

# COMMISSIONER FOR HUMAN RIGHTS OF THE COUNCIL OF EUROPE

DUNJA MIJATOVIĆ

**1<sup>ST</sup> QUARTERLY ACTIVITY REPORT 2022**

**1 January to 31 March**

Presented to the Committee of Ministers  
and the Parliamentary Assembly

This report contains a summary of the activities carried out by the Commissioner for Human Rights, Dunja Mijatović, between 1 January and 31 March 2022.

## 1. Visits and Missions

### *Visit to Georgia*

The Commissioner visited Georgia from 21 to 24 February. The visit focused on issues pertaining to non-discrimination, labour rights and the environment and human rights. During the visit, the Commissioner met the President of Georgia, Salome Zourabichvili; the Prime Minister, Irakli Garibashvili; the First Deputy Minister of Foreign Affairs of Georgia, Lasha Darsalia; the Minister of Internal Affairs, Vakhtang Gomelauri; the State Minister for Reconciliation and Civic Equality, Tea Akhvlediani; the Deputy Ministers of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs, Tamila Barkalaia and Ilia Ghudushauri; and the Minister of Environmental Protection and Agriculture, Otar Shamugia and his Deputy Minister, Nino Tandilashvili. She also met the Vice-Chairman of the Parliament of Georgia, Archil Talakvadze and other members of Parliament. Furthermore, she held meetings with the Public Defender, Nino Lomjaria, and her Deputies, Giorgi Burjanadze and Ekaterine Skhiladze, as well as with representatives of civil society.

At the end of the visit, the Commissioner [highlighted](#) the impact of the rise of organised far-right and ultraconservative groups in the public sphere on human rights and the need to protect persons belonging to religious minorities, LGBTI people and other groups targeted by them. She urged the authorities to publicly condemn any manifestation of intolerance, duly prosecute and sanction those responsible for acts of hate speech and hate crime and called on politicians, community and religious leaders to refrain from using homophobic or otherwise discriminatory rhetoric and to promote respect for diversity and tolerance within society.

While welcoming steps to prohibit violence and discrimination based on sexual orientation and gender identity, the Commissioner noted that LGBTI people remain among the most vulnerable groups in Georgian society, enduring discrimination in many fields of life but also verbal and physical violence. She encouraged the authorities to take measures to prevent and combat LGBTI-phobia and better protect the human rights of LGBTI persons, including their right to peaceful assembly. As regards the situation of religious minorities, the Commissioner urged the authorities to ensure better protection against hate crime and hate speech and to engage in a genuine dialogue with all religious denominations to tackle a whole range of related issues, including access to places of worship, religious property and non-discrimination on religious grounds in schools.

While welcoming reforms to reinforce labour rights, the Commissioner recommended stepping up efforts to ensure better working conditions for all workers, reduce the gender pay gap, and promote non-discriminatory access to the labour market for persons with disabilities and other vulnerable groups.

As regards environment and human rights, the authorities should pay particular attention to the human rights implications of large-scale projects with an environmental impact, in particular infrastructural and hydropower-related works, including by promoting meaningful and transparent involvement of persons and communities directly affected by such projects in the decision-making process and by fully respecting their freedom of peaceful assembly.

The Commissioner also travelled to Zugdidi where she met the Chairman of the Government of the Autonomous Republic of Abkhazia, Ruslan Abashidze, and persons living there in protracted displacement, who shared with her accounts of the difficult circumstances of their displacement and their concerns in relation to their integration into Georgian society and access to housing, education and healthcare.

The Commissioner's report on her visit to Georgia is forthcoming.

### ***Missions to countries neighbouring Ukraine***

In order to monitor the human rights situation of people fleeing Ukraine as a result of the Russian Federation's aggression against the country, in March the Commissioner and her team carried out a series of emergency missions to countries bordering Ukraine (Republic of Moldova, Poland, Hungary, Romania and the Slovak Republic) and to the Czech Republic.

#### ***- Mission to the Republic of Moldova***

During a 3-day mission to the Republic of Moldova (from 6 to 8 March), the Commissioner visited a former boarding school in Cărpineni, repurposed to serve as emergency housing for people fleeing the war, and a home for mothers and children in Ruseștii Noi, managed by the Moldovan office of the NGO Concordia. The Commissioner and members of her team also visited emergency reception centres located at the MoldEXPO international exhibition centre and the Manejul sports hall in Chisinau. Together with a delegation from the OSCE Mission in Moldova, the Commissioner travelled to Palanca and visited both sides of the border crossing between Ukraine and the Republic of Moldova, as well as a temporary reception camp on the Moldovan side. In Chisinau, the Commissioner held meetings with the Minister of Interior, Ana Revenco; State Secretary of the Ministry of Foreign Affairs and European Integration, Vladimir Cuc; the Ombudsman, Ceslav Panico; and the Children's Rights Ombudsman, Maia Bănărescu.

In her [concluding](#) statement, published on 9 March, the Commissioner called for more support by European states to protect the rights of people fleeing the war in Ukraine and for countries of arrival, in particular the Republic of Moldova. She highlighted how the Moldovan authorities, NGOs and many ordinary citizens had risen to the daunting challenge by mustering a humanitarian response and coordinating the provision of assistance to meet the basic needs of the people arriving. However, more funding and support, including manpower, skill, and expertise, was urgently needed, as well as longer-term economic, humanitarian and institutional support, in order to help the country urgently scale up its response. The Commissioner also highlighted the importance of providing support for the early identification of vulnerable persons, especially women and children – who constituted 89% of all those who fled Ukraine to the Republic of Moldova – and for their protection from gender-based violence, human trafficking, and exploitation.

In order to protect the rights of the people fleeing from Ukraine who decide to remain in the Republic of Moldova, the Commissioner noted that a long-term approach would have to be adopted and strategies and integration measures envisaged in good time, including through creating opportunities for child refugees to continue their education and by offering psychological assistance to all those who need it.

- ***Missions to the Czech Republic, Hungary, Poland, Romania and the Slovak Republic***

From 16 to 21 March the Commissioner's office carried out a series of parallel missions to Hungary, Poland, Romania and the Slovak Republic, which were followed by a mission by the Commissioner to the Slovak Republic and the Czech Republic on 21 and 22 March. The Commissioner's office missions to Hungary, Poland, Romania and the Slovak Republic comprised visits to numerous border crossing posts (Beregsurány, Záhony, Tiszabecs and Csengersima - the latter a crossing point with Romania - in Hungary; Hrebenne, Korczowa and Medyka in Poland; Sighetu Marmatiei in Romania; and Vyšné Nemecké, Veľké Slemence and Ubľa in the Slovak Republic), places where people received initial assistance, were registered or were hosted for slightly longer periods, and places for onward transport such as bus and train stations. The Commissioner's staff met with people fleeing Ukraine, volunteers and representatives of non-governmental organisations working in the above-mentioned places, as well as local and regional officials, Ombudsman institutions and national human rights institutions and international organisations. On her visit to Bratislava and Prague, the Commissioner also spoke with many of these groups and interlocutors, and met with the Slovak Minister of Interior, Roman Mikulec and the Slovak State Secretary of the Ministry of Foreign and European Affairs, Ingrid Brocková; as well as the Czech First Deputy Prime Minister and Minister of Interior, Vít Rakušan, and the Czech Minister of Foreign Affairs, Jan Lipavský. She also met the Mayor of Bratislava, Matúš Vallo, and the Mayor of Prague, Zdeněk Hřib.

Following these missions, the Commissioner [stressed](#) the need for member states not sharing a border with Ukraine to step up their role in coordinating and supporting the enormous efforts provided in the countries she and her teams visited, including by facilitating movement to other countries. She stressed that creating more clarity and predictability on where people moving onward can be appropriately accommodated was crucial for both the people themselves and the countries now at the forefront of receiving them, while also being important for reducing the risks of trafficking in human beings and exploitation.

The Commissioner also underscored the need for medium and long-term measures in countries neighbouring or close to Ukraine. She praised the enormous efforts in the countries visited and the extraordinary mobilisation of volunteers, NGOs, religious organisations and charities, as well as local and regional authorities, national human rights structures, border guards, fire and rescue and law enforcement services. However, she noted that relying mainly on such civil society and local efforts was not sustainable and that it was important that state authorities assumed more responsibility, as they were already doing in some of the member states.

In some of the member states visited, the extent to which central governments were making medium and long-term plans remained unclear to many persons and organisations providing direct help on the ground. The Commissioner noted the clear need to boost preparedness for the reception of more vulnerable and larger groups of people fleeing the war in Ukraine, including access to housing, employment, financial aid and education, and their overall integration into society. Sufficient flexibility in providing funding to all actors involved, in a quick and easy way, was also necessary to react appropriately to the changing needs and circumstances. The Commissioner further noted that shortages of both privately provided and government-sponsored accommodation were already acute, and that there was a severe risk that temporary reception places could become long-term housing solutions for which they were clearly not adapted.

The Commissioner also called for special attention to the protection of specific groups, in particular in view of the high risk of trafficking in human beings, but also in relation to access to sexual and

reproductive health services, the situation of unaccompanied and separated children, as well as Roma, LGBTI persons, older persons, and persons with disabilities.

## 2. Reports and continuous dialogue

### ***Letter to the President of Azerbaijan on the adoption of a new media law***

On 25 January, the Commissioner published a [letter](#) to the President of Azerbaijan, Ilham Aliyev, concerning the compliance of the new media law with the relevant human rights standards on free and independent media and pluralism. The Commissioner expressed concern that the law granted discretionary powers to state authorities via licencing and otherwise restricting journalists' work and limiting the financial and operational activities of media entities. She stressed that this affected the ability of journalists and mass media to work freely and independently and undermined the right of individuals to receive information. She also referred to her previous concerns about the lack of pluralism and arbitrary interferences with media freedom in the country and invited the President to use his authority to return the law to the Parliament for its substantial revision in line with the Council of Europe standards on media freedom.

The letter is available on the Commissioner's website along with the reply of the Azerbaijani authorities.

### ***Letter to the Parliament of Spain on the review of the 2015 Law on Citizens' Safety***

On 11 February, the Commissioner published a [letter](#) addressed to the President of the Interior Committee of the Congress of Deputies of Spain, José Luis Ábalos Meco, the President of the Congress of Deputies, Ana Meritxell Batet Lamaña, and the President of the Senate, Ander Gil García. Reiterating the concerns expressed in 2018 about the 2015 Law on Citizens' Safety, she called on the Parliament to ensure that the review of the Law is used as an opportunity to bring it fully in line with human rights standards, in particular as regards the provisions impinging on freedoms of expression and assembly, the right to seek asylum and the prohibition of refoulement. She stressed the difficulty of appealing administrative sanctions imposed on the grounds of the Law and the need to strengthen the overall accountability framework for law enforcement officials.

The letter is available on the Commissioner's website along with the reply from the Presidents of the Senate and the Congress of Deputies.

### ***Report on Malta***

On 15 February, the Commissioner published her [report](#) on her [visit](#) to Malta from 11 to 16 October 2021, with recommendations on safeguarding media freedom and ensuring the safety of journalists, protecting the lives and dignity of refugees, asylum seekers and migrants and strengthening women's rights.

The Commissioner called on the Maltese authorities to ensure accountability for the murder of Daphne Caruana Galizia and urged the government to prioritise reforms to fully implement the recommendations of the public inquiry report which found the state responsible for the journalist's assassination, to comply with international standards, and to ensure the effective involvement of

civil society as well as accountability and transparency at all stages. Further recommendations concerned the implementation of the Freedom of Information Act and the adoption of legislation against [SLAPPs](#) (strategic lawsuits against public participation).

Regarding asylum and migration, the Commissioner urged Malta to step up its capacities and to ensure effective co-ordination of search and rescue operations and stressed that disagreements concerning disembarkation responsibilities should never be allowed to put human rights at risk or exempt the authorities from their *non-refoulement* obligations. She furthermore urged the Maltese authorities to review their co-operation with the Libyan authorities on migration and called on the government of Malta to suspend such co-operation activities until clear guarantees of their human rights compliance are in place and to ensure accountability for any returns of migrants to Libya as a result of action by the Maltese authorities.

In addition, the Commissioner called on the authorities to prevent the detention of vulnerable asylum seekers and migrants and any arbitrary detention, invest in alternatives to detention, and immediately end the detention of migrant children. She stressed the need for safeguards to protect detained migrants from ill-treatment and to allow unhindered access for independent monitoring bodies and NGOs to detention places, as well as to improve reception conditions, prevent homelessness or destitution among those no longer accommodated in reception centres and to ensure that unaccompanied minors are effectively protected.

To enhance women's rights and gender equality, the Commissioner recommended further reforms, including the adoption of the Equality Act and the Human Rights and Equality Commission Act, complemented by a comprehensive policy to overcome patriarchal attitudes and stereotypes and enhanced support for awareness-raising activities. She underlined the need to address women's disadvantaged position in the labour market, to reverse the growing gender pay gap, and to advance women's participation in public and political decision-making.

Stressing that Malta's blanket ban on abortion puts women's rights, including their right to health, at serious risk, the Commissioner urged the authorities to decriminalise abortion, develop comprehensive regulation of women's access to legal and safe abortion and improve the availability of sexual and reproductive health services, as well as to guarantee equality for all women in the enjoyment of sexual and reproductive health and rights, including by providing mandatory [comprehensive sexuality education](#), ensuring the availability and affordability of modern contraceptive services, and safeguarding access to health care in the light of refusals to provide care on grounds of conscience.

The report is available on the Commissioner's website, along with the comments of the Maltese authorities.

### **3. Themes**

#### ***Impact of the war in Ukraine on human rights***

In addition to the missions to countries neighbouring Ukraine, referred to above, in the reference period the Commissioner's engagement on the human rights consequences of the war in Ukraine has included direct exchanges with Ukrainian authorities, institutions and human rights defenders

as well as statements on specific human rights issues and the situation of particularly vulnerable persons.

Thus, on 24 February, the Commissioner [reacted](#) to the Russian military attack on Ukraine, which occurred earlier on that day, noting that it had resulted in the loss of human life and dire human suffering, exposing millions of people in Ukraine and beyond to the risk of violence, displacement and other serious violations of human rights and international humanitarian law. She urged the authorities of the Russian Federation to immediately put a stop to all military actions in Ukraine and to adhere strictly to international humanitarian and human rights law. She also called on all Council of Europe member states to stand in unity and solidarity with Ukraine and to receive people fleeing Ukraine with open arms to help protect their dignity, safety, and human rights.

On 1 March, the Commissioner [observed](#) that the war triggered by Russia's military attack against Ukraine six days prior had led to the death or injury of hundreds of people, including many children. She noted that reports of indiscriminate shelling that had struck hospitals, schools and homes in Ukraine demonstrated the Russian forces' blatant disregard for civilian life. Recalling the suffering of the civilian population, with thousands of people cut off from basic facilities, and streams of refugees and displaced people desperately seeking safety, the Commissioner stressed that the Russian authorities were in a position to put an end to the war, which trampled on international law and human rights and obliterated humanitarian law. On 7 March, the Commissioner issued a [statement](#) expressing her solidarity with Ukrainian women and girls caught up in the war (see below, Women's rights and gender equality).

On 9 March, the Commissioner held an on-line meeting with a group of Ukrainian human rights defenders to inquire about their situation and safety, to learn more about their work on documenting violations of human rights and international humanitarian law, and to discuss how she could help them in their important work.

On 10 March, the Commissioner [expressed](#) her dismay at the atrocious consequences of the reported bombing and destruction by the Russian forces of a children's hospital and maternity ward in Mariupol, which allegedly killed and injured several people, including a child. She called for respecting ceasefires, ensuring safe passage for people wishing to evacuate via humanitarian corridors, and providing urgent access to the city for humanitarian actors.

On 15 March, the Commissioner met in Strasbourg with Mariia Mezentseva, Chairperson of the Ukrainian delegation to the PACE, and other members of the delegation, to discuss the human rights consequences of the Russian Federation's aggression on Ukraine and to share some details on the steps taken by the Commissioner and her office in response to the war.

On 17 March, the Commissioner [called](#) for an urgent ceasefire and a humanitarian agreement to allow relief efforts to reach the hundreds of thousands of people trapped by the fighting in Mariupol and deprived of basic necessities.

On 18 March, the Commissioner met on-line with the Prosecutor General of Ukraine, Iryna Venediktova. The discussion revolved around the importance of ensuring accountability for war crimes committed in Ukraine, as well as the protection of children's rights and the need to address the specific situation and needs of children victims of human rights violations committed during the war.

On 28 March, the Commissioner [reacted](#) to more reports of serious human rights violations committed in the city of Mariupol, besieged and shelled by Russian troops. She observed that the incessant shelling had killed thousands of the city's residents and continued to erase its infrastructure, including schools and hospitals. Addressing the dire humanitarian situation of Mariupol's inhabitants, many of whom remained trapped in the city with increasingly scarce basic necessities while others were reportedly made to evacuate to Russian-controlled territory, the Commissioner called for humanitarian corridors to be agreed and for life-saving humanitarian and medical aid to urgently be allowed to reach the city.

### ***Human rights of immigrants, refugees and asylum seekers***

A substantial part of the Commissioner's work in this thematic area concerned the human rights situation of people fleeing Ukraine as a result of the Russian Federation's aggression against the country, and their reception and access to protection in other member states of the Council of Europe, especially those sharing a border with Ukraine. This work has notably included several missions of the Commissioner and her Office to these countries (see above, in Visits and Missions).

In addition, the Commissioner has continued her work on the rights of refugees, asylum seekers and migrants more broadly. This has included the publication of the report of the Commissioner's visit to Malta, a letter to Spain (see Reports and continuous dialogue) and a third party intervention before the European Court of Human Rights concerning the situation of asylum seekers and migrants stranded at the border between Poland and Belarus (see System of the European Convention on Human Rights).

On 5 January, the Commissioner had an exchange with Harlem Désir, Senior Vice President for Europe of the International Rescue Committee. The discussion covered several specific situations at member states' borders as well as wider issues such as pushbacks, solidarity measures and safe and legal routes.

On 8 February, the Commissioner [welcomed](#) the news that asylum seekers who have waited for more than two years for a decision on their applications in Ireland would be able to apply to regularise their status, without a fee. She expressed the hope that this would help address the situation of many people in limbo.

The Commissioner's office also participated in several events, including an inter-agency round table on missing migrants, organised by the International Commission on Missing Migrants on 20 January.

### ***Safety of journalists, freedom of expression and media freedom***

On 17 February, the Commissioner [reacted](#) to the criminal conviction in Crimea of journalist Vladislav Yesipenko to six years of imprisonment and a fine for the alleged possession of explosives. She took note of numerous flaws that had fundamentally undermined his fair trial guarantees, including allegations of torture, and concluded that the verdict defied credibility and was connected to his legitimate journalistic work. She pointed out the dire situation of media and individual journalists, with independent journalism being curbed by arrests, criminal prosecutions, and other measures and also stated that those in charge of law and order in Crimea should release Mr Yesipenko, restore his rights and ensure media freedom and pluralism in the peninsula.

On the fourth anniversary of the murders of investigative journalist Jan Kuciak and of Martina Kušnírová in the Slovak Republic on 18 February, the Commissioner [stressed](#) that justice must be done and called on Council of Europe member states to show the political will necessary to end impunity and protect journalists.

On 28 March, the Commissioner [stated](#) that the decision of the prominent Russian media Novaya Gazeta to suspend its activities was the latest example of the repression and censorship of independent journalism in Russia which had led to the ban and closure of dozens of media outlets. She highlighted that the Russian independent press needed support.

### ***Children's rights***

On 8 February, the Commissioner participated, jointly with EU Vice President and Commissioner for Democracy and Demography Dubravka Šuica, in a trilateral [meeting](#) on the impacts of anti-child rights movements on children's rights, organised by Eurochild. The Commissioner and VP Šuica expressed their solidarity and strong support for children's rights and for Eurochild members and children experiencing threats and attacks when advocating for children's rights. The Commissioner stressed that the voices of child rights defenders had to be heard more loudly and undertook to co-operate closely to ensure that politicians remained accountable to their human rights and children's rights obligations.

### ***Women's rights and gender equality***

On 31 January, the Commissioner [welcomed](#) Moldova becoming the 35<sup>th</sup> Council of Europe member state party to the Istanbul Convention and urged all member states to ratify and fully implement this landmark instrument to end violence against women.

On 1 February, the office participated in an online Conference on ["the Istanbul Convention: foundations and defense of women's rights"](#), organised by La CLEF in partnership with University Women of Europe, during which the Commissioner's work towards supporting the ratification and implementation of the Convention was presented.

On 7 March, ahead of International Women's Day, the Commissioner issued a [statement](#) expressing her solidarity with Ukrainian women and girls caught up in the war. She saluted the courage of those women and girls, including human rights defenders, journalists, civil society activists and volunteers, who work tirelessly towards re-establishing peace and protecting the values for which the Council of Europe stands. She called on all member states to hear their resolute calls for action and ensure that humanitarian support effectively reaches all areas where it is most urgently needed, both inside Ukraine and in countries of arrival.

The Commissioner also [contributed](#) to the EU initiative [#Women4Multilateralism](#) developed around International Women's Day to show support for multilateralism and the crucial role that women play in the advancement of human rights, development and peace all across the world.

On 15 March, the Commissioner published a Human Rights [Comment](#) on violence against women and girls in the digital world in which she called on member states to recognise it as yet another manifestation of gender-based violence and a continuum of violence affecting women and girls in all areas of life. To combat this phenomenon, she urged all member states to ratify and implement the Istanbul Convention, taking into account GREVIO [General Recommendation No.1 on the digital](#)

[dimension of violence against women](#). She noted that this type of violence not only has a serious impact on the lives of women and girls, breaching a wide range of human rights, but it also has a chilling effect on democratic discourse, and therefore an impact on society as a whole. This is because digital violence may lead women and girls to self-censor and limit their interactions online, or drive them off social media completely, pushing them into silence. Drawing on her work in several member states, she observed that violence in the digital world can be especially harmful for women and girls at risk of or exposed to intersecting forms of discrimination, human rights defenders, journalists and politicians.

### ***Human rights of LGBTI people***

In a [statement](#) on 13 January, the Commissioner regretted the decision of the Hungarian government to conduct a national referendum regarding children's access to information concerning sexual orientation and gender identity issues on the same day as the parliamentary elections. She warned that the ambiguous and misleading questions put to popular vote would entrench stereotypes, prejudice and hate against LGBTI people and therefore have a strong negative impact on their safety and well-being. She noted that the referendum was a striking example of the political manipulation of the human rights of LGBTI people, which was on the rise in Europe. On 29 March, the Commissioner [reiterated](#) her concern about the exploitation of the rights of LGBTI people in Hungary ahead of the national elections, as the anti-human rights narrative of the referendum strengthened prejudice against them.

On 24 March, the Commissioner [published](#) her third party intervention before the European Court of Human Rights in the case of *Irina Borisovna Fedotova and Irina Vladimirovna Shipitko and 2 others v. Russia*, concerning the absence of legal recognition of same-sex relationships in Russia (see System of the European Convention on Human Rights).

### ***Combating racism and intolerance***

On 26 January, ahead of the International Day of Commemoration in memory of the victims of the Holocaust, the Commissioner published a [statement](#) calling for continued commitment to remembering the Holocaust and for strengthening legal, policy and educational measures to prevent and confront hate speech and Holocaust denial and distortion.

On 21 March, on the occasion of the International Day for the Elimination of Racial Discrimination, the Commissioner [urged](#) all member states to ensure access to their territories to all persons fleeing wars and persecution without discrimination on grounds of race, colour, descent, national or ethnic origin or immigration status.

On 28 March, members of the Commissioner's office met with Petra Bayr, General Rapporteur of the Parliamentary Assembly of the Council of Europe on combating racism and intolerance. The discussions focused on current issues concerning antisemitism in Europe and measures to effectively combat this phenomenon.

### ***Transitional justice***

From 31 January to 1 February the Commissioner carried out a mission to The Hague to discuss challenges and opportunities in advancing international justice and accountability for serious human rights violations. During the mission, the Commissioner held a series of meetings at the

International Residual Mechanism for International Criminal Tribunals and at the Kosovo Specialist Chambers and Specialist Prosecutor's Office, during which the remaining challenges in the fight against impunity for war crimes in the former Yugoslavia were discussed, as well as ways to promote the legacy of the ICTY to fight denial of genocide and war crimes. The Commissioner also visited the International Commission on Missing Persons and its DNA laboratory and exchanged with the Executive Director and her team on the lessons learned from the former Yugoslavia. The Commissioner further met with the OSCE High Commissioner on National Minorities with whom she discussed issues pertaining to the protection of national minorities in the former Yugoslavia and more broadly. Finally, as part of this mission, the Commissioner held substantive exchanges with the President, the Registrar, and the Prosecutor of the International Criminal Court, discussing among others the Court's ongoing need for states parties' support and co-operation

On 25 February, the Commissioner issued a [statement](#) welcoming the state apology extended by the President Borut Pahor to the "erased", 30 years after their removal from the official residence registry. She called on the authorities to provide a simplified and efficient process of regularisation for the small number of "erased" persons who still live in Slovenia without legal status, and to include substantial information about this issue in the school curriculum.

#### ***Data protection***

On 28 January, World Data Protection Day, the Commissioner [stressed](#) that existing data protection safeguards could only protect individuals from prevailing threats if they were properly enforced and called on member states to empower and fund independent data protection authorities so that they could effectively fulfil their functions.

## **4. Other meetings**

#### ***Online event as part the American Society of International Law's Human Rights Talks series***

On 19 January, the Commissioner [spoke](#) at the American Society of International Law online event "Human Rights Developments and Challenges in the Council of Europe: A conversation with the Commissioner for Human Rights", as part of the *Human Rights Talks* series. She focused on important current topics in Europe, including the human rights of immigrants, refugees and asylum seekers; safety of journalists, freedom of expression and media freedom; human rights of LGBTQI+ persons; children's rights; the rights of Roma; and transitional justice.

#### ***Meeting with Janina Ochojska, Member of the European Parliament***

On 20 January, the Commissioner met online with Janina Ochojska, Member of the European Parliament and founder and president of the Polish Humanitarian Action (PAH), to discuss the human rights situation of asylum-seekers and migrants stranded on the Polish-Belarusian border, the continuing problem of lack of access to the border zone for humanitarian actors and the media, and the problematic situation of the inhabitants of the border areas.

***Meeting with Nino Lomjaria, Public Defender of Georgia***

On 25 January, the Commissioner had a meeting in Strasbourg with the Public Defender of Georgia, Nino Lomjaria. They discussed various issues of human rights concern and those pertaining to the independent and effective functioning of the Ombudsman institution in Georgia.

***Meetings with EU Commissioners and EU Special Representative for Human Rights***

On 8 and 9 February, as part of a mission to Brussels which also included the Commissioner's participation in a children's rights event (see above), the Commissioner held meetings in Brussels with EU Vice President and Commissioner for Values and Transparency Věra Jourová; EU Justice Commissioner Didier Reynders; EU Equality Commissioner Helena Dalli; EU Commissioner for Crisis Management Janez Lenarčič; and EU Special Representative for Human Rights Eamon Gilmore, to exchange information about current activities and priorities. Discussions focused on shared concerns regarding the rule of law in some EU member states, the Western Balkans and Türkiye, rising inequality in Europe, the impact of the pandemic on human rights, and growing pressures on civil society and human rights defenders.

***Online exchange between the Commissioner and the staff of the EU Fundamental Rights Agency***

On 14 February, the Commissioner held an online exchange with the staff of the EU Fundamental Rights Agency. Issues discussed included human rights topics of importance for the work of the two institutions, effective strategies for the promotion and protection of human rights in Europe and ways to enhance synergies and co-operation between various human rights actors.

***Meeting with the Norwegian Delegation to PACE***

On 7 March, the Commissioner's office met the Norwegian Delegation to the Parliamentary Assembly to provide an overview of the Commissioner's mandate and priorities, her work on monitoring states' compliance with human rights, and her interaction with the Parliamentary Assembly.

***Meeting with Claire Bazy Malaurie, President of the Venice Commission***

At a meeting on 14 March, the Commissioner and the President of the Venice Commission Claire Bazy exchanged on a number of topics of mutual interest, including transitional justice, issues relating to the rule of law and tackling disinformation and misinformation.

***Exchange of views with the Group of Experts on Action against Trafficking in Human Beings***

On 29 March, the Commissioner held an exchange of views with the Group of Experts on Action against Trafficking in Human Beings (GRETA). The Commissioner outlined her recent activities and discussed issues of mutual interest, including trafficking of unaccompanied children and Roma children as well as the increased risks of trafficking and exploitation of Ukrainian women and girls, inside or outside Ukraine, in the context of the war. The Commissioner expressed her willingness to continue co-operating on these and other issues in the future.

## 5. Human Rights Defenders

The Commissioner continued to pay attention to the situation of human rights defenders and civil society in the Council of Europe area during the period under review, which for many, was characterised by a rapidly changing environment for their activities.

Thus on 7 March, the Commissioner issued a [statement](#) concerning the unprecedented large-scale crackdown on freedoms of expression, assembly and association in Russia following its military attack against Ukraine. She expressed concerns at the violent dispersals of protests in various Russian cities; bans and censorship of dozens of independent media outlets; raids and searches of civil society organisations; as well as the criminalisation of spreading “fake information” about the acts of the Russian army in Ukraine and its “discreditation”. She emphasised that this internal repression against all those opposing the war had an enormous chilling effect and urged the Russian authorities to end reprisals against human rights defenders, journalists, activists and ordinary citizens and to fully respect their rights in line with human rights standards. Referring to narrative by high-level officials in Russia indicating further crackdown on dissent, on 17 March, the Commissioner [stressed](#) that this was dangerous and had disastrous consequences for Russian human rights defenders, journalists and civil society.

On 24 March, the Commissioner issued a [statement](#) following her mission to the Czech Republic, where she met with many civil society actors, including Russian and Belarusian human rights defenders and journalists who had to leave their countries to escape reprisals. During the meeting, participants shared their concerns about personal safety and their ability to continue working from abroad. In her statement, the Commissioner expressed her appreciation for the courageous work carried out by Russian and Belarusian civil society and called on Council of Europe member states to support them and ensure an enabling environment for their legitimate activities.

In her [written observations](#) to the European Court of Human Rights in the case of *R.A. and others v. Poland* concerning asylum seekers and migrants stranded at the border between Poland and Belarus, the Commissioner addressed the restrictions on accessing the border zone for civil society organisations, human rights defenders, volunteers and other persons providing humanitarian assistance and legal aid, as well as their harassment and intimidation fuelled by the stigmatisation of migrants in the official narrative (see System of the European Convention on Human Rights). On 25 March, the Commissioner [expressed concern](#) about the arrest and prosecution of four activists helping people seeking protection in Poland, calling it an attempt to criminalise humanitarian aid. She called for the saving of lives never to be criminalised and for the harassment of human rights defenders at the Polish-Belarusian border to stop.

## 6. System of the European Convention on Human Rights

### ***Third-party intervention before the European Court of Human Rights in the case of R.A. and others v. Poland***

On 4 February, the Commissioner published her [written observations](#) to the to the European Court of Human Rights in the case of *R.A. and others v. Poland*, concerning the situation of asylum seekers and migrants stranded at the border between Poland and Belarus. In the intervention, the Commissioner highlights the repeated and systematic practice of pushing migrants and asylum seekers back to Belarus in Poland, which happens without regard for those persons’ individual

situations and in particular, whether they may be entitled to international protection. The Commissioner also noted that changes in Poland's regulatory framework had made it largely illusory for those persons to access individual procedures and to apply for protection in Poland. The Commissioner observed that this practice is also likely to put them at risk of torture or inhuman or degrading treatment at the hands of Belarusian state agents, which is incompatible with Article 3 of the European Convention on Human Rights. She further noted that the Polish authorities' failure to provide humanitarian assistance to asylum seekers and migrants, and the restrictions put in place by Poland on access to the border zone for persons and organisations providing humanitarian assistance and legal aid, raised concerns under Article 2 and Article 3 of the European Convention on Human Rights.

***Third Party Intervention before the European Court on Human Rights in the case of Irina Borisovna Fedotova and Irina Vladimirovna Shipitko and 2 others v. Russia***

On 24 March, the Commissioner published her [written observations](#) to the European Court of Human Rights in the case of *Irina Borisovna FEDOTOVA and Irina Vladimirovna SHIPITKO and 2 other applications v. Russia*, which is pending before the Grand Chamber, concerning the absence of legal recognition of same-sex relationships. In her submission, the Commissioner emphasised that stable same-sex couples, with or without children, are part of the rich diversity of families that make up our societies – regardless of whether a state recognises them or not. She added that in the absence of such recognition however, they are barred from fully enjoying their right to respect for private and family life guaranteed under the European Convention on Human Rights.

The Commissioner also stressed that states should provide effective and non-discriminatory legal recognition to same-sex couples, through a clear and easily accessible legal framework, spelling out equal rights covering the needs of any couple in all aspects of life. Highlighting the consolidation of a consensus in Europe on this matter, the Commissioner points out that the absence of such consensus at the national level should not be considered as a valid argument to deny legal recognition to same-sex couples. The Commissioner underlined that the absence of legal recognition of same-sex couples constitutes discrimination on grounds of sexual orientation and perpetuates prejudices about same-sex relationships. Finally, she highlighted research demonstrating that that access to such recognition has resulted in increased acceptance of LGBTI people.

## **7. Communication and information work**

The Commissioner's work generated more than 150 news items from different national and international news outlets. The main topics covered by the media were freedom of expression, the impact of the war in Ukraine on human rights and the human rights of LGBTI people and migrants.

Work related to media freedom and freedom of expression was reported by *ANSA EFE, SwissInfo, ACN, Agence Europe, El Periodico de Catalunya, Estrella Digital, El Nacional, El Mundo, ERT, Europe Press, RTVCE, La Nazione, AFP, France 24, RFE/RL, Times of Malta, Turan, Ukrainian News, Azernews, Ukrinform, Azer-Press, Mediamax, News.am and Trend.*

The Commissioner's work in relation to the war in Ukraine was covered by several media including *ACN, El Punt Avui, AFP, SDA/ATS, Aktualne.cz, Anadolu Agency, ANSA, Aristegui Noticias, EFE, SwissInfo, Athens News Agency, Ethnos.gr, Liberal.gr, Newsbomb.gr, SigmaLive, Dnevni Avaz, Hina,*

*Index.hr, Jutarnji List, Tportal.hr, Libération, Slobodna Bosna, TASR, Teraz.sk, Ukrinform, UNN and Radio Chisinau.*

Several news outlets covered the Commissioner's activities for the protection of the human rights of LGBTI people, including *Gazeta Wyborcza, Index.hu, 20 Minutos, ABC, Artículo 66, EFE, SwissInfo, 24.hu, 888.hu, Hiradio.hu, MTI ADN Kronos, ANSA, SDA/ATS, Agence Europe, Agencia Lusa, Jornal de Noticias, O Jornal Economico, Observador, Sapo.pt, Blikk.no, Bumm.sk, Daily News Hungary, Hungary Today, the Budapest Times, Dziennik, Gay.it, Radio Svoboda, TASR, Teraz.sk and Wpolarityce.pl.*

*AFP, ANSA, EFE, SwissInfo, Gazeta Wyborcza, Open migration, RTVS, TASR, Mediapart, Agence Europe, Agencia Lusa, Time of Malta, Visao Online and Bergens Tidende* reported on the Commissioner's work related to the human rights of refugees, asylum-seekers and migrants.

The report on Malta was covered by national and international media, including *AFP, Agence Belga, RTBF, Agence Europe, ANSA, Die Tagespost, Euronews, Malta Today, The Malta Independent and Times of Malta.*

Additional coverage concerned human rights defenders (*Jurist, Vindobona, Vreme*), racism (*Sabado*), Roma (*The Conversation*), transitional justice (*Euractiv*), the visit to Georgia (*Agenda.ge, Civil Georgia, Georgia Online, Prime News*) and women's rights (*ERT, Index, Newsweek, AFP, Bergen Tidende, EurActiv, France24, Euronews*).

51 tweets were published, generating 556,700 impressions in total and an engagement rate of 2.6% and boosting the number of followers by 1,959 (an increase of 3,2%). On Facebook, 39 posts reached 54,577 people and garnered 197 new page likes and 636 new subscribers (up +4.66%).

Almost 100 000 unique visitors consulted the Commissioner's website, an increase of more than 1 000 unique visitors compared to the same quarter of 2021.