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HUMAN RIGHTS DEFENDERS IN SOUTH EAST EUROPE

Round-Table organised by the Office of the Commissioner for Human Rights of the Council of Europe
Sarajevo, 1-2 December 2010

REPORT

I. Introduction

1. The Office of the Commissioner for Human Rights of the Council of Europe (the Commissioner) organised a Round-Table on Human Rights Defenders in South East Europe on 1 and 2 December 2010 in Sarajevo, Bosnia and Herzegovina.
2. The Round-Table brought together representatives of international and regional inter-governmental organisations and international non-governmental organisations (NGOs), as well as national human rights defenders, including members of human rights NGOs, journalists, lawyers and independent experts from Bosnia and Herzegovina, Bulgaria, Croatia, Greece, "the former Yugoslav Republic of Macedonia", Montenegro, Romania, Slovenia, Serbia and Turkey.
3. The event, which was chaired by the Commissioner, provided an opportunity to exchange information on the situation of human rights defenders and their working environment. Specific themes discussed included: challenges to freedom of expression and ways to overcome them; the security of human rights defenders; and avenues to improve the efficiency of protection strategies.
4. The Commissioner would like to express his sincere gratitude to those who were present in Sarajevo.

Opening Remarks

5. The Commissioner underlined that the present Round-Table represented an important occasion for human rights defenders to exchange views with one another and with international protection mechanisms or programmes supporting their work. Two similar events had been organised previously by the Office of the Commissioner: the 2008 Round-Table on the Situation of Human Rights Defenders in the Member States of the Council of Europe held in Strasbourg, and the Round-Table organised in Kyiv in September 2009, which focused on countries of the former Soviet Union, including those of the South Caucasus.
6. The Commissioner recalled the fruitful discussion from the Kyiv Round-Table, on themes including challenges to freedom of association, security of defenders, and the development of a regional strategy to enhance their security.
7. During the 2008 Round-Table, the situation of human rights defenders in South East Europe received particular attention. The countries concerned, some of which have been seen conflicts in the recent past and/or faced the challenges of transition from communism, often share similar patterns in terms of human rights activism. In the European Union (EU) as well as in non-EU member states of the region, human rights defenders working on sensitive issues - such as minority and Roma rights, lesbian, gay, bisexual and transgender persons' (LGBT) rights, accountability for war crimes, transitional justice, migration, combating corruption and gender equality - often face a hostile environment.
8. The Commissioner stressed that the goal of this Round-Table was to assess the challenges faced by human rights defenders in South East Europe and explore ways to overcome them. Another aim of the Round-Table was to reinforce interaction between human rights defenders in the region and to encourage concrete cooperation.
9. The Commissioner emphasised that human rights activism in South East Europe would benefit from a discussion on ways to improve mechanisms for the promotion and the protection of human rights defenders, but also on practices and strategies human rights defenders themselves can adopt to enhance their working environment.
10. The Round-table was structured around two sessions: freedom of expression of human rights defenders and protection of human rights defenders.
11. Despite the fact that the European Court of Human Rights (ECtHR) has found a violation of Article 10 of the European Convention on Human Rights (ECHR) in certain cases involving human rights

defenders¹, freedom of expression of human rights defenders *stricto sensu* (with the exception of journalists who are acting as human rights defenders) is not discussed as extensively in this context as are other rights and freedoms, such as the freedom of association or the right to life. However, it is an essential component of human rights activism, as well as a necessary requirement for defenders to operate effectively. Freedom of opinion and expression are essential for defenders to communicate with the public, raise awareness on important human rights issues and contribute to a positive transformation of perceptions or attitudes.

12. The impact of mechanisms and strategies for the protection of human rights defenders at regional and international levels created by inter-governmental organisations and international non-governmental organisations should be strengthened. The existence of national legal frameworks in compliance with international human rights standards is a basic requirement for the effective protection of human rights defenders and the creation of an enabling environment for their work². The effectiveness of policies, legislation and measures at the national level should be carefully reviewed. Enhanced cooperation and networking between human rights defenders in the region can also have a positive impact as a mechanism of protection. The South Caucasus Network of Human Rights Defenders provides an interesting example in this respect.

II. Freedom of expression of human rights defenders

Background

13. In South East Europe, it has been reported that human rights defenders expressing opinions which are not in line with predominant or “mainstream” views face pressure, threats and attacks. This contributes to creating a hostile environment for the work of defenders, and in particular for those working on sensitive issues such as transitional justice, war crimes, protection of national and sexual minorities, or corruption. It appears that attacks and pressure following statements and articles by human rights defenders have come from both state and non-state actors, such as political or religious leaders, parliamentarians, or from the media. For example, human rights defenders in Turkey are frequently charged on the basis of their statements on human rights issues, in particular when Kurdish and other minorities are concerned. Despite recent amendments, Article 301 of the Turkish Penal Code³ still penalises the expression of opinions that are presumed to be a “denigration of Turkish nation, the Republic or the Grand Assembly”.
14. Attacks and pressure on human rights defenders can sometimes come from the media and journalists. Cases of harassment campaigns, intended to undermine the image and credibility of human rights defenders - and even human rights activism in general - have been reported in South East Europe. For example, some Serbian media have attempted to intimidate human rights defenders, in particular women defenders, through hostile campaigns attacking their integrity, containing incitement to further harassment (e.g., by publishing their personal contact information), and using derogatory rhetoric. Human rights defenders working in favour of a greater accountability for war crimes are often singled out for such harassment campaigns.
15. Human rights defenders (as well as their opponents) very often use new media and social networks to express their positions on human rights issues. In some cases, human rights defenders have been criticised and some have even been made subject to criminal sanctions for their dissenting opinions posted on the Internet.

¹ See for example *Okçuoğlu v. Turkey*, Appl.No. 24246/94, Judgment of 8 July 1999 and *Andresescu v. Romania*, Appl. No. 19452/02, Judgment of 8 June 2010.

² As stated in Article 3 of the [United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#): “Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion, protection and effective realization of those rights and freedoms should be conducted.”

³ Article 301 was amended by the Law n° 5759 of 8 May 2008, in the sense that “Turkishness” was replaced by “Turkish nation” and that the prosecutor now requires permission from the Minister of Justice to launch an investigation under the Article.

16. Finally, it is sometimes hard for human rights defenders to make their voice heard in post-conflict and state-building situations, as they do not fit the official and predominant discourse, which often emphasises ethnic division. Freedom of assembly and freedom of association of human rights defenders – which can be considered as forms of expression - also suffer from unjustified limitations. A recent Human Rights Comment from the Commissioner on freedom of assembly indicates that “the overarching principle is the need for authorities to respect the peaceful and collective expression of opinions by people on a broad range of topics, be they political, religious, cultural, social, or anything else”⁴.
17. The representative of the United Nations Office of the High Commissioner for Human Rights (OHCHR) indicated that freedom of expression is crucial for human rights defenders in order to:
 - obtain information on human rights issues, including violations;
 - inform the public and authorities about them;
 - study, discuss and form opinions on human rights issues;
 - demand accountability and express their criticism of laws, policies and practices.
18. While freedom of opinion is an absolute right, freedom of expression can be subject to limitations, as provided by international human rights standards. Stigmatisation; abuse of libel and defamation laws; restrictive legislation; media overregulation; emergency, security and counter-terrorism laws; internet restrictions; harassment, intimidation and violence, appear to be the main factors which can hamper freedom of expression for human rights defenders. The UN can tackle human rights defenders-related issues through the Universal Periodic Review (UPR), Special Procedures (Rapporteur on the situation of human rights defenders and Rapporteur on the promotion and protection of the right to freedom of opinion and expression), and the work of Treaty Bodies.

The situation in Turkey

19. The participants discussed the situation in Turkey with regard to freedom of expression. It was mentioned that, in 2010, 249 persons were prosecuted for what they said or wrote. Among them were journalists, human rights defenders and other persons.
20. Several legal and structural reforms have been carried out in the country, resulting inter alia in the abolition of the state security courts. However, it was assessed that shortcomings in the judicial system and practice constitute a major problem which is not being discussed sufficiently. Prosecutors and the judicial profession apparently feel that they have to protect the State interests first, rather than freedom of expression.
21. The work of the media is being affected by the practice related to the current legislative framework. Five journalists and editors in chief were imprisoned and had been prosecuted under the anti-terror law. Several newspapers –in particular the Kurdish ones – have been banned for periods from 15 days to one month. These penalties appear disproportionate. The controversial Article 285 (violating the secrecy of investigation), Article 288 (influencing a fair trial) and Article 301 (insulting the Turkish nation) of the Criminal Code are being used to prosecute people, effectively curbing their right to freedom of expression – including in relation to the Ergenekon case⁵.
22. There are several examples of human rights defenders, journalists and writers who have been harassed by the authorities for expressing their opinions. Many of them are members of the Human Rights Association.
23. Another legal basis used to undermine the right to freedom of expression and prosecute human rights defenders is the one protecting the memory of Mustafa Kemal Atatürk⁶.

⁴ See Council of Europe Commissioner on Human Rights' Human Rights Comment "[Freedom to demonstrate is a human right – even when the message is critical](#)", October 2010.

⁵ The alleged Ergenekon criminal network has been accused of preparing a coup against the authorities and of being responsible for several deadly incidents, including against minorities in the country. The investigation and trials in the Ergenekon case are underway.

⁶ Law 5816 About Crimes Against Atatürk.

24. It was expressed that there was even less hope that the case of Hrant Dink's murder would be elucidated, including as regards the eventual political ramifications in this affair. In this case, the very fact that the Turkish-Armenian journalist has been prosecuted under Article 301 of the Turkish Criminal Code might have been seen as an encouragement for non-state actors who harassed and murdered him⁷. Impunity for perpetrators of violations against human rights defenders continues to be a major problem in Turkey.
25. Under the anti-terror law, journalists and human rights defenders cannot make direct interviews with the Kurdistan Workers' Party (PKK) leaders. The more general problem of writing and making statements about the Kurdish conflict including the situation of the civilian population was also raised. However, on the other side, the Turkish government has been expressing its wish to move towards reconciliation.
26. As a positive example, the four young nationalist authors of threatening emails to the Turkish-Armenian newspaper *Agos* have been prosecuted.
27. The participants spoke of attacks in several countries of the region against human rights defenders and journalists for what they write or say.

Role of the media

28. Participants discussed the role of the media which has been instigating and engaging in hostile campaigns against human rights defenders. Self-regulation of the media, for example through councils of ethics, could be a good way to confront unethical and unprofessional behaviour. It would also be positive to see the media apologising in cases of abuse.
29. Participants tackled the difficult issue of balancing the principles of freedom of expression and the need to safeguard against hate speech. The Commissioner assessed that introducing criminal provisions sanctioning hate speech may be dangerous as it could be used to restrict freedom of expression of human rights defenders as well.
30. Diversity in the media is an important vector of ensuring freedom of expression. However, participants assessed that there were many signs of monopoly in this sphere throughout Europe. In Bosnia and Herzegovina, for example, there has been a certain degree of self-censorship within the media, as they tend to follow the mainstream view within their political entity or community. This has had a negative influence on the protection of rights of internally displaced persons, refugees and minority communities.
31. Participants assessed that human rights issues and campaigns were not sufficiently or adequately covered in the media.

Decriminalisation of defamation and libel

32. The Commissioner stated that defamation and libel should not be criminalised.
33. NGOs in Montenegro have pursued strong advocacy efforts in order to decriminalise libel and slander, which are criminal offences at present. NGOs made proposals to amend the legislation to include such matters in the purview of civil law, and to define a maximum amount for fines.

Non-state actors

34. In Serbia, non-State actors countering human rights defenders, including extremist groups and individuals, are attempting to misuse the human rights protection system, in particular ECHR provisions and ECtHR case-law, to support their views and arguments. For example in Slovenia,

⁷ See Judgement of the ECtHR in the case *Dink v. Turkey*, 14 September 2010 (applications no 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09).

opponents to the draft family law promoting equality for same-sex partners have been using the ECtHR case-law in their argumentation. Participants discussed ways to overcome this trend.

35. Participants from several countries mentioned concrete examples of threats and attacks against human rights defenders and journalists dealing with sensitive issues or expressing non-mainstream views, often perpetrated by non-State actors. In many cases, investigation and judicial processes do not yield satisfactory results.

Proposals

36. Defamation and slander have to be de-criminalised. In case civil penalties are applied, the latter should not irremediably affect the concerned media, i.e. through high fines or other measures which can lead to financial ruin of the media outlet and, ultimately, to its disappearance. As reflected in European Court of Human Rights case law, public figures should tolerate a higher degree of criticism⁸.
37. Participants proposed awareness-raising and training of media professionals on ethical codes, professionalism, as well as on human rights and the need to respect diversity (e.g. with regard to minority groups).
38. The Commissioner highlighted the need for careful explanation of rulings of the ECtHR to the public with a view to countering argumentation of state and non-state actors on the interpretation of the European Court's rulings.
39. NGOs should have person(s) tasked with dealing with the media and public relations work, who would be prepared to answer questions by non-state actors and the media. It could also be relevant to train civil society organisations and human rights defenders on how to deal with the media.
40. The Commissioner mentioned that it is essential to promote ethical journalism and to have discussions on this issue in several countries. He referred to the preparation of an [Issue Paper on Ethical journalism and human rights](#), which has been published in March 2011. In this regard, the work of the Council of media ethics in Georgia was mentioned.
41. Participants agreed that NGOs and human rights defenders have to be more active in shaping the agenda of the media and in providing the media with relevant information on human rights issues, including by publicising some illustrative cases attractive for the media.
42. It was assessed that the public is not very literate in terms of information received from the media and that it is worth reflecting upon how to promote a critical view by the public with regard to what the media is conveying.

III. Protection of human rights defenders in South East Europe

Background

43. Various reports refer to cases of serious physical attacks against defenders working on sensitive issues in South East Europe. Women defenders are a particularly vulnerable group in some countries. Such threats can target not only human rights activists but also their relatives.
44. Attacks against human rights defenders can range from threats to physical assaults which can at worst be fatal. Defenders have also been subjected to (unjustified or arbitrary) deprivation of liberty. In several cases, perpetrators of attacks have not been identified or remain unpunished for the crime committed. The threat or attack may come from state agents but also from non-state actors such as criminal organisations, high-ranking religious officials, mafia groups or individuals.

⁸ See for example *Lingens v. Austria* (application no 9815/82), judgement of 8 July 1986.

On a number of occasions, human rights defenders themselves have not been particularly vocal in supporting their attacked or threatened peers.

45. Various reports indicate that security conditions of human rights activists in the region are under threat. For example, human rights activists from the Human Rights Association have been arrested and sometimes prosecuted for their activities related to the human rights situation in Turkey. Several women human rights defenders have been threatened and attacked in Serbia. Cases of threats to human rights defenders working on anti-corruption or the rights of sexual minorities have also been reported in Bosnia and Herzegovina.
46. Effective access to the ECtHR should be guaranteed. Under Article 34 of the Convention, any person, NGO or group of individuals claiming to be the victim of a violation of the rights set forth in the Convention can submit an application to the Court for decision on whether their claims constitute a violation of human rights. Of course, this means that human rights defenders have the right to submit applications to the Court. Moreover, state parties should not hinder in any way the effective exercise of the right to individual application.
47. The representative of the international NGO Front Line considered that democratisation processes in some countries of the Council of Europe area were also accompanied with a certain intolerance to criticism on the side of the authorities and with stigmatisation of human rights defenders in the official discourse. This, as well as the existence of nationalist rhetoric, a sometimes negative role of the media, inter-ethnic tensions or conflicts and attitudes against work on the rights of LGBT persons, were conducive to creating an unfavourable environment for human rights defenders.
48. Front Line recalled that inter-governmental protection mechanisms are only one part of the solution to this situation and rely mainly on diplomacy and raising publicly a problematic situation, sometimes through “naming and shaming”. International NGOs also undertake more practical steps in reinforcing protection strategies for human rights defenders through increasing international visibility, conducting campaigns, security training, and providing material and advice for putting in place security measures. Front Line assessed that it is most important in this context to engage at the national and local levels in order to ensure proper reaction and effective protection (e.g. by establishing networks of human rights defenders, national mechanisms of alert and protection).

The situation in Serbia

49. It was observed that human rights defenders in Serbia do not anticipate threats and attacks against them and therefore do not engage in prevention and self-protection.
50. Solidarity between defenders in the country is functioning quite well in several instances, but there are rivalries between several prominent human rights figures. Solidarity from the international community was assessed as important and useful in order to have more effective advocacy and protection. Threats and attacks against human rights defenders should be reported at the international level.
51. The media is seldom receptive to human rights defenders or inclined to communicate their message. On several occasions, some media actually sided with perpetrators of attacks on human rights defenders, sometimes justifying them.
52. Judicial mechanisms are not providing protection to human rights defenders in Serbia. Investigation into violations against human rights defenders is generally long and cumbersome; evidence is collected over a lengthy period of time and there is hardly any tangible outcome in the end.
53. Non-judicial protection mechanisms – Ombudsman, Commissioner for Free Access to Information and Commissioner for Equality – are considered as being quicker and friendlier to civil society. However, governmental authorities perceive them as part of civil society. These mechanisms are

therefore not fully acknowledged by the government and are reportedly hesitant to be critical towards the authorities. The non-judicial mechanisms do not seem to have the capacity to help human rights defenders at this stage, as they are in a phase of consolidation and often lack resources to perform their work.

54. It appears that démarches by certain embassies have on occasion had a positive impact on the situation of human rights defenders and government policies.

Discussion on protection of human rights defenders in South East Europe

55. Participants made reference to certain challenges with regard to the functioning of EU projects. Procedures are heavy, the pace of implementation is sometimes slow and local partners need to mobilise significant resources in order to implement and satisfy the requirements of EU-supported projects. Indeed, more and more human rights organisations and defenders have to manage large sums of money, including from the EU, necessitating significant administrative and financial capacities. This can distract human rights actors from performing human rights work. Human rights defenders should not become “service providers” at the expense of their human rights work.
56. One human rights defender assessed that there seems to be a decrease in attention to human rights matters – and human rights defenders - after countries join the EU, in comparison to the pre-accession period.
57. In Bulgaria, it was reported that the implementation of EU post-accession requirements could sometimes have a detrimental effect on the protection of human rights, for example when drawing up and implementing legal and other measures to combat organised crime and terrorism. These measures have reportedly been adopted under EU pressure and have resulted in restriction of procedural rights and confiscation of properties. There are fewer and fewer safeguards guaranteeing the respect of human rights and fundamental freedoms. There seems to be a dichotomy between Council of Europe and EU approaches. The imperative of complying with EU requests and directives has been used by national authorities to limit human rights work and put pressure on human rights defenders. The latter are sometimes designated as allies to corruption, organised crime and terrorism. There was, however, a successful example of human rights advocacy which led to the resumption of payment by the government to legal aid institutions.
58. In Romania, the Ombudsman institution developed and is fulfilling its role properly. Further to what was mentioned in the case of Serbia, one participant said that it could sometimes be problematic to appeal to foreign embassies as it could put human rights defenders in a difficult situation, relating them to outside actors. Expressing concerns to - and generally communicating with - inter-governmental organisations is useful for strengthening the position of human rights defenders. Self-protection efforts should be stepped up through solidarity between human rights defenders and collective initiatives.
59. In Bosnia and Herzegovina, the government gathered a committee tasked with producing a draft anti-discrimination law, whereas there was already a draft being prepared by a group of civil society actors. This case led to duplication of efforts and illustrated the shortcomings in the field of consultation and coordination between authorities and civil society. At the time of the Round-Table, there was still no law on legal aid in the country, meaning that many citizens remain unprotected when dealing with law enforcement and judicial instances. It is essential that human rights defenders master national legislation and international human rights law. The level of authorities’ knowledge of international human rights standards was assessed as poor.
60. In Turkey, there is no anti-discrimination law, although the Turkish Criminal Code contains a provision on discrimination – but no definition of discrimination. National human rights structures were not established to date in the country (Ombudsman institution, equality body, independent complaint mechanisms or commission on human rights). There is only a human rights investigation commission in the Parliament. The independence and effectiveness of the judiciary are essential in order to ensure adequate human rights protection. In this context, solidarity between human rights defenders and civil society actors is crucial; networking with human rights

defenders outside Turkey is also important. The case of Baskın Oran was briefly mentioned. He is a member of the Consultative committee on human rights and minorities, and was threatened because of his work and for writing in the Turkish-Armenian newspaper *Agos*.

61. In Serbia, there is not much the Ombudsman can do in cases of attacks against human rights defenders. It was reported that some field offices of international organisations are not playing a helpful and positive role in this regard. NGOs affiliated to the authorities (governmentally-organised NGOs or “GONGOs”) are posing real problems. The legal framework, e.g. on anti-discrimination, is not particularly helpful. A more viable approach is to rely on the solidarity between genuine human rights actors in Serbia and on cooperation with international partners.
62. Regarding the situation in Montenegro, it was assessed that officials are paying lesser fines when they threaten or attack journalists (e.g. the example of physical assault against editor of *Vijesti* by the mayor of Podgorica and his son was given), than journalists who are found guilty of defamation and insult. Another problem is that at the time of the Round-Table the Ministry for Human and Minority Rights had not yet started training civil servants on the new anti-discrimination law that was adopted recently. There was generally positive feedback about the current Ombudsman.
63. The World Organisation Against Torture (OMCT) highlighted that the goal is to improve respect for human rights and enhance the protection of human rights defenders. To this end, a long-term strategy should be built on the following three pillars:
 - improvement of national legislation and policies, including those related to human rights protection (and it appears that there is deterioration of the situation in that regard);
 - effective and independent judiciary;
 - organisation of the public opinion (existence of public watchdogs and raising the level of public initiatives).
64. The OMCT mentioned that the possibilities to shelter human rights defenders at risk have been reduced. It is also important to examine the relation between the human rights situation and business strategies, as sometimes human rights concerns are being silenced for economic benefits.
65. The Commissioner for Human Rights proposed an increased use of awards and prizes to support human rights defenders’ work.
66. It was reported that recently, one member of the governmental coalition from an extreme right party attacked and charged the Bulgarian Helsinki Committee (BHC) for cooperating with and supporting international terrorism. This person applied to the national security services for them to investigate activities of the BHC. As a result, the phones were tapped and the NGO was under close surveillance. This appears to be a negative signal and example for those who just entered or are about to join the EU.
67. The Greek Helsinki Monitor (GHM) reported that it has been attacked several times by extremist parties, and that other parliamentary factions did not condemn these acts. National provisions on hate crimes and hate speech do not seem to be used adequately by states. It was also stressed that in Greece, attacks and harassment against human rights defenders were not being documented. Often, human rights defenders working in the field of migrants’ rights as well as lawyers taking up their cases are being threatened and attacked.
68. In Macedonia, it was reported that provisions against discrimination and hate crimes in legislation are not being implemented to the benefit of human rights defenders. Some participants proposed to have requirements for reporting from member states about adoption and implementation of these relevant pieces of law. There is an initiative to have a regional prize for human rights defenders for South East Europe. The first laureate was Panayote Dimitras from the GHM. Nominations are welcome.

69. Amnesty International assessed that the implementation of EU Guidelines on Human Rights was unequal and patchy. With the reform of the EU external service, each EU delegation would have a human rights contact point to be in charge of following the implementation of the EU Guidelines. It is essential to keep human rights protection and defenders-related issues on the agenda of EU delegations and the external service.

South Caucasus Network of Human rights Defenders

70. The Coordinator of the South Caucasus Network of Human Rights Defenders, which unites 30 organisations (10 from each of the three countries – Armenia, Azerbaijan and Georgia), briefed the participants about its work. The establishment of the Network has received support by the European Union (European Initiative for Democracy and Human Rights – EIDHR).
71. Specific cases of human rights defenders at risk should not be considered in isolation, but rather in relation to a national or regional context and to other cases of human rights defenders who have been experiencing problems. South Caucasus countries were presented by the speaker as being in post-totalitarian and post-armed conflict situations; civil society is an emerging actor and human rights defenders are facing difficulties when they are investigating and exposing human rights violations committed or condoned by the state, engaging in confidence building activities among the parties to the conflicts, or challenging discriminatory social stereotypes and traditions. Human rights defenders can also face a lack of understanding or hostility by the public.
72. The question of impunity for human rights violations recurs throughout the South Caucasus region, and until this is addressed it will be difficult to have progress in preventing further violations and improving human rights protection in practice. Furthermore, it is essential to monitor, assess and improve the national human rights situation and mechanisms. Therefore, the Network is engaged in advocacy and lobbying, as well as capacity-building activities (e.g. trainings on human rights monitoring, lobbying and advocacy, personal and IT security).
73. It is very positive that a number of international organisations and NGOs focus on the protection of human rights defenders and provide support in different ways, which is crucial to empower and protect human rights defenders in need. However, in addition to this, it is especially important to think about what human rights defenders can do to help themselves in difficult situations. This approach helps to strengthen solidarity among them, gives them a stronger voice against potential abusers of their rights, and projects a positive image to the public.
74. One of the benefits of having a regional platform for human rights defenders is that defenders from other countries can speak up with and on behalf of other defenders about challenges faced. Furthermore, basic information, contacts and resources are being shared through the Network, which has the support from inter-governmental organisations and international NGOs. This effort decreased the sense of competition and even rivalry between human rights organisations and defenders.
75. The goals of the Network are to protect human rights defenders at risk and to conduct joint advocacy initiatives to improve the human rights protection system and the working environment of human rights defenders, particularly as far as the rights to freedom of association, freedom of peaceful assembly and freedom of expression are concerned.
76. The Network also provides different types of support to specific human rights defenders at risk: free legal aid for those who face trials for their activities; trial monitoring; providing psycho-social support and medical assistance (for example through direct financial assistance, or free-of-charge assistance provided by those Network members who run psycho-social assistance programmes for different target groups) as well as finding a safe shelter in other countries. The Network uses the EU Guidelines on human rights defenders in its advocacy work to ensure the support of EU diplomats accredited in target countries. Support of diplomats (e.g. through public statements, solidarity visits to the offices of human rights defenders or invitation of human rights defenders to events at the embassies) proves to be crucial for providing a defender with a “safety net” which prevents or makes it more difficult to attack them physically, verbally or through other means. This

support is of special importance in crisis situations - when a human rights defender actually becomes a victim of a defamation campaign, or when there is a need to relocate persons at risk and provide emergency visas or asylum.

77. Before intervening in specific cases, the Network first always consults with the human rights defenders concerned. The Network sometimes refuses to intervene in cases of human rights defenders who do not behave ethically, fail to uphold and respect the principles of equality and universality of human rights, and the “do no harm” principle. The Network members have signed a memorandum of understanding which further lists the rights and obligations of its members and the values which the Network adheres in its decisions.
78. The Network is bringing together different generations of human rights defenders who work on a wide range of human rights - mainly civil and political, but also on the rights of vulnerable and marginalised groups. The Network prioritised the inclusion of sidelined human rights defenders working on sensitive issues. It included two organisations working on the rights of LGBT persons in spite of negative reactions from some members of the Network. Increasing solidarity between human rights defenders (both at the national and regional levels, as well as among human rights defenders working on different issues, e.g. women’s or LGBT rights) is one of the biggest achievements of the Network.
79. Experience shows that it is positive to have an international partner who has experience and contacts in the region, as well as international links and reputation which makes it easier for the Network and its individual members to get access to international inter-governmental and governmental institutions, funding opportunities and pool of experts. It is crucial to rely on and gain credibility in the eyes of local actors.
80. In order to bring human rights issues closer to the agenda of various media, the Network organised a competition for journalists for the best human rights article and this was well-received.
81. The Coordinator of the Network stressed that it is important to reflect on what has been achieved, which recommendations have been made and implemented, which solutions are being found, and not to concentrate on problems only but also on what can be done. It is more effective for human rights defenders to act together in order to improve the level of human rights protection.

Discussion on the establishment of a Network of human rights defenders in South East Europe

82. Participants acknowledged the importance of international and regional networks of human rights defenders and found that it would be useful to draw some criteria regarding who could be part of a regional network of human rights defenders. For example, such a network could include organisations or individuals striving to protect human rights enshrined in the UN Universal Declaration of Human Rights, who may expose themselves to risks because of what they do, and who are themselves adhering to human rights standards and ethics.
83. The Human Rights House Foundation stressed that it is important to first establish national networks, then regional networks, and in the last stage, to request the support of international actors.
84. Representatives of the ODIHR and of the Human Rights House Foundation expressed their willingness to engage more actively in the South East Europe region with civil society and human rights defenders. The ODIHR mentioned that its Focal Point on Human Rights Defenders and National Human Rights Institutions could enhance contacts with human rights defenders in the region.
85. Participants agreed that it would be important to engage in a discussion concerning the possible establishment of a network of human rights defenders in the South East Europe area after this meeting. An exchange of information on concrete cases and issues could be envisaged as a start.