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1. Overview

The period under review included the run-up to the referendum in the United Kingdom (UK) on membership in the European Union (EU) and the ensuing Europe-wide repercussions after a majority voted for leaving the EU or “Brexit”. I share some preliminary thoughts about the human rights aspects surrounding this event in the observations and reflections at the end of this quarterly report. My activities during the quarter focused on a wide array of issues, not only on the now traditional topics of migration and counter-terrorism. I also addressed media freedom, children’s rights, gender equality, the rights of persons with disabilities, the rights of victims of torture and ill treatment, and the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons.

I addressed media freedom in a country report on Poland, as well as in country visits to Turkey and Croatia. In both Poland and Croatia, I expressed concerns about government efforts to influence the independence and pluralism of public service broadcasting. In Poland, but especially in Turkey, I underlined the dangers to media freedom in applying criminal penalties for defamation. In Turkey, I voiced grave concern about the wide use of legislative provisions regarding insulting the president to restrict media freedom. Another focus in Croatia was the need to respond adequately to threats and attacks on journalists, while in Turkey I pointed to the negative impact on media freedom of an overly broad application of laws related to supporting terrorism.

I focused on children’s rights in a country visit to Andorra and gave the keynote speech at the launch of the Council of Europe children’s rights strategy in Sofia. In Andorra, I was impressed by the system of inclusive education, which has successfully incorporated not only migrant children, but also those with disabilities. I urged the adoption of a national children’s rights strategy to improve policy coordination and data collection. In Sofia, I drew attention in particular to the situation of children in the context of the big crises that have unfolded in Europe since the beginning of my mandate – the economic crisis, the Ukraine crisis and the refugee crisis. Children always tend to suffer the most during economic turmoil and budget cuts, armed conflict and forced migration.

Women’s rights and gender equality were an additional area of focus during the visit to Andorra, but also in a country report on Poland. Both countries recently ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and need to continue their efforts to bring this commitment fully to life. In both countries women seeking access to safe and legal abortion are confronted with barriers in law or in practice in violation of their rights as evidenced, for example, by three European Court of Human Rights judgments against Poland on the topic.

In Iceland, I encouraged the authorities to ratify the UN Convention on the rights of persons with disabilities (UNCPRD) and to align legislation and practice on legal capacity with international standards. Moreover, I urged the authorities to reform practice regarding involuntary hospitalisation and the use of coercion in mental health care so as not to discriminate against persons with intellectual and psycho-social disabilities. Importantly, I also intervened before the Parliamentary Assembly to support a call for the withdrawal of plans underway within the Organisation to draw up a binding legal

instrument (in the form of an Additional Protocol to the Oviedo Convention) concerning precisely this topic, stressing in particular its seeming incompatibility with the UNCRPD.

I engaged on LGBTI rights by sending a video message to the IDAHO conference, signing a joint statement with UN experts against the pathologisation of LGBTI persons, and giving the keynote speech at the Transgender Europe conference in Bologna. Transgender persons continue to be the victims of hate speech and hate crimes, and are often still required to undergo sterilisation or divorce for legal recognition of their gender.

I made several interventions regarding torture and ill-treatment, including a statement about allegations of ill-treatment in Azerbaijan and about the conditions of prisoners in Belgium after a prolonged strike of prison staff. I also published a Human Rights Comment on a topic which has not received sufficient attention by the Council of Europe – the rehabilitation of torture victims. The issue is an important one, as allegations of ill treatment are on the rise in various areas of the Council of Europe, but rehabilitation falls outside the mandate of the Committee on the Prevention of Torture (CPT).

The need to uphold human rights while combating terrorism and engaging in surveillance activities was one focus in a country visit to Turkey and the subject of a memo I sent to the UK authorities. While acknowledging the right and duty of the Turkish authorities to combat terrorism, I was struck by the scale of the destruction in the South East of the country, which raised serious issues of proportionality. Moreover, I found problematic the legal basis and practical implementation of curfews, which represent a drastic interference in the rights of tens of thousands of people. In a memo to the UK, I commended the participatory debate on a draft investigatory powers bill and the oversight mechanisms in place, but urged that due regard be taken of recent European Court case-law on surveillance, as well as best practice presented in my issue paper on Democratic and effective oversight of national security services.

Together with the European Network of National Human Rights Institutions (ENNHRI), my Office co-organised a meeting on emergency laws and counter-terrorism. National human rights institutions play a critical watchdog role in the aftermath of terrorist attacks, when there is a temptation to expand the powers of the executive, curtail rights and freedoms and legal safeguards, and stigmatise certain communities. The meeting provided a valuable venue for the exchange of experiences, as well as an indication of topics where further co-operative learning is needed, such as the human rights aspects surrounding the use of drones, foreign terrorist fighters, and de-radicalisation, especially in prisons.

Finally, migration continued to be at the top of my agenda. I made a statement on restrictive changes to Austria's asylum policy, which threatened the right to protection by establishing summary asylum procedures at the border. I examined migration and asylum issues on a visit to Croatia, which had witnessed more than 650,000 migrants transiting through the country in the previous months. The challenge now is to establish an integration framework for the persons who will remain or be transferred to the country. Finally, I published an issue paper on migrant integration, focusing on family reunification, permanent residence, language and integration courses, access to the labour market and anti-discrimination policies.

2. Missions and Visits

Visit to Turkey

The Commissioner carried out a visit to Turkey from 6 to 14 April, travelling to Istanbul, Diyarbakir and Ankara. The visit focused in particular on the fight against terrorism and human rights, with a particular attention to the situation in the South East, freedom of expression and media freedom, and the administration of justice.

In the course of his visit, the Commissioner held discussions with representatives of the national authorities, including the Minister of the Interior, Mr Efkan Ala; the Minister of Justice, Mr Bekir Bozdağ; the President of the Constitutional Court, Professor Zühtü Arslan; Turkey's Chief Ombudsman, Mr Nihat Ömeroğlu; the Chair of the Commission of Human Rights of the Turkish Grand National Assembly, Mr Mustafa Yeneroğlu; the Chair of the Turkish Human Rights Institution, Mr Hikmet Tülen; and members of the High Council of Judges and Prosecutors. In Diyarbakir, the Commissioner met the Governor, Mr Hüseyin Aksoy, and several prosecutors. He also visited the site of the assassination of the President of the Diyarbakir Bar Association, Mr Tahir Elçi, and presented his condolences to his widow. The Commissioner also held discussions with civil society organisations, including various professional associations and non-governmental organisations active in the field of protecting human rights, as well as several journalists, academics and lawyers.

At the end of his visit, the Commissioner issued a press release and held a press conference in Ankara, expressing his concerns about the deterioration of the human rights situation in the context of Turkey's fight against terrorism. While affirming the right and duty of Turkey to fight terrorism, the Commissioner raised serious doubts about the legality of the round-the-clock curfews imposed in South-Eastern Turkey, as well as the proportionality of the operations conducted there. Referring to numerous allegations of human rights violations committed by security forces, the Commissioner stressed the duty of the authorities to conduct effective investigations, while expressing concern about further allegations of serious shortcomings in these investigations. The Commissioner also addressed the issue of compensation, expressing his concerns about emergency expropriations planned by the government.

The Commissioner also pointed to long-standing problems relating to freedom of expression, and notably the recourse to an overly wide interpretation of what constitute terrorism-related offences. He noted that the number of cases affected by this approach had increased considerably, referring notably to the disciplinary and criminal proceedings initiated against the Academics for Peace. He also expressed concern about the substantial increase in proceedings for insults against the President of the Republic, blocked websites and Twitter takedown requests. He also raised the case of Can Dündar and his trial on charges of espionage, as well as the takeover of newspapers and TV stations by trustees, as examples of threats to and harm inflicted on media freedom and pluralism. The Commissioner considered that many of these developments had been linked to the intolerance of the executive and the judiciary for legitimate criticism, which had had a distinct chilling effect in the country.

The Commissioner also voiced his concerns about the “criminal judges of peace”, who were responsible for many problematic decisions, as well as a possible weakening of the independence of the judiciary in the name of the fight against terrorism.

Finally, the Commissioner stressed the crucial role that human rights defenders and lawyers must play in such a difficult context, whilst deploring the stigmatising rhetoric and judicial pressure against them.

Visit to Croatia

The Commissioner visited Croatia from 25 to 29 April, focusing on certain major issues concerning transitional justice and social cohesion, the human rights of immigrants, refugees and asylum seekers, and freedom of the media.

During his visit, the Commissioner held discussions with national authorities, including the Deputy Prime Minister, Mr Božo Petrov; the Minister of Foreign and European Affairs, Mr Miro Kovač; the Minister of Justice, Mr Ante Šprlje; the Minister of Culture, Mr Zlatko Hasanbegović; the Deputy Minister of the Interior, Mr Davor Blažević; the Deputy Minister of Social Affairs and Youth, Mr Ante Babić; the State Attorney General, Mr Dinko Cvitan; the Assistant Minister for Public Administration, Mr Boris Milošević; and the Deputy Head of the Government’s Office for Human Rights and Rights of National Minorities, Ms Bahrija Sejfić. In addition, Commissioner Muižnieks met with the Ombudsman, Ms Lora Vidović, and the President of the State Council for National Minorities, Mr Aleksandar Tolnauer. He also had meetings with representatives of the Jewish and Serb communities.

Meetings were also held with civil society organisations active in the field of human rights, representatives of the media sector and of the international community. In addition, the Commissioner visited the Porin reception centre for asylum seekers in Zagreb, and the Ježevo detention centre for foreign nationals. He also delivered a lecture at the Faculty of Law of Zagreb University focusing on the human rights of migrants, and discussed issues of common interest with the Dean, Ms Dubravka Hrabar and the Vice Dean, Mr Davor Derenčinović.

The Commissioner was concerned by a number of developments threatening social cohesion and pluralism in Croatia, including cuts in public funding for NGOs and national minorities, as well as for non-profit media and independent cultural initiatives. He noted with concern serious divisions along ideological lines in political life and society at large. The Commissioner urged the authorities to initiate and engage in an open dialogue with all stakeholders in order to protect pluralism and avoid further polarisation in society.

The Commissioner was seriously concerned about the reported rise in ethnic intolerance, hate speech and other forms of hate crime targeting members of national minorities, in particular ethnic Serbs, members of the Jewish community and Roma. He noted that Croatia had a legislative and institutional framework for the protection of national minorities which may serve as a model, however he was concerned by some recent setbacks, including an 11% cut in public funds for national minority civil society. The Commissioner underlined that political leaders need to send an unequivocal message against violence, discrimination and intolerance, in particular against members of national minorities and journalists.

The Commissioner underlined the need for Croatia to address effectively a number of pending issues related to the 1990's wars, including the elimination of impunity for serious violations of human rights and of international humanitarian law; the provision of effective and adequate reparations to all war victims; establishing the truth about missing persons; and creating the necessary living and societal conditions for the sustainable return of refugees. Noting that more than 2 800 persons, most of them Roma, remain stateless or at risk of statelessness, the Commissioner urged Croatia to resolve this issue as a matter of priority.

Regarding the human rights of immigrants, asylum seekers and refugees, the Commissioner urged the authorities to develop comprehensive, long-term policies to integrate migrants into society, in particular in view of the forthcoming implementation by Croatia of its commitments under the EU refugee relocation scheme. While noting as a positive development the inclusion of alternatives to detention in the pending draft Aliens Law, the Commissioner was concerned that the authorities continue to request that migrant detainees subject to deportation pay for their accommodation and removal and that the pertinent legal provisions have been retained in the draft Aliens Law. He was also concerned about the authorities' intention to criminalise humanitarian assistance to irregular migrants, and called on the authorities to refrain from this policy.

As regards media freedom, the Commissioner was seriously concerned about the inadequate response by the authorities to the reported cases of physical attacks, death threats and intimidation against journalists. Of particular concern to the Commissioner are a number of abrupt changes in management and editorial positions in the public service media, including the government's proposal to terminate the mandate of the head of the Agency for Electronic Media and to dismiss its members. He urged the authorities to ensure that pluralism of the public media service and the independence of the broadcast regulator, key elements for media pluralism and freedom of the media, are preserved and effectively protected.

The Commissioner's report on this visit is forthcoming.

Visit to Andorra

The Commissioner visited Andorra from 10 to 11 May. The main subjects of the visit were the legal and institutional framework for the protection and promotion of human rights, women's rights and children's rights.

During his visit, the Commissioner met with the Prime Minister of Andorra, Mr Antoni Martí Petit; the Minister of Foreign Affairs, Mr Gilbert Saboya Sunyé; the Minister of Social Affairs, Justice and Interior, Mr Xavier Espot Zamora; and the Minister of Education and Higher Education, Mr Eric Jover Comas. He also met with the Ombudsman, Mr Josep Rodriguez Gutiérrez; members of the Andorran delegation to the Parliamentary Assembly of the Council of Europe; and representatives of civil society organisations. The Commissioner visited a police station, a school (in which he gave a presentation of his work to a group of children), a kindergarten, an institution for children deprived of parental care and a safe house for women victims of violence. At the end of his visit, the Commissioner gave a lecture to an audience of judges, prosecutors, police officers and social workers.

The Commissioner welcomed progress achieved in recent years to advance children's rights, notably the accession to several key international treaties and the complete ban on corporal punishments against children in all settings. He also praised the advanced system of inclusive education which makes it possible for all children to learn together. In order to sustain progress, he called on the authorities to design and implement a national strategy for the protection of children's rights. Based on reliable and updated information on the situation of children in different areas, the strategy should aim at improving the coordination of services provided and awareness of children's rights in society at large.

As regards women's rights, the Commissioner urged the authorities to adopt a comprehensive anti-discrimination law, providing effective protection against discrimination based on a wide range of grounds, including gender. He also called on the authorities to engage with the private sector, in particular the banking sector, to find ways of remedying reported inequalities and discrimination in this sector. The Commissioner furthermore welcomed the adoption of a comprehensive law on violence against women and expressed the hope that the new inter-ministerial commission tasked with the implementation of this law will help improve the coordination of measures in this field. Noting that Andorra has one of the most restrictive legal frameworks on abortion in Europe, the Commissioner expressed the hope that future debates about abortion would lead to its decriminalisation, at least in certain cases.

Lastly, he invited the authorities to continue to strengthen the institutional framework for the protection of human rights by setting up a national preventive mechanism against torture and an independent institution in charge of equality and non-discrimination.

Visit to Iceland

The Commissioner visited Iceland from 8 to 10 June. The main focus of the visit was on the human rights of persons with disabilities and the human rights protection system. In the course of the visit the Commissioner held discussions with the Icelandic authorities, including President Ólafur Ragnar Grímsson; Foreign Minister Lilja Alfreðsdóttir; Minister of Welfare Eygló Harðardóttir; Parliamentary Ombudsman Tryggvi Gunnarsson; officials of the Ministry of the Interior; and members of Iceland's delegation to the Parliamentary Assembly of the Council of Europe. He also held meetings with civil society representatives. The Commissioner urged the authorities to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD) and align Iceland's legislation and practice with international standards and the case-law of the European Court of Human Rights. In this area, the priority should be to abolish full deprivation of legal capacity and plenary guardianship of persons with disabilities, including persons with psycho-social and intellectual disabilities.

In relation to the institutional framework for the protection of human rights, the Commissioner's recommendations included: the establishment of an internationally accredited national human rights institution; adopting comprehensive equal treatment legislation and creating adequate institutional mechanisms to promote its implementation; ratifying the Optional Protocol to the UN Convention Against Torture and establishing an adequately resourced National Preventive Mechanism; and adopting a comprehensive national human rights action plan that would serve as an umbrella framework to implement human rights and anti-discrimination policies. The Commissioner commended the long-standing practice of the Icelandic authorities of

receiving refugees through UNHCR's resettlement programme, and emphasised integration policies that focus on the need to uphold the right to family reunification, and take into account effective equality measures to facilitate migrant integration.

The refugee and migrant crisis, the situation in Ukraine and the Commissioner's work with regard to the protection of human rights defenders and journalists in Europe were the main highlights of his lecture at the Nordic House in Reykjavik organised by the Ministry for Foreign Affairs, in co-operation with the University of Iceland Human Rights Institute.

3. Reports and continuous dialogue

Statement on the ban of Mejlis in Crimea

On 26 April, following the court decision in Crimea to declare Mejlis an extremist organisation and to ban its activities, the Commissioner expressed his concern by issuing a statement via his website and on social media (Facebook and Twitter). Having regard to the importance of the Mejlis as a traditional and social structure of the Crimean Tatar people, the Commissioner emphasised that equating it with extremism paved the way for stigmatisation and discrimination of that community as a whole.

The Commissioner also highlighted concerns that a very wide range of persons associated with Mejlis structures at the local level could be exposed to criminal prosecution as a result of that decision and strongly urged its reversal in the interests of human rights protection and social cohesion on the peninsula.

Statement on Austrian asylum law

On 22 April, the Commissioner gave an interview to the Austrian public radio ÖRF in which he commented on the reform of the asylum law which was under discussion in the parliament. He underscored that the amendments proposed by the Austrian government would leave Austrian law at variance with international standards and called on the parliament not to adopt them.

The Commissioner stressed that this reform would fundamentally change the asylum system in Austria by giving the government the power to disregard international refugee law, including the case-law of the European Court of Human Rights, and EU legal provisions on asylum, in particular as regards push-backs. He further noted that it would also give the police a strong control on asylum matters, a step which goes backwards, years after the transfer of asylum issues from the police to more specialised bodies. In addition, he regretted the link established in the reform between the influx of refugees and the need to protect public order and internal security, which sends a negative message to the public because it portrays migrants and refugees as a threat.

The Commissioner acknowledged that Austria has been relatively generous compared to other European countries in the context of the Syrian refugee crisis. However, he stressed that the fact that other countries have received very low numbers of refugees cannot be an excuse for Austria not to respect its international obligations.

Memorandum on surveillance and oversight mechanisms in the United Kingdom

As part of the follow-up to the Commissioner's visit to the UK in January, a Memorandum on surveillance and oversight mechanisms in the UK was published on 17 May. The Commissioner commended the UK government for its attempt to overhaul the investigatory powers framework by providing a world-leading Investigatory Powers Bill. The Bill is currently the subject of thorough parliamentary scrutiny. Such parliamentary scrutiny provided a welcome example to other Council of Europe member states.

Whilst commending a number of positive developments, such as the creation of a single unified Investigatory Powers Commissioner with responsibility for surveillance oversight, Commissioner Muižnieks expressed his concern about certain issues such as the compatibility of the bulk interception and equipment interference powers proposed in the above Bill with the European Convention on Human Rights. He also stressed that greater protection needed to be provided in the Bill for legal professional privilege and for communications of politicians and journalists. In addition, the Commissioner highlighted the need for oversight bodies and systems to be periodically evaluated to assess whether or not they possessed the necessary attributes to be effective.

The Memorandum also covered the 'Prevent' anti-radicalisation programme. The UK authorities were called on to involve Muslim communities further in community dialogue and the development of such programmes, as well as to promote tolerance and social cohesion by enhancing inter-religious and cross-cultural dialogue.

The Memorandum is available on the Commissioner's website along with the UK authorities' reply.

Statement on Azerbaijani human rights defenders

In a statement published on his Facebook page on 18 May, the Commissioner expressed concern about allegations of ill-treatment of two youth activists, Bayram Mammadov and Giyas Ibrahimov while in police custody in Baku, Azerbaijan. He noted that the men were detained on 10 May on charges of drug possession which lacked credibility, after painting graffiti on a monument of the former president of Azerbaijan and posting pictures of it on social media. The Commissioner urged the authorities to ensure that a full and effective investigation is promptly carried out into these allegations.

Report on Poland

On 15 June, the Commissioner published a report following his visit to Poland from 9 to 12 February. The report focused on the legal and institutional framework for the protection and promotion of human rights, administration of justice, media freedom, and women's rights and gender equality.

The Commissioner finds that while Poland possesses a solid legal and institutional framework for protecting and promoting human rights, including as a result of the ratification of a significant number of human rights treaties, recent far-reaching legal changes have raised important concerns both in the field of human rights and as regards the country's full adherence to the rule of law and democratic principles, on which the protection of human rights ultimately depends. A worrying common feature of the new

changes is their hasty adoption and the lack of an inclusive debate that is required in a democratic society.

The Commissioner was particularly concerned at the paralysis of the Constitutional Tribunal which prevented it from playing its crucial role in upholding the human rights of all Polish citizens. He called on the Polish authorities to urgently find a solution, following the relevant Opinion of the Venice Commission and based on the respect and full implementation of the judgments of the Tribunal. The Commissioner also called on the Polish authorities to guarantee the Ombudsman's full independence by ensuring that it can rely on stable and sufficient funding to carry out its mandates effectively, and by safeguarding the fairness, transparency and impartiality of the procedure for lifting the Ombudsman's immunity in the context of criminal proceedings.

The new legislation on surveillance activities raised serious concerns of incompatibility with international human rights law as it expands the powers of relevant agencies without establishing the corresponding safeguards to avoid abuse. The Polish authorities should therefore review it and establish a democratic, independent and efficient system of control of surveillance activities.

As regards administration of justice, the Commissioner welcomed the efforts made in Poland to address the excessive length of judicial proceedings, and the steady decrease in the use and duration of pre-trial detention and called on the authorities to solve remaining problems concerning length of proceedings notably by fully executing the recent pilot judgment of the Court on this matter. He expressed concerns at recent amendments which allow for the use of pre-trial detention solely on the ground of the severity of the penalty faced and new provisions on the use of illegally obtained evidence which may jeopardise the right to a fair trial.

The Commissioner was also concerned at the recent merge of the positions of Minister of Justice and Prosecutor General, combined with the attribution of new, extensive powers to this figure without the establishment of sufficient corresponding safeguards to avoid abuse of powers. He recommended that the Polish authorities review the new legislation on prosecution services in light of European standards and best practice in order to secure the autonomy and independence of the prosecution services from political and other interference.

While political influence on public service media was an issue pre-existing the current reforms, the Commissioner expressed concern at recent sweeping changes to the governance system of public television and radio broadcasters through the so-called "Small Media Law". He emphasised that putting public television and radio under the direct control of the government clearly ran contrary to Council of Europe standards on media freedom. Referring to a more comprehensive regulation of public service media (the "Big Media Law") which is currently ongoing, the Commissioner urged thorough consultation with national and international partners and the introduction of safeguards to guarantee the independence of public service media from political influence. The Commissioner also encouraged full decriminalisation of defamation and recalled the importance of ensuring the protection of journalistic sources for media freedom.

Regarding women's rights and gender equality, the Commissioner urged the Polish authorities to take long-term measures to fight against gender stereotypes which are detrimental to women and reinforce governmental structures working for gender equality.

The range of measures taken by the Polish authorities to combat domestic violence, including the welcome ratification of the Istanbul Convention, should be strengthened through sustained action to address: gender bias on the part of medical staff, police, prosecutors and judges in contact with women victims; shortcomings in the system of restraining orders and in the procedure of “Blue Cards” aiming at preventing further domestic violence from occurring; insufficient specialisation of public shelters; and inadequate funding of NGO-run shelters for women victims of violence.

Addressing women’s sexual and reproductive health and rights, the Commissioner called for mandatory sexuality education that is age-appropriate, evidence-based, and non-judgmental to be taught in all schools and recommended taking measures to remove barriers in access to contraception for all women in Poland. Access to safe and legal abortion as provided by law should be fully implemented in practice. The Commissioner encouraged the Polish authorities to further decriminalise abortion within reasonable gestational limits and, in view of proposals to introduce a total ban on abortion, stressed that such a ban would constitute serious backsliding on women’s rights. He therefore strongly urged the Polish authorities to keep lawful, at a minimum, abortions performed to preserve the physical and mental health of women, or in cases of fatal foetal abnormality, rape or incest.

To mark the publication of this report, the Commissioner presented it at a press conference organised in Warsaw at the Foksal Press Centre, after meeting with the Deputy Minister of Foreign Affairs, Mr Aleksander Sępkowski, to present the report to him.

The report is available on the Commissioner’s website, along with the authorities’ comments.

Statement on ban of Istanbul Pride March in Turkey

In a statement published on his Facebook page on 20 June, the Commissioner regretted the banning by the Governor of Istanbul of the Pride March, which was due to take place there on 26 June. The ban, which was issued in spite of the Commissioner’s request made to the Governor to allow and facilitate the event, was the second in a row in Istanbul after 2015, when disproportionate force against participants was also used, and followed bans on similar events in Ankara and Izmir this year. The Commissioner recalls that lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are entitled to freedoms of expression and assembly like everyone else and that the Turkish authorities have a positive obligation to guarantee both these freedoms and public security, including providing effective protection when there are fears for the security of the demonstrators. He therefore urged the authorities to reverse the decision to ban the Istanbul Pride March, to facilitate it and to protect its participants.

4. Themes

Human rights of immigrants, refugees and asylum seekers

Following up to his observations and reflections contained in his 3rd quarterly report of 2015, on 31 May the Commissioner published an issue paper entitled *Time for Europe to get migrant integration right*. While launching the issue paper the Commissioner noted that in the wake of the arrival of over one million people seeking protection in recent months, European countries share the common, pressing need to get integration right. He added that after being consumed by short-term imperatives, such as reception and the processing of asylum claims, European governments have to focus now on the long-term goal of promoting the successful integration of migrants.

The paper aims to spark the debate noting that “getting integration right” means much more ambitious integration policies that are well justified to migrants and the public, proportionate to help all types of people, and proven to be effective for improving everyone’s well-being and shared sense of belonging. It provides guidance to governments and parliaments to design and implement successful integration policies. In particular, it highlights the Council of Europe and European Union standards which govern this field and sets forth a number of concrete recommendations to ease migrant integration, with a focus on: family reunification; residence rights; language and integration courses; access to the labour market and quality education; effective protection from discrimination; and political participation.

Among the most important measures highlighted in the paper is the need to uphold the right to family reunification, which is a recognised human right that should be guaranteed by all European host states. Another measure proposed is to grant long-term residence to foreign citizens who have legally resided in a given European country for at least five years. The Commissioner recommended that states facilitate long-term residence as a key starting point for full integration and remove any disproportionate obstacles to obtaining this status and equal rights associated with it.

In addition, the Commissioner called on European states to offer free language and integration courses to facilitate migrant integration. He also recommended easing rules to allow migrants access to the labour market and ensuring quality education for migrant children, robust anti-discrimination laws and the effective participation of migrants in political and civic life, including by granting them the right to vote at local and regional levels.

The issue paper is available on the Commissioner’s website.

Human rights of children

On 5 April, the Commissioner gave a keynote address at the conference launching the Council of Europe strategy for the rights of the child *Reaching the Heights for the Rights of the Child* in Sofia, organised in the framework of the Bulgarian Chairmanship of the Committee of Ministers of the Council of Europe. The Commissioner highlighted the impact on children’s rights of some of the ongoing crises facing Europe. He first addressed several challenges faced by children in the context of the current refugee movements, stressing in particular the need for member states to provide more effective

protection to children on the move and to stop detaining migrant children. He also insisted on the need to develop effective integration policies. While there was a continuing need to end school segregation of entire groups of children, in particular children of Roma origin and children with disabilities, the development of truly inclusive education systems is even more urgent now that many refugee children are going to enter education systems. The Commissioner furthermore raised concerns over the persisting high rates of institutionalisation of children in several member states, on grounds of a disability, lack of parental care, socio-economic background and even ethnic origin in some cases. He also recalled some of his findings regarding the impact of the economic crisis and austerity measures on children's rights, notably increased child poverty rates. Lastly, he stressed that more attention should be paid to the situation of children in the context of the conflict in Eastern Ukraine, where many children have been killed or wounded and where 215 000 children have been displaced. The Commissioner reiterated his commitment to working on children's rights and encouraged all member states to support the full implementation of the new Council of Europe strategy.

Human rights of LGBTI people

On 10 May, the Commissioner addressed a video message to a side-event held on the margins of the 4th European IDAHO Forum in Copenhagen. The Commissioner presented his observations from country visits and stressed the need for stronger political leadership and well-targeted advocacy to build alliances among policy makers, legislators, media and NGOs in order to achieve greater social acceptance of LGBTI rights.

On 12 May, the Commissioner joined the statement by the UN Committee on the Rights of the Child, a group of UN human rights experts, the Inter-American Commission on Human Rights, and the African Commission on Human and Peoples' Rights, against pathologisation of LGBT adults and children. The statement criticised policies and practices to define persons as ill based on their sexual orientation, gender identity or gender expression. Published ahead of the International Day Against Homophobia, Transphobia and Biphobia on 17 May, the statement condemned abusive, harmful and unethical treatments of LGBT people on the basis of pathologising classifications and called for legal and policy reforms to remove discriminatory laws and protect LGBT persons from violence and discrimination.

On 3 June, the Commissioner delivered the keynote speech at the 6th European Transgender Council in Bologna, in which he called on European societies to recognise the full diversity of gender identities among their members, and observed that real progress was being made in fulfilling trans people's human right to determine and express their individual gender identity and be fully included in their societies. At the same time, he noted that abusive conditions for legal gender recognition, discrimination and hate crime remained a reality for many trans people in Europe. The Commissioner urged European governments to enact legislative changes so that gender identity and expression are explicitly protected grounds against discrimination in comprehensive equal treatment legislation, and called for specific responses to hate crimes and effective sanctions against bias-motivated crime and discrimination against trans people. In addition, he recalled that governments had a responsibility to raise awareness of gender diversity and the respect for all persons' gender identity in order to address the root causes of intolerance and violence against trans people.

Human Rights of Roma and Travellers

On 29 June, the Commissioner and the Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), Mr Michael Georg Link, jointly published an opinion editorial on Roma evictions in Open Democracy. Concerned that many Roma were still subject to frequent forced evictions and housing segregation, the two officials recalled that international standards provide that a state's right to evict must be counterbalanced by its duty to provide adequate alternative housing, respect people's dignity and ensure that those being evicted have an effective chance to seek judicial redress. They called on states to break the cycle of discrimination against Roma and start treating them as equal European citizens by facilitating Roma access to housing, which is a precondition for the enjoyment of many other human rights, in particular the right to education. In order to do this, three steps are key: seriously implementing international human rights standards and case-law; using available resources, including EU funds, to promote adequate and long-term housing, in close co-operation with Roma themselves, and avoid wasting money on initiatives that lead to human rights violations, such as the development of segregated housing; and acting more responsibly when dealing with Roma issues, including refraining from using Roma as scapegoats for electoral purposes, and from spreading stereotypes.

Human rights of persons with disabilities

On 22 April, the Commissioner addressed the Parliamentary Assembly of the Council of Europe during a debate concerning a report on "the case against a Council of Europe legal instrument on involuntary measures in psychiatry" and the corresponding Recommendation. In his statement, the Commissioner shared his concerns about the drawing up by the Council of Europe Committee on Bioethics (DH-BIO) of an Additional Protocol to the Oviedo Convention concerning "the protection of human rights and dignity of persons with mental disorders with regard to involuntary placement and involuntary treatment", and stated his agreement with the conclusions of the Rapporteur, Ms Guguli Magradze. Based on the comments he submitted during a public consultation organised by DH-BIO, the Commissioner stated that he considered that the Additional Protocol, however well-intentioned, was unlikely to fulfil the aim of reducing human rights violations in psychiatry by emphasising legal safeguards, since in the Commissioner's experience violations continued to occur despite such safeguards. Furthermore, there was a real risk of incompatibility with the UN Convention on the Rights of Persons with Disabilities, as also confirmed by all UN bodies commenting on the draft Additional Protocol, which would be detrimental both for the UN and Council of Europe systems. He therefore urged the members of the Parliamentary Assembly to vote in favour of a draft Recommendation asking the Committee of Ministers to instruct DH-BIO to withdraw the proposal to draw up such an additional protocol. The Recommendation was subsequently adopted.

Counter terrorism and human rights protection

On 20 May, the Commissioner's Office and the European Network of National Human Rights Institutions (ENNHRI) organised a brainstorming meeting in Paris on the role of National Human Rights Institutions (NHRIs) in the context of state action against terrorism. Across Europe, States' efforts to counter terrorist threats have raised grave challenges to human rights protection and the rule of law. While in principle counter-

terrorism measures can be both effective and human rights compliant, in practice they have frequently encroached on a number of human rights. In light of this, National Human Rights Institutions, which have the role of protecting and promoting human rights, should give due regard to the human rights issues arising in the context of state action against terrorism and build mechanisms and strategies for addressing those issues. The main objective of the meeting, attended by nine NHRI representatives, was to exchange and generate ideas with a view to developing a deeper understanding of the role of NHRIs in that field. The participants also discussed next steps and co-operation opportunities to assist NHRIs in building effective tools and strategies for human rights protection at national and regional level.

Rehabilitation of Victims of Torture

On 7 June, the Commissioner published a Human Rights Comment entitled “Torture Survivors Have the Right to Redress and Rehabilitation”. The Commissioner underlined the importance of the rehabilitation process for all survivors of torture, the effects of which could extend throughout a victim’s life-time and have corrosive effects upon entire societies. He stressed the need to adopt a holistic approach in the provision of rehabilitation, which should include not only medical and psychological care but also social, legal, educational and other measures, including family support, taking into account the specific needs of individual victims and the context in which torture occurred.

The Human Rights Comment contains examples gleaned from the Commissioner’s country-work, including: gaps in the provision of rehabilitation to persons subjected to torture in the context of the armed conflict in Eastern Ukraine; the need to provide specific rehabilitation services to asylum-seekers and refugees fleeing countries where they had been subjected to torture or other forms of ill-treatment; and the need to provide medical rehabilitation and psychosocial assistance to victims of sexual violence. The Commissioner also emphasised the obligation of states to make available long-term rehabilitation programmes to survivors of torture without discrimination and with full respect for their right to confidentiality, either by directly providing those services or by supporting non-governmental actors in that field. States are urged to ratify all the relevant international instruments and to ensure that the domestic legislation is in full compliance with international standards. In parallel with the provision of holistic rehabilitation services, anti-torture measures of a preventive nature must be taken, including a message of zero-tolerance for torture and ill-treatment, awareness-raising and professional training for public officials, and a firm commitment to combating impunity.

Youth unemployment

In an opinion editorial published in EurActiv on 13 May, the Commissioner called on European countries to pay closer attention to youth unemployment. He argued in particular that governments and parliaments should use human rights standards as a tool to design, implement and monitor youth policies.

Human rights and business

On 4 April, the Commissioner published a Human Rights Comment entitled “Business enterprises begin to recognise their human rights responsibilities”. The Commissioner stressed that the effects of business practices on human rights have become a central

issue for human rights protection. While states remain the ultimate duty-bearers for the protection of human rights, there is now wide recognition that business should also respect human rights.

The Human Rights Comment looks at the United Nations framework including the 2011 Guiding Principles on Business and Human Rights, as well as the European standards, notably the Recommendation on human rights and business adopted by the Council of Europe Committee of Ministers on 2 March 2016. Eighteen European countries have already adopted or are on the way to adopting national action plans (NAPs) on business and human rights. The Commissioner recalled that these NAPs belong to systematic human rights work at the national level which he has often encouraged during his country visits. He stressed the need to provide additional protection to groups such as workers, children, indigenous people and human rights defenders. Lastly, while noting that it is encouraging that businesses themselves are becoming more aware of the impact of their activities on human rights, the Commissioner underlined that in addition to simply avoiding harmful effects, it would be useful to highlight the potential of business enterprises to provide human rights in their operations, for example in the field of non-discrimination.

5. Other meetings

Council of Europe Conference of International NGOs

On 6 June, the Commissioner participated in the event entitled “Only a matter for politicians? Civil society, money and political activities” organised by the Conference of INGOs in Strasbourg. The Commissioner led the session dedicated to freedom of association. He recalled that support for and the protection of human rights NGOs and defenders are at the core of his mandate. He further explained the multifaceted interactions and activities he undertakes in that regard: regularly meeting human rights defenders and civil society representatives; intervening on individual cases of those facing difficulties; and assessing policies, laws and practices affecting their work environment.

Civil society actors, including human rights defenders, are crucial to human rights, democracy and the rule of law. If they are not able to operate, then those values and standards are under threat. These actors perform essential tasks in making the human rights system function and are sometimes the only recourse for victims of violations and vulnerable categories of persons. The Commissioner highlighted that a safe and enabling environment for civil society actors is one that is free from threats and restrictions. A major obstacle that is systematically reported relates to the absence of effective investigations into violations by state and non-state actors against human rights defenders who are targeted because of their work.

Laws, policies and practices should comply with the European Convention, especially as regards the freedoms of association, assembly and expression. Unfortunately, in some countries, growing restrictions have resulted in the deterioration of the situation of civil society human rights actors. An enabling environment is not only defined by the absence of restrictions and threats; it also implies that human rights defenders and NGOs are able to participate meaningfully in consultation and decision-making processes in order

to fulfil their role of watchdogs in democratic societies. The Commissioner also noted that the period of austerity made it particularly difficult for civil society organisations to find sustainable and long-term funding, which can severely curtail their activities.

The event of the Conference of INGOs was attended by representatives of state authorities, civil society and international intergovernmental and non-governmental organisations. It aimed at assessing the situation of civil society actors and discussing solutions to overcome the obstacles that were identified, including at the level of the Council of Europe. Other sessions of the event discussed the political activities of NGOs and the issue of foreign funding.

FRA Fundamental Rights Forum

The Commissioner travelled to Vienna to participate in the Fundamental Rights Forum 2016 convened by the European Union Agency for Fundamental Rights (FRA) from 20-23 June. He delivered the opening speech on Day 3, which was devoted to empowering rights-holders in the fields of inclusion, refugee protection and the digital age. The Commissioner stressed that his work, especially in the field, contains an important direct-empowerment dimension, in that the people he meets draw hope from his visits and can have their messages conveyed to those in power. However, real empowerment comes from participation that leads to change for the better, and the Commissioner stressed that this is becoming far too rare in Europe today, with worrying backsliding noticeable in the areas of inclusion, refugee protection and the digital world. The Commissioner also stressed the crucial role of international organisations in indirect empowerment. Key partners in this endeavour are National Human Rights Structures, which need to be strong, independent and well resourced, as well as NGOs and the legal profession, which must be able to rely on sustainable funding for litigation and legal assistance programmes and on a credible system of free legal aid. The Commissioner also highlighted the importance of protecting human rights defenders, including by visiting them when they are under pressure and by ensuring that the legal framework regulating the activities of NGOs and the relevant practice are in line with the applicable standards.

In the margins of the Forum, the Commissioner met with the Director of FRA, Michael O’Flaherty, on 22 June. The two officials had an exchange on their respective current priorities and ongoing activities, particularly in the field of asylum and immigration. They also discussed co-operation between the two institutions and ways to further develop this.

On 22 June the Commissioner also met with the OSCE Representative on Freedom of the Media, Dunja Mijatović, in Vienna. The discussions covered the situation of freedom of expression and media freedom in a number of countries, including Croatia, Poland, the Russian Federation, Turkey and Ukraine, and current challenges to public service media.

6. Communication and Information work

The main media coverage concerned the report on Poland, the visit and comments on Turkey and the annual activity report, with more than 200 news items published by national and international media outlets.

The Commissioner's report on Poland was extensively covered by international and national media (*Agence Europé, ANSA, Bloomberg, Ceskenoviny, Dansk Radio, de Volkskrant, Deutsche Welle, Dow Jones International News, DPA, Europe Online Magazine, Dziennik, EFE, Emetro, Euobserver, EurActiv, Euronews, Frankfurter Allgemeine Zeitung, Gazeta Prawna, GlobalPost, Gosc, IntelliNews, Jurist, Kresy, La Vanguardia, LifeSiteNews, Napi, Nouvel Obs, Pap, PCh24, Polskatimes, Polske Radio, Radio eM, Radio Poland, Reuters, RIA, Siol.net, Sputnik news, Sunnmørsposten, Sverige Radio, Terra, The New York Times, TOK fm, Tvn24, Wall Street Journal, wPolityce, Wprost, Wyborcza, Zeit Online*).

The media also extensively covered the Commissioner's visits to Turkey and comments on the human rights situation in that country (*Agencia Estado, ANSA med, AP, Channel NewsAsia, CNN Turk, Cumhuriyet, Der Standard, Deutsche Welle, DPA, El Pais, Europe Online, Hurriyet Daily News, Il sole 24 Ore, ITAR-TASS, KSL.com, La Repubblica, La Stampa, News Ghana, Reuters, Reuters, SDA, The Spectator, Zaman*).

Articles on the 2015 annual activity report mainly featured comments on migrants' rights, and the protection of human rights defenders was also widely covered (*7sur7, Agence Europe, Arminfo, Avgi, Die welt, El Dia, El Faro Digital, Enikonomia, Expatica, Kommersant, Left, Lokalno, Mia, Nooz, Observador, Prime-News, RIA Novosti, Sitel, a1on, Telma*).

The Commissioner's comment criticising the ban of the Crimean Tatar representative body Mejlis attracted wide coverage from *112, ABC News, ANSA, Censor.net, Daily Mail, Deutsche Welle, El Pais, Europa Press, Interfax, Kommersant, Korrespondent, LIGA, Misanec, My news online 24, Radio Free Europe, RBC, Telegraf, The Washington Post, TOL, Ukrinform, Vchaspik, Voice of America, and ZN.UA*.

The Issue Paper on migrant integration was covered by international and national press (*Agence Europe, Agenzia Nova, b92, Balkan insight, EFE, Expansion, RTV, To Vima, ANSA, Independent, Magyarhirlap, MIA, MRT, Sitel, Alfa, TV 21, Lider, Standard, Telma, Telegraf, MRT, Radio 24, Sputnik*).

Autograf, Dnevno, Ossevatorio balcani e caucaso, Spiegel Online, HINA, Večernji list, Total Croatia News, Slobodna Bosna, Balkan Insight, Jutarnji list, TV Nova, Sputnik, H-Alter, 20minuta, About Croatia, Crol LGBT news portal, HND, Index, N1, Net.hr, Novilist, Portal Novosti, Tportal, and Svenska Dagbladet covered the visit to Croatia.

The Commissioner's visit to Andorra was covered by *Andorra TV, BonDia, EFE, Diari d'Andorra, and Agencia de Noticias Andorrana*.

The statement on prison conditions in Belgium was covered by international and national media (*7sur7, De Standaard, DH, Jurist, Knack, the Post Online, AP-ABC, Sputnik, RTL, Die Welt, ANP, DW*).

The report on Cyprus was covered mainly by *Can, Famagusta Gazette, iKypros, InCyprus, Offcite.com, Reporter Online, and Sigma Live*.

The Commissioner's comments on the state of emergency in France were mentioned by *London Evening Standard, Spiegel Online, The Local, and The Wall Street Journal*.

The Commissioner's speech at the Fundamental Rights Forum in Vienna on the "setback" of human rights received coverage from *RTP*, *Agência Lusa*, *Correio da Manhã*, and *Agência Brasil*.

An opinion editorial on youth unemployment was published on *Euractiv*, and while one on evictions of Roma was published on *openDemocracy*.

Additional coverage concerned the Commissioner's comments on freedom of the press (*Ossigeno per l'informazione*, *La Repubblica*, *la Tribuna*, *Libertas*, *Resto del Carlino*), Austria's proposed asylum law (*ARTE*, *Der Standard*, *ORF*, *Mediapart*), migration in Denmark (*Die Zeit*), the situation in Turkey (*Deutschlandfunk*, *ScelgoNews*, *Tageschau*), in Ukraine (*Itar-Tass*, *Kremlin Press*, *Russian Planet*), in Serbia (*New Europe*), the situation of Roma (*Open Democracy*, *Der Standard*, *AgerPres*, *l'Avenir*), migration in the United Kingdom (*The Guardian*), Far Right (*New York Times*), police violence against two youth activists in Azerbaijan (*Contact*, *Radio Free Europe*, *EurAsiaNet*, *Turan*), the visit to Iceland (*Reykjavík Grapevine*), the Human Rights Comment on rehabilitation of victims of torture (*Reporter*), and San Marino (*La Tribuna Sanmarinese*).

41 tweets were published, with an increase of 955 followers. Over 36,000 unique Internet users visited the Commissioner's website, 63% more compared to the second quarter of 2015 but 20% less compared to the previous quarter.

7. Next three months

July

04-08/07 Visit to Greece

September

05-09/09 Visit to Latvia

08/09 12th conference of the European Society of International Law (Riga)

19-21/09 OSCE HDIM (Warsaw)

8. Observations and reflections

On June 23 the UK voted in a referendum to leave the European Union. What this means for human rights is as yet not fully clear, but it is a serious blow to European co-operation and integration, of which the Council of Europe is one manifestation. As the UK and the rest of Europe come to grips with this momentous development, it is useful to examine certain human rights aspects surrounding Brexit, as well as to highlight risks to monitor in the coming period.

In the days after the referendum, many human rights actors and media outlets in the UK and elsewhere reported a spike in racist hate speech and hate incidents across the UK. The most common kind of incident appeared to be someone telling a visible minority or foreign-born resident to “go home”. Many victims and witnesses reported racist graffiti, posters, slurs, harassment and even physical incidents under the twitter hashtag #PostRefRacism. The most common targets appear to have been not only Poles, Balts and other East Europeans who arrived in the UK over the last 10 years, but also many Muslims and persons of Asian and African origin who were born in the UK or have lived there for decades.

The response of the UK’s political leadership was commendable – not only the Prime Minister, but also the leaders of the major political parties and the mayor of London quickly condemned such behaviour and put the police on alert. But the question of why this spike in incidents took place bears closer scrutiny. Clearly, a nasty but active minority felt emboldened to voice and act on prejudice in the immediate post-referendum context. Why? One key reason was the political and media discourse about migration in the run-up to the referendum.

This discourse did not only target EU citizens of East European origin in the UK, whose economic contributions to the UK were denigrated and whose cultural differences with British citizens were exaggerated. It also targeted refugees, as racist posters depicted lines of refugees with the caption “Breaking point”. Finally, it targeted Turks, who became the subject of Islamophobic scaremongering amid wild claims about Turkey’s imminent membership in the EU and predictions of a million migrants from that country in the event of a “Remain” victory. While leaders of the Leave campaign have the most to answer for in this regard, the broader tone of political discourse about migration has been toxic for some time, as I analysed in a memo to the UK government in March of this year.

Thus, words matter; they send signals about what is socially acceptable behaviour. One often hears populist politicians and the tabloid media across Europe criticise “political correctness” and urge an “honest” debate about migration and other issues. The debate should be honest and open, but it should be civil, evidence-based and avoid at all costs stigmatising certain communities. It should also take place within the bounds of a country’s human rights obligations. An uncivil debate can quickly lead to uncivil behaviour. Politicians must restrain themselves and each other, for if they remain silent in the face of intolerant discourse, even if this discourse is in “coded language,” they can become complicit in unleashing violent racism.

A second human rights aspect of Brexit concerns the situation of the thousands of migrants camped in Calais, France, who are seeking to gain access to the UK. The situation in Calais has been a human rights flashpoint for a number of years, but especially since the 2003 Touquet Accord between France and the UK. This accord sets the Franco-British frontier on the French side of the Channel. In practice, it means that British border control staff work on French soil and that any migrant crossing irregularly to the UK from France can be returned, except those having managed to pass the border control and who lodge an application on board, after the departure of the vessel. A growing number of French political figures have called for denouncing the Touquet Accord, which, they claim, must be seen in the broader context of Franco-British economic and political co-operation in the EU. While the French President has announced that nothing will change with Brexit, this issue could well appear during the forthcoming negotiations. The human rights crisis in Calais could only deepen, as additional migrants seeking access to the UK could be drawn to the city based on confused signals and political posturing during Brexit negotiations.

An additional human rights aspect of Brexit concerns Northern Ireland, where a fragile peace has slowly taken root since the Good Friday Agreement, the Northern Ireland Act 1998 and the Anglo-Irish agreement brought an end to the “Troubles”. The peace settlement is based on the assumption that both the UK and Ireland are members of the EU and that there are no border controls between Northern Ireland and the rest of the island. However, as suggested above, one of the core promises of the Leave campaign was to reassert control over the UK’s borders. One issue affecting human rights will be how this circle is squared without creating a “hard border” on the island, which could threaten peace.

The EU generously supported the peace settlement by allocating more than 1 billion euros since 1995 in funding for various peace projects. The funding supported initiatives to promote interaction between people of different religious and political affiliations, as well as socio-economic development and opportunity more broadly. The future of these EU-funded projects needs to be carefully considered.

According to the peace settlement, the Belfast executive is subject to both EU law and the European Convention on Human Rights (ECHR). As I have noted elsewhere, the EU in general has limited legislative competence in human rights, though one of the strongest areas of competence is in anti-discrimination law, which is particularly salient in Northern Ireland. Anti-discrimination commitments must continue to be respected. Here, Council of Europe standards would still be binding and be all the more important.

In theory, membership in the EU and in the Council of Europe are distinct issues and there are no automatic consequences of Brexit for the UK’s commitment to the ECHR. A British Bill of Rights to replace the UK’s Human Rights Act incorporating the ECHR into UK law is a manifesto commitment of the Conservative Party. Consultation on this proposal has been delayed in the run-up to the EU referendum, but once it is again resumed, I intend to feed into the consultation process to ensure that human rights standards are in no way lessened by a change of the national framework.

How can the Council of Europe help mitigate any negative human rights consequences surrounding Brexit? For one, Council of Europe standards in general and the ECHR in particular can provide a steady guidepost for the turbulent times which await the UK and

the European Union in the coming months and years. Secondly, the Council of Europe can help amplify the voices of human rights defenders and national human rights structures regarding emerging human rights risks surrounding Brexit. Thirdly, Council of Europe monitoring mechanisms and my Office can draw attention to the human rights of the most vulnerable during this process, whether they be traumatised victims of the “Troubles” in Northern Ireland, desperate migrants in Calais, or visible minorities and migrants across Europe who risk becoming victims of hate speech and other forms of hate crime in a Europe of emboldened populists.