NGOs and mass media which had experience with working with the Commissioner.

- **Intended outcomes and/or envisaged impact, proof of its impact:**

The evaluation drew the Commissioner’s attention to the need to build relations with civil society organizations which are not members of the Commissioner’s CSO Advisory and Consultative body. In addition, the mediating role the Commissioner plays between CSO and the state to helping to resolve complex issues in the Ukrainian legal framework was highlighted by CSOs as useful.

- **Follow-up/ evaluation of the good practice:**

A monitoring committee has been established within the Advisory Council of the Commissioner in which context CSOs and trade union representatives evaluate the work of the Commissioner on a continuous basis. The full report of the monitoring committee with recommendations is published on the website of the Commissioner in the “Access to Public Information” section.