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COMMISSAIRE AUX DROITS DE L'HOMME



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## **2<sup>ND</sup> QUARTERLY ACTIVITY REPORT 2018**

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**by Dunja Mijatović**  
**Commissioner for Human Rights**

1 April to 30 June 2018

Presented to the Committee of Ministers  
and the Parliamentary Assembly

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## **1. Introduction**

This document contains a report on activities carried out by the Commissioner for Human Rights, Ms Dunja Mijatović, between 1 April, date of the beginning of her mandate, and 30 June 2018.

## **2. Missions and Visits**

### ***Mission to Berlin***

On 16 April, the Commissioner took part in an event in Berlin on “Technology and the next frontier in human rights”, where she delivered keynote remarks on the most important human rights challenges in the digital environment, and took part in a panel discussion. During her stay in Berlin from 16 to 17 April, the Commissioner discussed various human rights issues with the Director and Deputy Director of the German Institute for Human Rights, as well as with representatives of Human Rights Watch and Transgender Europe. She also visited the European Roma Institute for Arts and Culture (ERAC) and met with the Federal Government’s Commissioner for Human Rights Policy and Humanitarian Aid, Bärbel Kofler.

### ***Visit to Albania***

The Commissioner carried out a visit to Albania from 21 to 25 May, focusing on children’s rights, the rights of persons with disabilities, and access to free legal aid.

During her visit, the Commissioner held discussions with national authorities including the Prime Minister, Edi Rama; the Minister for Europe and Foreign Affairs, Ditmir Bushati; the Minister of Justice, Etilda Gjonaj; the Minister of Education, Sports and Youth, Lindita Nikolla; the Deputy Minister of the Interior, Romina Kuko; and the Deputy Ministers of Health and Social Protection, Bardhylka Kospiri and Mira Rakacolli. In addition, the Commissioner met with the Ombudsman, Erinda Ballanca and the Commissioner for the Protection against Discrimination, Robert Gajda.

Meetings were also held with civil society organisations and international organisations working on a wide range of human rights issues. Additionally, in close co-operation with UNICEF, the Commissioner carried out a field visit to Shkodra where she visited the kindergarten “Guerille”, the special school for children with disabilities “3 qershori” and the public residential care institution for children “Shtëpia e Fëmijës”.

While welcoming the authorities’ commitment to ensuring better protection of children through the adoption of several pieces of legislation, including the 2017 law on the protection of children’s rights, the Commissioner stressed the need for more effective implementation of the existing legislation and better co-operation between different levels of responsible authorities.

As regards violence against children, in particular violence in schools, the Commissioner stressed the need for continuous awareness-raising and encouraged the authorities to continue addressing bullying and violence among peers, which appear to be widespread in

schools. Moreover, raising the capacity and training of education professionals in preventing cases of violence, including sexual violence and children witnessing domestic violence was emphasised by the Commissioner.

Noting that Albanian legislation provides for inclusion of all children in mainstream education without discrimination on any ground, the Commissioner called on the authorities to sustain their efforts in implementing the relevant legislation with the aim of ensuring that all children, in particular Roma and Egyptian children and children with disabilities, are included in mainstream schools. The authorities should draw on the existing examples of good practices witnessed by the Commissioner, namely the inclusion of Roma children in the kindergarten “Guerille” and of some children from the special school for children with disabilities “3 qershori” in mainstream education. The Commissioner emphasised the important role of assistant teachers in this regard, and welcomed the authorities’ commitment to increasing the number of such teachers, which currently stands at 620, so that all children with disabilities have adequate support for inclusion.

The Commissioner encouraged the authorities to move towards full deinstitutionalisation of children from state care, while ensuring that no child is left without protection and adequate care, and that the best interest of the child is always adequately taken into account. She also recalled that children cannot be removed from their parents’ custody solely on grounds of the family’s socio-economic condition. The authorities should instead provide adequate support to families.

As regards the rights of persons with disabilities, while acknowledging some progress made in this field, the Commissioner called on the authorities to fix a time-frame for rendering public buildings, especially schools, accessible for persons with disabilities, and to ensure that rules laying down accessibility requirements for the construction of new buildings are always respected.

The Commissioner observed that deinstitutionalisation of persons with disabilities has not been progressing. She stressed that the authorities should develop and implement a deinstitutionalisation road map and provide community-based services, rather than continuing to resort to the use of residential institutions. However, this process needs to be carefully planned, in order to avoid that any person with disabilities is left without the necessary supports for independent living upon their departure from an institution. The Commissioner also stressed that the authorities should also amend legislation in order to stop depriving persons with disabilities of their legal capacity, starting with the immediate abolition of plenary guardianship so as to ensure that they enjoy legal capacity on an equal basis with others in all aspects of life.

Last but not least, emphasising the importance of access to free legal aid for children and persons with disabilities, the Commissioner welcomed the adoption in 2017 of the new Law on Free Legal Aid which broadens the scope of beneficiaries of legal aid and calls for its effective and prompt implementation.

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

### ***Visit to Estonia***

The Commissioner carried out a visit to Estonia from 11 to 15 June. Her visit focused on two main topics: gender equality and women's rights; and the human rights of older people. The visit also provided an opportunity to take stock of the situation of national human rights structures.

In the course of the visit, the Commissioner met with the President of the Riigikogu (Estonian parliament), Eiki Nestor, the Prime Minister, Jüri Ratas, the Minister of Social Protection, Kaia Iva, the Minister of Health and Labour, Riina Sikkut, officials from the Ministry of Justice and the Ministry of Foreign Affairs, and members of parliament and of the Estonian delegation to the Parliamentary Assembly of the Council of Europe. She also met with local authorities in the municipality of Jõhvi. In addition, the Commissioner had exchanges with the Chancellor for Justice, Ülle Madise, the Gender Equality and Equal Treatment Commissioner, Liisa Pakosta, as well as with civil society organisations.

The visit also covered parts of the Ida-Viru county in eastern Estonia, where a large portion of the population belongs to the Russian-speaking minority. The Commissioner visited a social care home for older persons in Kohtla-Järve, whose residents included older persons with long-term care needs. She also visited a recently-established sexual assault centre at the clinic of Kohtla-Järve, which facilitates medical and psychological care for victims of sexual violence, and collects medical evidence that can be used in criminal proceedings. In addition, she went to a shelter for victims of domestic violence in Jõhvi.

Estonia has developed at a fast pace and has made pioneering advances in the fields of digitalisation and other modern technologies. The Commissioner stressed that human rights should steer policy-making in all areas, and invited the authorities to work on reinforcing social cohesion, so that no one is left behind, including women, older persons and members of minorities.

While there are positive examples of women's political participation in Estonia, which has a woman President and a growing proportion of women in parliament, certain stereotypes and prejudices do persist about the roles of women and men in society, and the country has the highest gender pay gap in the European Union. The Commissioner encouraged the authorities to continue their efforts to tackle the various factors that contribute to the gender pay gap, including the prevailing tendencies towards gender separation by fields of study or activity in education and in the labour market, the glass ceiling phenomenon, insufficient sharing of family care duties, and a lack of transparency about salaries. She welcomed the ratification by Estonia of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) in 2017. Observing that Estonia has a good legislative and institutional framework for the protection and support of victims, the Commissioner called on the authorities to ensure stable and sufficient funding for those services, and to work toward ensuring accountability of perpetrators, including through increased training of police and judges, and legal support for victims.

Like all other European countries, Estonia has a population that is rapidly aging. In that context, the Commissioner drew urgent attention to the need to respect the human rights of older people, who are often subjected to discrimination. The Commissioner welcomed steps to amend the Equal Treatment Act and encouraged efforts to dispel ageism and

prejudices, which affect older persons as regards employment and private services. She also urged the authorities to tackle poverty so that all older people can live in dignity, including by accessing long-term care if needed. As regards the provision of social services for older persons, the Commissioner recommended that the authorities address the existing disparities between the different municipalities in the country, and urged them to work towards de-institutionalisation and increase the focus on home-based and community-based services. She also stressed the importance of appropriate training and work conditions for professional carers, and increased support to informal carers.

The Commissioner stressed the key importance of national human rights structures to promote and defend human rights at the national level. In this respect, she welcomed the adoption during her visit of a law that will enable the Chancellor of Justice to function as a National Human Rights Institution. The Commissioner also urged the authorities to ensure that the Gender Equality and Equal Treatment Commissioner is fully independent and adequately funded.

The Commissioner's report on this visit is forthcoming.

### ***Visit to Greece***

The Commissioner carried out a visit to Greece from 24 to 29 June. The visit focused on issues pertaining to the human rights of migrants, in particular their reception and integration, and to the impact of the austerity measures on the rights to health and to education.

In the course of her visit, the Commissioner held discussions with representatives of the national authorities, including the President of the Hellenic Republic, Prokópis Pavlóπουλος, the Speaker of the Parliament, Nikolaos Voutsis, the Ministers of Justice, Transparency and Human Rights, Stavros Kontonis, and of Health, Andreas Xanthos, and the Deputy Ministers of Education, Research and Religious Affairs, Meropi Tzoufi, and of Migration Policy, Ioannis Balafas. In addition, the Commissioner met with the Greek National Commission for Human Rights and the Ombudsman, Andreas Pottakis, and his deputies. The Commissioner also met with representatives of international organisations, and a number of non-governmental organisations. In Athens, she carried out visits to the Metropolitan Social Medical Centre of Elliniko, and to the premises of the NGO METAdrasi, which *i.a.* runs integration programmes for migrants. On the Eastern Aegean island of Lesbos, she visited the Mosaik Support Centre, the Reception and Identification Centre of Moria, and the Open Hospitality Centre for Refugees and Migrants 'Kara Tepe' run by the Municipality of Lesbos.

At the end of her visit, the Commissioner commended the exemplary humanity and hospitality that Greece's people and authorities have demonstrated towards migrants in recent years. However, she observed that the situation remains worrying and requires further efforts to protect their human rights. Noting the significant decrease in arrivals of migrants to Greece in the last two years, the Commissioner stressed that while current numbers remain difficult to manage for Greece alone, Europe as a whole can handle them without major difficulties, and thus called on all member states of the Council of Europe to address this issue in a spirit of collective responsibility and solidarity.

The Commissioner highlighted the need for rapid action by the Greek authorities in order to improve migrants' reception conditions, especially in the hotspots. She observed that

the geographical restriction imposed on arriving migrants put the Eastern Aegean islands and their population under heavy pressure. She expressed concern at the substandard living conditions prevailing in the Reception and Identification Centre of Moria. The official capacity of the Centre of Moria is of 3100 persons while the occupancy on the day of the Commissioner's visit was of 7214 persons. The Commissioner stressed that this situation may lead to very serious problems if not addressed immediately, and called on the Greek authorities to rapidly transfer more people to the mainland. She also called on the Greek authorities to speed up the processing of asylum applications, whilst ensuring all necessary safeguards for fair procedures are in place, increase the capacities of reception facilities across the country, and improve their quality. The Commissioner also insisted on the need to improve and speed up the vulnerability assessment procedure, in order to better protect the rights of all vulnerable people, and expressed concern at the situation of unaccompanied minors, many of whom are reported homeless, or are deprived of their liberty under the 'protective custody' regime. She called for rapid transfer of children who are entitled to family reunification elsewhere in Europe and encouraged the authorities to develop alternative care arrangements. Finally, the Commissioner underlined that integration is of utmost importance for both the migrants and Greece's social cohesion and encouraged the Greek authorities and their partners to intensify their efforts to provide language and vocational training, family reunification, and access to long-term residence and eventually naturalisation.

As regards the impact of austerity measures on the rights to health and to education, the Commissioner noted that severe budget cuts in the healthcare sector, coupled with cuts in patients' wages and pensions have hampered access to health care, at a time when the economic crisis generated an increase in the need for certain medical care, especially mental health care. She welcomed the adoption in 2016 of a law on universal medical coverage, and encouraged the authorities to improve its implementation in practice and to remove the barriers to accessing health care. Noting that mergers and closures of school units, cuts in budget and staff, and reduction of teaching hours have raised important issues regarding both the access to education and the quality of the education during the economic crisis, the Commissioner welcomed the increase in the education budget decided in 2017 and 2018, and encouraged the authorities to intensify their efforts in this field so as to ensure full access to high-quality level and inclusive education for all. Finally, the Commissioner called on the Greek authorities to take advantage of the end of the third economic adjustment programme to enhance the effective protection of the rights to health and to education, and to conduct human rights and equality impact assessments of any new measure to be taken.

The Commissioner's report on this visit is forthcoming.

### **3. Reports and continuous dialogue**

#### ***Letter to Semiha Borovac, Minister for Human Rights and Refugees, and Dragan Mektic, Minister for Security of Bosnia and Herzegovina, concerning the migration situation***

On 15 May, the Commissioner published a letter sent to the Minister for Human Rights and Refugees and the Minister of Security of Bosnia and Herzegovina, Semiha Borovac and Dragan Mektić respectively, concerning the migration situation in Bosnia and Herzegovina,

in light of the increased arrivals of refugees and migrants into the country. Stressing her concern about the lack of systematic response by the authorities to the humanitarian needs of the many refugees and migrants, including families and children, the Commissioner called on the authorities to, as a matter of urgency, provide all refugees and migrants, including asylum seekers, with adequate accommodation using all available resources, including the refugee reception centre in Salakovac. The Commissioner also raised her concern about reports indicating that many potential asylum seekers faced obstacles in accessing the asylum procedure, in particular those persons who have been unable to register their address on time in Bosnia and Herzegovina. She noted in this regard that the relevant procedure has been simplified and it should now be easier for newly arriving migrants to regularise their status. Lastly, noting the government's intention to step up border controls to prevent further arrivals, the Commissioner drew the authorities' attention to their human rights obligations with a view to ensuring that all persons who wish to seek international protection in Bosnia and Herzegovina have the possibility to do so.

The letter is available on the Commissioner's website.

***Letter to Theo Francken, Secretary of State for Migration and Asylum of Belgium, concerning detention of migrant children***

On 14 June, the Commissioner published a letter she had addressed to Theo Francken, Secretary of State for Migration and Asylum of Belgium, in which she raised concerns about the possibility that migrant families with children may be detained in newly built closed detention units near Brussels airport. The Commissioner stressed that full respect for children's rights implies that children should never be detained on grounds of their or their parents' immigration status and that, even when the material conditions for detention are adequate and the duration short, immigration detention is never in the child's best interests. Underscoring the investments made by Belgium in the last decade to develop human rights compliant alternatives to detention, she invited the authorities to continue on this path and to avoid reverting to past detention practices.

The letter is available on the Commissioner's website along with the reply from the Secretary of State for Migration and Asylum.

## **4. Themes**

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

On 1 June, the Commissioner issued a statement expressing her concern at draft legislation submitted by the Hungarian government to the Parliament, providing for criminal law sentences, including imprisonment, for those 'facilitating illegal immigration'. She stressed that, if adopted, the new provisions would result in further arbitrary restrictions to the indispensable work of human rights NGOs and defenders and leave migrants without the essential services provided by such NGOs. She noted that the proposed package allowed for the criminalisation of activities which should be fully legitimate in a democratic society and would inevitably have a chilling effect on any individuals or organisations offering assistance to migrants. She was also alarmed that the new provisions would impact negatively on the human rights of migrants, including asylum seekers. She



stressed that measures of this kind were also likely to incite xenophobia against migrants and mistrust of those committed to helping them. The Commissioner called on the Hungarian authorities to drop this Bill, to refrain from taking any measures putting at any disadvantage NGOs working in the field of migration and to restore an enabling environment conducive to the work of human rights defenders. She also urged the Hungarian authorities to fully abide by their international human rights obligations and show a more humane approach to the needs of asylum seekers and all migrants.

On 19 June, one day before World Refugee Day, the Commissioner issued a statement highlighting the work of individuals and non-governmental organisations working with asylum seekers and refugees, including by providing food and shelter, legal assistance, or conducting search and rescue operations at sea. Through these activities, she noted, these individuals and organisations were giving practical effect to the fundamental obligation to protect those fleeing war and persecution. The Commissioner expressed concern at the increasing pressure and restrictions put on individuals and NGOs working in this field, including prohibitive administrative burdens, stigmatisation by hostile rhetoric, and criminal prosecution. She called on member state to refrain from interfering with the legitimate work of individuals and NGOs assisting migrants. Rather, states should seek cooperation and provide support to them.

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

On 16 May, the Commissioner published a statement on the occasion of the International Day against Homophobia, Transphobia and Biphobia, in which she stressed that daily violent acts still prevent lesbian, gay, bisexual, and transgender people from living freely and safely in many European countries. She recalled with concern the targeted persecutions against LGBTI people in 2017 in Chechnya and in Azerbaijan. She urged Council of Europe member states to invest more efforts in combating homophobia and transphobia, including by sending an unequivocal message that those responsible for hate crimes will be prosecuted. Finally, the Commissioner stated that she intends to continue defending and promoting equal human rights for LGBTI persons and counts on the cooperation of all member states to this end.

On 8 June, the Commissioner addressed a video message to the Conference on Freedom of Speech and Assembly, organised on the occasion of the Baltic Pride 2018 in Riga. Noting that the Baltic Pride is a key event to give a voice to LGBTI people in the region, the Commissioner stressed that freedom of association and expression are crucial human rights to enable all people, including LGBTI people, to fully and freely participate in a democratic society. She expressed concern about attempts across Europe to limit free speech and freedom of assembly of LGBTI people.

On 28-29 June, a member of the Office of the Commissioner for Human Rights participated in the 7th European Transgender Council 2018 in Antwerp. At the policy meeting, activists raised the need for good legislation on legal gender recognition, access to health care and depathologisation of gender variance, and the backlash that followed recent gains for transgender people.

### ***Human rights of internally displaced persons***

On 23 April, the Commissioner met with the UN Special Rapporteur on the Human Rights of Internally Displaced Persons, Ms Cecilia Jimenez-Damary. They discussed their current

and future priorities, most notably with regard to addressing the protracted displacement and upholding of the human rights of IDPs in Europe and beyond, and agreed to continue co-operation and information sharing between the two Offices.

On 29 May, the Commissioner published a human rights comment entitled “Europe’s duty to internally displaced persons”. In view of several long-lasting situations of protracted displacement in Europe, the Commissioner urged Council of Europe member states to put in place comprehensive human rights-based strategies for preventing and addressing internal displacement. She also highlighted that the rights, needs and legitimate interests of internally displaced persons (IDPs) should be at the centre of all IDP-related policies and decisions. While strategies, laws and policies to support IDPs do exist in several member states, the common obstacles to effectively addressing protracted displacement include a lack of adequate funding for the implementation of the relevant policies, inadequacies in terms of housing options, livelihood opportunities, access to healthcare for IDPs in general and quality education for IDP children in particular, as well as a lack of effective legal mechanisms for resolving property disputes.

The Commissioner underlined that durable solutions to protracted displacement should be designed in such a way as to prioritise the enjoyment of the human rights of IDPs, including freedom to choose their residence, freedom of movement and non-discrimination, instead of merely being driven by the available options. IDPs should be in a position to make a voluntary and informed choice as to which durable solutions- such as return, local integration and settlement elsewhere in the country - they would like to pursue, and be able to participate in the planning and management of their preferred options, which may change over time. The Commissioner also emphasised the fundamental role of national human rights institutions in protecting the rights of IDPs and raising awareness about their situation, as well as the enormous contribution by civil society representatives who frequently find themselves in the forefront when it comes to providing assistance to people in need, including IDPs. The Commissioner also stated her intention to continue addressing protracted displacement in Europe in the course of her work.

### ***Human rights of Roma***

On 25 June, the Commissioner published a statement concerning an attack by a group of masked men on a Roma camp in western Ukraine, as a result of which one person was killed and four others, including a child, were injured. Expressing her condolences to the family of the victim and her wishes for a speedy recovery of those injured, the Commissioner also noted that there had been a series of violent raids by radical groups against Roma and human rights defenders within a two-month period. According to human rights defenders, the response given by law enforcement authorities on such occasions has often been either indifferent or ineffective; consequently, the Commissioner urged the authorities to invest more in prevention efforts, and to prosecute and hold to account all perpetrators of any such violent attacks. Whereas certain steps have been taken by the authorities to ensure accountability for the above-mentioned attack, the Commissioner stated her intention to follow the situation closely.

### ***Human rights of persons with disabilities***

On 8 June, the Commissioner’s Office participated in an informal briefing of Ambassadors on the work currently carried out by the Committee on Bioethics (DH-BIO) to draw up an

Additional Protocol to the Convention on Human Rights and Biomedicine (Oviedo Convention), concerning the involuntary placement and treatment of “persons with mental disorder”. As the Commissioner was unable to participate in this briefing in person, she requested that a note summarising her views on the draft Additional Protocol be distributed to the participants. In this note, the Commissioner referred to the serious concerns expressed by her predecessor on a previous version of this draft, which she fully shared and considered still applicable to the present version of the text.

In particular, she stressed that by going against the wishes and points of view of the very persons it seeks to protect and weakening hard-fought global standards, the most important of which is the UN Convention on the Rights of Persons with Disabilities, such an Additional Protocol would be ultimately counterproductive for the protection of the rights of persons with psychosocial disabilities and detrimental to the Council of Europe due to a clear risk of open conflict between international norms. She also considered that the basic premise of this draft, that human rights violations occurring in connection with involuntary measures are mainly caused by a lack of legal safeguards, was disputable and pointed to the experience of her Office suggesting otherwise. She recommended that work on this text not be pursued further and called on the DH-BIO to focus on guidance regarding ways of minimising involuntary measures in psychiatry instead.

## **5. Other meetings**

### ***20<sup>th</sup> anniversary of the Ombudsman institution in “the former Yugoslav Republic of Macedonia” and 10<sup>th</sup> meeting of the Association of Mediterranean Ombudsmen***

From 30 to 31 May, a member of the Commissioner’s Office participated in the anniversary conference of the Macedonian Ombudsman institution, which was at the same time hosting the tenth meeting of the Association of Mediterranean Ombudsmen (AOM), a body created in 2008 in Marseille. The topics of the two-day conference in Skopje included social, cultural and environmental rights, focusing on the role of Ombudsmen in the protection of those rights. In the area of social rights, discussions included the topic of housing rights, the idea of a basic income, and the need to address more vigorously labour exploitation by certain employers. The question how best to live together in diverse societies - while protecting human rights - was the leitmotif on the session on cultural rights, while the part on environmental rights covered inter alia the UN Sustainable Development Goals, and the role of local communities and cities as agents of positive change.

### ***Panel discussion “Quo Vadis Europe?” Human Rights Watch Council Summit***

On 7 June, the Commissioner participated in a panel discussion entitled “Quo Vadis Europe?” at Human Rights Watch’s annual Council Summit in Zurich. The panel discussions covered the rise of anti-rights populists in several European countries, how to combat apathy in public opinion and restore confidence in human rights, and media freedom and the protection of journalists.

### **10<sup>th</sup> OHCHR-Council of Europe Coordination Meeting**

On 13 and 14 June, a member of the Commissioner's Office participated in the coordination meeting hosted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva. This year's meeting focused on the issues of freedom of expression, including via the Internet, and the role of human rights defenders. Coordination meetings aim at exchanging information and strengthening cooperation across different sectors of both organisations.

## **6. Human Rights Defenders**

During the period under consideration, the Commissioner continued to devote close attention to the situation of human rights defenders in Europe.

In June, the Commissioner intervened on several cases where the safety and physical integrity of human rights defenders were at risk. In particular, on 12 June, she expressed alarm via Twitter about multiple threats received by an LGBTI rights activist from Tetovo, "the former Yugoslav Republic of Macedonia". The Commissioner requested the relevant law enforcement authorities to ensure his safety and conduct an investigation into those threats; subsequently, appropriate action was taken. On 25 June, the Commissioner issued a statement regarding the attacks against Roma and human rights defenders in western Ukraine (see *Human rights of Roma* above).

The Commissioner also continued her efforts in promoting an enabling environment in the Council of Europe area for the activities of human rights defenders and, particularly, NGOs and activists defending migrants' rights. On 1 June, the Commissioner raised concerns about the proposed legislative amendments in Hungary criminalising the work of NGOs that provide assistance to migrants. On 19 June, she made a statement ahead of World Refugee Day in which she highlighted the key role played by human rights defenders in addressing challenges related to the protection, reception and integration of refugees in Europe, and called upon member states to provide support for their work (see section *Human rights of immigrants, refugees and asylum seekers* above).

As a part of her efforts to improve the working environment and protection of human rights defenders, the Commissioner also co-operates with international partners. On 25 April, the Commissioner held a meeting in Strasbourg with the United Nations Special Rapporteur on the situation of human rights defenders, Mr Michel Forst. The discussion focused on their respective work concerning human rights defenders in member states of common interest. The Commissioner and Special Rapporteur Forst also had an exchange of views on strategies and plans for their respective work, in particular in the context of the 20th Anniversary of the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (the UN Declaration on Human Rights Defenders).

## 7. European Court of Human Rights

### ***High-level conference “Continued Reform of the European Human Rights Convention System – Better Balance, Improved Protection”***

On 12 April, the Commissioner attended the High-Level conference on “Continued Reform of the European Human Rights Convention System – Better Balance, Improved Protection” organised in Copenhagen by the Danish Chairmanship of the Council of Europe’s Committee of Ministers.

In her speech, the Commissioner called on member states to ensure that the Court remains independent and effective. Highlighting the vital role the Court plays in guaranteeing freedom, justice and human dignity, the Commissioner underscored that attempts to reform the system should not undermine the ability of the Court to interpret the European Convention on Human Rights in a dynamic way. Drawing member states’ attention to their obligation to protect all rights equally and to strictly respect the Court’s independence, the Commissioner also underlined that member states should avoid misinterpreting the principle of subsidiarity to restrict the Court’s role.

While acknowledging her particular role and responsibility in relation to the European system of protection of human rights, the Commissioner stressed that she intends to contribute to this endeavour by continuing to increase the awareness of national authorities and civil society about the Convention system and help member states to remedy structural problems that may hinder the protection of human rights. In addition, she intends to provide the Court with objective and impartial information through third party interventions and to develop her contribution to the execution of judgments possibly by making use of the new Rule 9 of the rules of the Committee of Ministers, given that the non-execution of judgments remains a major problem in many member states.

## 8. Communication and Information work

The main media coverage during the period under review concerned the beginning of the mandate of the new Commissioner, the human rights of migrants and safety of journalists. More than 200 news items were published by national and international media outlets.

On the occasion of World Press Freedom Day, which occurs on 3 May, the Commissioner published an opinion article on safety of journalists (*Europe’s duty to save journalists*) that was syndicated in more than 20 European newspapers of different member states. The article focused on the extent of the threats journalists face in Europe, called out states’ structural failures to protect them and recommended concrete measures to remedy this situation.

The start of the new Commissioner’s term of office was covered by *A1 On, Agence Europe, Agência Lusa, Alfa, ArmenPress, Beta, B92, Civil Media, Confitegal, Danas, Delas, DN, DPA, DW, EFE, El Confidencial, El Diario, Europa Press, Expansion, HINA, Index.hr, IR, Korrespondent.net, Kix.ba, Lokalno, Mkd, Meta, MIA, MTI, Maszol, News.am, Nezavisen, Novatv, N1 Info, Panorama, Pravda.sk, Radio Sarajevo, RBC, Reporter, Republika, Tocka, RIA Novosti, SME, Sputnik, TASR, Total Croatia News, TSF, Ukrinform, Večernji list, and Wschodnik.*

The Commissioner statements and interviews on migration were covered by many national and international media (*APA, Die Presse, AFP, AFP, SDA/ATS, Agence Belga, Agerpres, Al Jazeera, B95, Business Insider, Daily Mail, Dnevnik, FENA, Fox News, Glas Slavonije, IBNA, Index.hu, Jurnalul, Klix.ba, Oslobodjenje, RFE, Radio Slobodna Evropa, Radio Sarajevo, Sputnik, Start, Tanjug, Nezavisne novine, The Associated Press, The Washington Post, Vesti, WELT online, Wschodnik.pl, Foreignpolicy.com, France Info, Le Monde, L'Obs, ReliefWeb, BNN, Bozotharc, Budapest Business Journal, Business Insider, Cyprus Mail, De Morgen, De Volkskra, Delano, Efe, El Correo, El Diario, Euro2day.gr, Europa Press, European Interest, Herald, Hoy, Hirado.hu, Kyiv Post, Le Soir, Magyar Demokrata, Mandiner.hu, MTI, Népszava, ORF, Reliefweb, Reuters, RTL, RTV Slovenija, STA, SDA/ATS, SwissInfo, Tanjug, B92, TGcom 24, and The Brussels Times*).

The op-ed on safety of journalists was placed in 21 news outlets of different member states (*Aktuality, Contributors, Delo, El Pais, Helsingin Sanomat, Jutarnji List, Latvijas Avize, L'Espresso, Le Soir, Le Temps, MIA, openDemocracy, Oslobodjenje, Politiken, ProtoThema, Süddeutsche Zeitung, Times of Malta, The World Weekly, Ukrainska Pravda, Vesti, and Vijesti*) and was quoted by other media (*ANSA, Bianet, Fokus.mk, Nova TV, Beta, Interfax, Kurir, Le Figaro, AFP, Lusa, Muosz, Novosti, Osservatorio Balcani e Caucaso, Radio Sarajevo, Radio Slobodna Evropa, RFE, RT, Siol.net, Sputnik, Tageschau, TASS, Ukraine Nouvelles, and Ukrinform*).

The statements on the protection of Roma from violent attacks and hate speech were covered by *ANSA, Il Fatto Quotidiano, Il Manifesto, Internacional Estadão, Lettera 43, NewStatesman, Reuters, TGCom24, TGNews24, The Associated Press, The Siver Post, Ukrinform, Virgilio, and The Washington Post*.

The statement on the bill restricting the work of NGOs in Hungary also attracted national and international coverage (*Associated press, ABC News, The Washington Post, The Canadian, Euronews, Press Budapest Business Journal, Interfax, Rossiyskaya Gazeta, Sputnik, and TASS*).

The Commissioner's visit to Albania was covered by *Agenzia Nova, Albanian Daily News, City News Albania, Dita, IBNA, Radio Tirana International, Reporter.al, Tirana Echo, Top Channel, Gazeta Dita, and Vlora News*. The visit to Greece was covered by *AFP, Athens News Agency, Business insider, CapitalFm, CNN, In.gr, DPA, EFE, Ekathimerini.com, Emprosnet.gr, Euronews, Frankfurter Neue Presse, Farmakeutikos Kosmos, HealthView, IatroNet, La Croix, La Vanguardia, Le Figaro, Le Point, Libération, Reuters, and The Guardian*.

Additional coverage concerned the visit to Estonia (*Delfi, EER.ee, emerging Europe, and Estonian World*), the rights of LGBTI persons (*APA, Bianet, Der Standard, DPA, Huffingtonpost, Noizz, PinkNews, Stern, Lgbti.ba, Radio Sarajevo*), IPDs (*BETA, Cyprus Mail, N1 Info, RTV*), the situation in Armenia (*A1Plus, ArmenPress, News.am*), the rights of women (*Dagens Nyheter Online, DNA, France Inter*), and persons with disabilities (*Gazeta Wyborcza*).

Over 32 000 unique visitors consulted the Commissioner's website. Social media activity increased, with animations and video messages posted on Twitter, in particular on the occasion of press freedom day and World Refugee Day. 44 tweets were published, which led to a total number of 1.2 million impressions (i.e., the number of times users saw the

tweets on Twitter) and an increase of 2700 followers (51% more compared to the previous quarter).

20 Facebook posts were published, with an increase of over 500 page likes.

## **9. Next three months**

### July

11/07 Srebrenica Memorial Day (Srebrenica)

### August

02/08 74<sup>th</sup> Roma Holocaust Memorial Day (Auschwitz-Birkenau)

### September

17-21/09 Visit to Armenia

26/09 ECtHR Grand Chamber Hearing