

# COMMISSIONER FOR HUMAN RIGHTS OF THE COUNCIL OF EUROPE

DUNJA MIJATOVIĆ

**4<sup>TH</sup> QUARTERLY ACTIVITY REPORT 2022**

**1 October to 31 December**

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 October and 31 December 2022.

## 1. Visits and Missions

### *Visit to Spain*

The Commissioner carried out a [visit](#) to Spain from 21 to 25 November. The visit focused on issues pertaining to social rights, in particular the right to housing and right to health, freedoms of expression and assembly, and the human rights of refugees, asylum seekers and migrants. During the visit, the Commissioner met with the President of the Congress of Deputies, Ana Meritxell Batet Lamaña; the Minister of Justice, Pilar Llop Cuenca; the Minister of Inclusion, Social Security and Migration, Jose Luis Escrivá Belmonte; and the Minister of Foreign Affairs, José Manuel Albares Bueno. She also met with the Secretary of State for Health, Silvia Calzon Fernández; the Secretary of State for Equality and against Gender Violence, Ángela Rodríguez; the Secretary of State for Security, Rafael Pérez; the Secretary of State for the 2030 Agenda, Lilith Verstryngge, and the Secretary of State for the European Union, Pascual Ignacio Navarro Ríos. The Commissioner also met with the Ombudsman, and held meetings with civil society and international organisations. She also travelled to Melilla, where she met with officials and civil society and visited the border perimeter, including Beni Enzar crossing point and Barrio Chino.

At the end of the visit, the Commissioner noted that while Spain has made significant efforts to advance the protection of social rights in recent years, the authorities should allocate resources transparently and sustainably and adopt common standards, in co-operation with authorities at central and local levels, to address inequalities in access to social rights and ensure that the needs of the most vulnerable are met. As regards access to adequate housing, she urged the authorities to address long-standing issues, such as the low social housing stock due to years of scarce public investment, high costs for renting or buying a home, forced evictions, and rising levels of homelessness. The Commissioner also urged the authorities to strengthen universal access to quality public healthcare for all throughout Spain, noting that regional differences are particularly notable in the provision of primary healthcare and specialised care.

As regards freedom of expression and assembly, the Commissioner learned with concern that the 2015 Citizens' Security Law continues to have a negative impact on the enjoyment of the freedoms of expression and assembly, creating an overall chilling effect on society. She called for the law to be brought fully in line with European and international human rights standards and highlighted that all allegations of police abuse in this context must be investigated and made fully accessible to judicial review. She also recommended strengthening the overall accountability framework for law enforcement officials and ensuring an adequate oversight of the use of coercive powers and the imposition of sanctions.

Welcoming the measures adopted for the protection and reception of people fleeing the war in Ukraine and the steps taken to improve the reception conditions in the Canary Islands, the Commissioner noted that access to rights and protection varies significantly throughout the country and remains challenging for many refugees and asylum seekers. Based on her findings from her discussions in Madrid and in Melilla, the Commissioner concluded that there is no genuine and effective access to asylum at the border between Nador, in Morocco, and Melilla and urged the authorities to address the situation comprehensively to make sure that those in need of protection

can access the territory through legal and safe ways. As regards the tragic events in the context of the attempted crossings of the fence between Nador and Melilla on 24 June 2022 and allegations of pushbacks, the Commissioner welcomed the opening of investigations by the Prosecutor General and the Spanish Ombudsman, stressing the importance of full and effective accountability of those responsible for any human rights violations that would be brought to light by these investigations. She also highlighted that Spain should not directly or indirectly contribute to human rights violations through measures taken to implement their migration co-operation with third countries and underscored the urgent need to improve responsibility-sharing and solidarity measures between Council of Europe member states.

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

## 2. Reports and continuous dialogue

### ***Letter to the Prime Minister of Malta on strengthening the protection of the media and access to information***

On 6 October, the Commissioner published a [letter](#) to the Prime Minister of Malta, urging the Maltese authorities to ensure that legislative work launched following the public inquiry report into the assassination of Daphne Caruana Galizia complies with international standards and is fully open to public scrutiny and participation. She called on the authorities to ensure broad public consultation on draft legislation concerning the media sector and strategic lawsuits against public participation (SLAPPs); strengthen the protection of journalists' safety; increase efforts to identify and bring to justice all those responsible for Daphne Caruana Galizia's murder; avoid measures impinging on media freedom and the right to access information of public interest; and set out a defined plan to implement the recommendations of the public inquiry report and communicate it clearly to the public.

The Commissioner's letter is available on her website, along with the reply from the Prime Minister of Malta.

### ***Memorandum on Kosovo\****

On 18 October, the Commissioner published a [memorandum](#) following her mission to Kosovo\* from 30 May to 3 June 2022, outlining recommendations on advancing transitional justice and social cohesion, strengthening the freedom and safety of journalists, and countering gender inequality and gender-based violence.

The Commissioner underscored the need to address the present shortcomings in the investigation, prosecution and trying of war-related crimes now under the responsibility of Kosovo's justice system and for enhancing cooperation with the Kosovo Specialist Chambers and Specialist Prosecutor's Office. The importance of ensuring that all civilian war victims are given access to reparations and safe conditions to come forward was also stressed. Regarding the search for missing persons, the Commissioner encouraged Belgrade and Pristina to resolve their disputes and cooperate on the

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\*All reference to Kosovo, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 (1999) and without prejudice to the status of Kosovo.

resolution of the remaining cases, putting the families of the missing persons at the centre of all their considerations. The Commissioner also underlined the need to address obstacles to sustainable returns and to promptly implement the judgment of the Constitutional Court concerning the Visoki Dečani Monastery.

The Commissioner underscored the importance of addressing persisting ethnic divisions in public education by means of developing a single education system, respectful of all communities' cultural and linguistic differences. The implementation of the Law on the Use of Languages should also be enhanced in order to protect and promote language rights of non-majority communities.

Regarding media freedom, while noting an overall diverse and vibrant media landscape, the Commissioner called for the full implementation of the existing legislation, notably as regards access to information. She stressed that journalists must be permitted to conduct their work free from pressure – including strategic lawsuits against public participation (SLAPPs), and be protected from threats and physical attacks, while impunity for crimes against journalists must end, including for the 13 cases of murders and disappearances of Kosovo Albanian and Serb journalists, which occurred between 1998 and 2005. The Commissioner emphasised the importance of providing sustainable funding to the Press Council and to the public service media to shield them from undue interference.

In the sphere of women's rights and gender equality, the Commissioner stressed the importance of bridging the significant gap between domestic legislation and the situation on the ground, due in particular to the persistence of deeply rooted patriarchal norms in society, including as regards the participation and representation of women in public life, and women's access to education, healthcare, property rights and inheritance. Finally, the Commissioner underlined the need for harmonisation of domestic legislation with the Istanbul Convention and recommended that authorities continue to pursue the promotion of gender equality and women's empowerment as tools in the prevention of gender-based violence.

The memorandum is available on the Commissioner's website

### ***Report on the United Kingdom***

On 9 December, the Commissioner published the [report](#) following her visit to the United Kingdom from 27 June to 1 July 2022, with recommendations on the overall human rights landscape, children's rights, and specific issues relating to Northern Ireland.

As regards the general human rights landscape, the Commissioner expressed concern about an increasingly antagonistic attitude towards human rights by the UK government, in view of recent and proposed changes to laws and policies, the increasing presentation of human rights as an obstacle to the effective implementation of government policies, and the verbal targeting of human rights defenders. The report set out how the proposed repeal of the Human Rights Act 1998, and its replacement with a Bill of Rights, would weaken rather than strengthen human rights in the UK. The report also addressed the impact of the Police, Crime, Sentencing and Courts Act, especially its chilling effect on the right to peaceful assembly, which would be worsened if the Public Order Bill is adopted. The Commissioner noted a significant regression in the observance of the UK's international obligations to uphold the human rights of refugees, asylum seekers and migrants, the toxic public discourse towards trans persons, and the impact that the extradition of Julian Assange would have on media freedom.

On the topic of children’s rights, the Commissioner particularly reiterated the need to combat child poverty, including through comprehensive strategies and establishing binding targets, as well as by addressing structural elements of the welfare and benefits system, tackling food insecurity among children, and realising their right to adequate housing. Other measures recommended comprise reviewing the use of stop and search powers against children, including the practice of strip-searching, raising the minimum age of criminal responsibility to bring it in line with international standards, and ensuring that 16- and 17-year-olds can fully benefit from child-friendly justice. The report called on the authorities to build on good practices to promote the participation of children in decision-making, including by lowering the voting age where applicable.

As regards Northern Ireland, the Commissioner encouraged the UK government to consider withdrawing the Legacy Bill in view of the widespread opposition in Northern Ireland and the serious issues of compliance with the European Convention on Human Rights it raises, and called for any steps on legacy to place the rights and needs of victims at its heart. The report also addressed the need for steps to be taken to enhance overall human rights protection in Northern Ireland, including by providing adequate resources to the Northern Ireland Human Rights Commission so that it can carry out its functions fully. The Commissioner highlighted the urgency of steps to protect journalists, as well as other groups at risk, in the light of continuing threats against them, and reiterates that there can be no impunity for the murders of journalists Martin O’Hagan and Lyra McKee. She also recommended tackling the widespread segregation in the Northern Ireland education system, including by significantly expanding the number of integrated schools, as a crucial step to move forward as a society. Finally, the report noted the need for adequate and sustained funding of abortion services in Northern Ireland in order to safeguard women’s sexual and reproductive health and rights.

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

***Letter to the State Secretary for Asylum and Migration of Belgium on reception conditions for asylum seekers***

On 21 December, the Commissioner published her [letter](#) to the State Secretary for Asylum and Migration, Nicole de Moor, about asylum reception conditions in Belgium. The Commissioner expressed concern about the lack of available accommodation in reception facilities and delays in the registration and processing of asylum applications which have serious consequences for the human rights of asylum seekers, including their right to health and their access to shelter and other basic needs. She sought information from the authorities about steps they envisage to take to ensure the provision of accommodation and material assistance to asylum seekers and to address the structural shortcomings in the asylum system in Belgium.

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

***Letter to the Bulgarian authorities on investigations into alleged pushbacks***

On 21 December, the Commissioner published a [letter](#) to the Prime Minister of Bulgaria, Galab Donev, and the Deputy Prime Minister for Public Order and Security and Interior Minister of Bulgaria, Ivan Demerdzhiev, expressing concern about media reports regarding pushbacks at

Bulgaria's land borders and requesting information on the investigations launched by the authorities into allegations of unlawful detention and ill-treatment of refugees, asylum seekers and migrants and of situations which have led to the death or injury of those trying to cross the border into Bulgaria. She called on the Bulgarian authorities to safeguard the right to life of asylum seekers and migrants, protect them from ill-treatment, and ensure that they are not being forced back across borders without an individual assessment of their human rights protection needs.

The letter is available on the Commissioner's website along with the reply of the Deputy Prime Minister for Public Order and Security and Interior Minister of Bulgaria.

### **3. Themes**

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

In a [statement](#) issued on 10 October, the Commissioner reacted to another barrage of missile and rocket strikes carried out by Russia on densely populated urban areas and electricity infrastructure in Ukraine. The Commissioner observed that the widespread and indiscriminate nature of such attacks strongly suggested that they may be qualified as war crimes or crimes against humanity, as she had already noted in her July 2022 [memorandum](#). Regretting the loss of life and injuries caused by the attacks, the Commissioner called for the human suffering to stop and for all those responsible for serious human rights violations to be brought to justice as soon as possible.

On 21 October, the Commissioner attended a meeting convened by Andriy Yermak, Head of the Office of the President of Ukraine, for representatives of various international organisations. The presentation revolved around the issue of lack of access to Ukrainian prisoners of war held by Russian or Russian-controlled forces and the international community's role in protecting their rights and in responding to the human rights consequences of the war in Ukraine in general.

On 18 November, the Commissioner published a [statement](#) ahead of World Children's Day, calling on member states to protect and support the children impacted by the war in Ukraine (see *Children's rights* below).

On 20 December, the Commissioner sent a video message to the participants of a Council of Europe [roundtable](#) devoted to the human rights developments which took place in Crimea in the aftermath of the Russian armed aggression against Ukraine. In her remarks, the Commissioner stressed her past attempts to obtain access to Crimea to carry out human rights work and referred to the work done by her Office in relation to the situation of human rights defenders and journalists there. She also briefly described her response to the human rights consequences of the war in Ukraine and stated her intention to continue to pay specific attention to Crimea, including the situation of Crimean Tatars. Members of the Commissioner's Office attended the roundtable.

#### ***Situation around Nagorno-Karabakh following the blocking of the Lachin Corridor***

On 22 December, the Commissioner published a [statement](#) on the situation around Nagorno-Karabakh following the blocking of the Lachin Corridor, emphasising the urgent need to restore the movement of people, goods and services, including food supplies and urgent medical care, to prevent the deterioration of the humanitarian situation there. She also highlighted the importance of ensuring free and unhindered access to humanitarian assistance and international human rights

missions to all areas and people, including those residing in Nagorno-Karabakh, indicating her readiness to engage with all the relevant interlocutors to assist in overcoming the existing challenges.

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

During this reporting period, the Commissioner made several country-specific interventions in regard of the human rights of refugees, asylum seekers and migrants. Various developments in relation to this topic were covered in the report on the United Kingdom, the visit to Spain and letters addressed to the governments of Bulgaria and Belgium (see *Visits and Missions* and *Reports and continuous dialogue*).

The Commissioner had several meetings in relation to this theme. On 12 October, she met with Julian Pahlke, the Rapporteur on missing migrants of the Committee on Migration, Refugees and Displaced Persons of the Parliamentary Assembly of the Council of Europe (PACE). The Commissioner presented the recommendations she made in her [Human Rights Comment](#) on missing migrants published on 29 September. She also discussed the main aspects of her Recommendations on [Pushbacks](#) and on the [Central Mediterranean](#).

On 8 November, the Commissioner had an online meeting with Krista Mikkonen, the Minister of Interior of Finland. This meeting allowed for further discussion of the Commissioner's [letter](#) to the Minister of 27 July 2022. There was discussion of the difficulties faced by states in tackling the instrumentalisation of migration in a human rights compliant manner and the need to ensure that recent legislative measures taken by Finland do not negatively impact on the ability to effectively claim asylum. The protection of human rights defenders was also discussed.

On 24 November, members of the Commissioner's Office had an exchange with the International Committee of the Red Cross on the topic of missing migrants and explored opportunities to enhance cooperation on this topic. The representatives from ICRC provided an overview of the operational support they provide to some member states, as well as of their advocacy efforts at the global level to raise awareness on this matter. The Commissioner's Office presented the Commissioner's mandate and its previous work on the issue of missing migrants.

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

On 19 October the Commissioner gave a [keynote speech](#) at a European Parliament seminar on *Safeguarding media freedom in Europe* organised for the Daphne Caruana Galizia Prize 2022, in which she stressed that murders and physical attacks against journalists, impunity for crimes against them and SLAPPs are the main problems affecting press freedom in Europe. She therefore emphasised the need to act and to continue demanding that states end impunity, implement existing standards, push for a change in the political discourse regarding the press and support initiatives aimed at protecting journalists, including police protection systems and psychological support.

On 20 October, the Commissioner [addressed](#) the first European Anti-SLAPP Conference, highlighting the urgency to act because SLAPPs represent a serious threat to freedom of expression, freedom of assembly and to the right to receive information. She called for the adoption of national legislation which allows for the early dismissal of SLAPPs, foresees measures to punish abuse of the justice system and guarantees practical support and free legal aid to those who are sued. She also stressed

the need to decriminalise defamation and libel and the crucial role played by national and international organisations in monitoring violations.

On 2 November, the Commissioner participated in a conference organised by the OSCE Representative on Freedom of the Media (RFoM) for the 25<sup>th</sup> anniversary of the institution. The Commissioner highlighted the gap between standards and implementation in the field of press freedom. She emphasised the importance of the institution of the OSCE RFoM, and more generally of international organisations, and the need to join forces to promote human rights and state compliance with their obligations not only to adopt good laws but also to enforce them.

On 4 November, the Commissioner participated in a panel discussion at the high-level conference on "Safety of Journalists: Protecting media to protect democracy" organised by the Austrian Ministry for European and International Affairs, UNESCO and UN OHCHR to mark the 10th anniversary of the UN Plan of Action on the Safety of Journalists. In her speech, the Commissioner stressed that ensuring the safety of journalists is one of the most pressing issues for our society. Acknowledging that it is hardly possible to prevent all dangers that journalists may face in their work, she emphasised that states have the legal, financial and political means to reinforce the safety of journalists and that international organisations should help them to make better use of these means.

On 6 December, the Commissioner participated in an exchange of views with the PACE Committee on Culture, Science, Education and Media on freedom of the media and on SLAPPs. The Commissioner gave an overview of the threats faced by journalists, from those related to conflict situations to legal harassment, violence and intimidation. She stressed the role of members of PACE in ensuring the protection of journalists, in particular in the fight against impunity, in sharing good practices and in establishing an environment conducive to press work which is free and safe. The Commissioner also stressed the need to address systemic issues that contribute to an unsafe environment for journalists, referring in particular to the marked decline of the rule of law and the growing polarisation in several member states.

On 7 December, the Commissioner held an exchange of views with the Council of Europe Steering Committee on Media and Information Society (CDMSI) in which she reiterated her concerns about the state of press freedom and journalists' safety in Europe and the need to address both specific obstacles which hinder the full exercise of press freedom and the systemic problems which create an environment unfavourable to the work of journalists

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

On 14 November, the Commissioner [spoke](#) at the [webinar](#) "Addressing the rights of women with disabilities in Europe", organised by University Women of Europe and Femmes pour le Dire – Femmes pour Agir. She deplored the invisibility and marginalisation of women with disabilities, the inequalities and discrimination affecting them and the heightened risk of gender-based violence and violations of sexual and reproductive health and rights they face, including in institutions, when deprived of legal capacity, and in armed conflict and humanitarian emergencies. She stressed the need for states to ensure the participation of women with disabilities in decision making; address prejudices and harmful stereotypes against women and persons with disabilities; mainstream gender and disability; address intersectionalities; prioritise deinstitutionalisation and legal capacity reforms; end coercion in health care; increase gender equality and combat violence against women



and domestic violence; and support equality bodies, human rights monitoring institutions and the work of NGOs.

On 15 November, the Commissioner [met](#) with Carlien Scheele, Director of the European Institute for Gender Equality (EIGE). They discussed issues of common interest related to women's rights and gender equality, paying particular attention to current key challenges concerning gender equality in Europe, and avenues for co-operation between the two institutions.

On 17 November, the Commissioner held an exchange of views with the Council of Europe Gender Equality Commission during which she discussed her work to promote the ratification and implementation of the Istanbul Convention and the human rights situation of women impacted by the war in Ukraine. The Commissioner welcomed the adoption of the Committee of Ministers' Recommendation on protecting the rights of migrant, refugee and asylum-seeking women and girls and shared some reflections on the current and future Council of Europe Gender Equality Strategies.

On 24 November, ahead of the International Day for the Elimination of Violence against Women, the Commissioner [pointed out](#) that women human rights defenders are increasingly the target of violence because of their work, including to defend women's right to be free from violence, and for being women. She called on member states to provide an enabling environment for their work.

On 5 December, the Commissioner [underscored](#) that the bill before the Maltese Parliament, aimed at allowing abortion when a woman's life or health is at risk, was a first imperative step to protect women's rights, with further measures needed to fully guarantee women's access to safe and legal abortion care.

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

On 18 November, the Commissioner published a [statement](#) ahead of World Children's Day, calling on member states to make protection of and support to the children impacted by the war in Ukraine a top priority. She underlined that the war had been especially devastating for children, whether they remained in Ukraine or lived in displacement somewhere in Europe. The Commissioner called for increased humanitarian assistance to Ukraine throughout the winter and sustained provision of dignified housing, healthcare, education, and other basic needs to children in displacement. Referring to reports of forcible transfers of children to Russia, she condemned the widespread and systematic violations of the human rights of children in the context of the war in Ukraine and called on member states to support efforts to locate and reunify children separated from their families, in full consideration of the child's best interests.

### ***Rights of persons with disabilities***

In addition to the Commissioner's participation in the 14 November event on the rights of women with disabilities (see *Women's rights and gender equality*), on 24-25 November, a member of the Commissioner's Office participated in the [European Day of Persons with Disabilities Conference](#) organised in Brussels by the European Commission and the European Disability Forum, focusing on young people with disabilities, global instruments to protect the rights of persons with disabilities, and violence against persons with disabilities.

On 2 December, ahead of the International Day of Persons with Disabilities, the Commissioner [emphasised](#) that, to ensure that persons with disabilities can enjoy all human rights on an equal

basis with others, member states should guarantee their full and effective participation and inclusion in society.

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

On 1 October, in an online address to the 8th TGEU European and Central Asian Trans Council in Berlin, the Commissioner observed a number of negative trends affecting the human rights of transgender people, including the COVID-19 pandemic, the growing influence of anti-gender movements and unscrupulous scapegoating of transgender people for political gain. She stated that these trends are part of a broader backsliding of human rights in Europe, which makes alliances among forces defending human rights and equality for all particularly important.

On 26 October, the Commissioner marked Intersex Awareness Day by [calling on](#) Council of Europe member states to take decisive steps to ensure that intersex children and adults live free from discrimination, violence, and harmful practices, reiterating the recommendations contained in her Office's [Issue Paper](#) on the human rights of intersex people.

On 9 November, the Commissioner convened an expert brainstorming meeting in Strasbourg to help guide her future work related to the human rights of transgender (trans) people, including the publication of a thematic document in 2023. A qualified and diverse group of transgender and non-binary people and activists from several member states, as well as academics working on gender and human rights, representatives of other relevant Council of Europe bodies, and experts from other international and regional organisations discussed in detail issues related to legal gender recognition and family life, anti-gender movements, and transgender and non-binary children. Beyond these, participants shared a wealth of information related to the lived experiences of transgender people in Europe, including discrimination and violence, lack of access to economic and social rights, intersectional discrimination, the situation of trans migrants and asylum seekers, and the impacts of the war in Ukraine on trans people.

On 18 November, on the occasion of the Trans Day of Remembrance 2022, the Commissioner [encouraged](#) Council of Europe member states to intensify their efforts to ensure that legislative progress to protect the human rights of trans people also leads to effective improvements in their lived experiences.

On 20 December, in view of the debate in the Scottish parliament on the Gender Recognition Reform bill, the Commissioner [re-stated](#) her position, as explained in [her report](#) on her visit to the UK, that lowering barriers to legal gender recognition is key to protect the human rights of trans people. On 22 December, the Commissioner [welcomed](#) the adoption of the bill noting that nine Council of Europe member states have already adopted legal gender recognition laws based on self-determination with others currently introducing similar provisions.

### ***Rights of persons belonging to national minorities***

Marking the 30<sup>th</sup> anniversary of the [European Charter for Regional or Minority Languages](#), on 5 November, the Commissioner called on member states to ensure that language policies accommodate diversity, protect minority rights and defuse tensions, recalling her earlier [Human Rights Comment](#) on these issues.

### ***Social rights***

On 14 October, the Commissioner published a [statement](#) ahead of the International Day for the Eradication of Poverty, calling on all member states to address intergenerational poverty, including through equitable fiscal policies and the sustainable resourcing of comprehensive and rights-based poverty eradication programmes. She underlined that poverty had been on the rise again world-wide, as the pandemic, the war in Ukraine, and high energy prices were exacerbating structural deficiencies in social protection systems. She called for a shift in the narrative from charity to human rights based entitlement and the insulation of social assistance programmes from short-term political pressures.

On 8 December, the Commissioner contributed to the opening panel of a [seminar](#) on strengthening the implementation of social rights in Europe, organised by the Secretariat of the European Social Charter. She highlighted the importance of the work of the European Committee of Social Rights, which had gained even more urgency in recent years owing to the successive crisis situations that Europe was going through. She called on member states to follow the guidance of the Committee and fight deprivation in an effective and fair manner.

### ***Transitional justice***

On 18 November, the Commissioner [marked](#) the 31st anniversary of the siege of Vukovar, highlighting that the families of hundreds of persons who are still unaccounted for deserve truth and justice.

On 14-15 December, a member of the Commissioner's Office participated in the [EU-NGO forum](#), dedicated this year to "Stop Impunity: the road to accountability and justice", speaking on a panel dedicated to transitional justice and the prevention of conflict and abuse. Other topics discussed at the event included: the role and challenges faced by human rights defenders working on accountability for serious human rights violations, international justice mechanisms, documentation of war crimes, the participation of victims, and gender justice and women's rights in conflict.

### ***Counter-terrorism and human rights protection***

On 7 November, the Commissioner met online with the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ní Aoláin. Discussions focused on the repatriation and reintegration of suspected foreign fighters and their relatives from Syria and Iraq; emerging and/or resurging terrorist threats such as far-right terrorism and terrorism inspired by conspiracy theories; democratic and effective oversight of national security services; and co-operation between the respective institutions.

### ***National Human Rights Structures***

On 30 November, the Commissioner sent a video message [on the occasion](#) of the 30<sup>th</sup> anniversary of the Croatian Ombudsman Institution. Highlighting the key role played by national human rights structures in the human rights protection system she referred to the importance of cooperation between her Office and the Croatian Ombudsman Institution, notably on matters related to the human rights of migrants, dealing with past human rights violations, and economic and social rights.

## **4. Other meetings**

### ***Exchange of views with PACE Committee on Political Affairs and Democracy***

On 12 October, the Commissioner held an exchange of views with the Committee on Political Affairs and Democracy of the PACE. She discussed her recent activities including concerning the human rights consequences of the war in Ukraine and the importance of upholding the human rights of women and LGBTI people. She also indicated her intention to remain engaged with Russian and Belarusian human rights defenders and civil societies who play a key role in promoting the values of human rights, democracy and the rule of law.

### ***Meeting with the Prosecutor General of Ukraine***

On 14 October, the Commissioner met in Strasbourg with Andriy Kostin, Ukraine's Prosecutor General. The Prosecutor General presented his vision for achieving justice and redress for victims and survivors of human rights violations resulting from Russia's invasion of Ukraine and the steps taken by his office to make those responsible accountable. The discussion also touched upon the sensitivities of investigating war-related sexual violence while avoiding the re-traumatisation of victims and the situation of Ukrainian children transferred to Russia and Russian-controlled territories in Ukraine.

### ***Ceremony for the presentation of the Liber Amicorum in honour of Robert Spano***

On 7 November, the Commissioner attend the ceremony in honour of the former President of the European Court of Human Rights, Robert Spano.

### ***Meeting with the President of the European Court of Human Rights***

On 15 November, the Commissioner met with Síofra O'Leary, President of the European Court of Human Rights. They discussed various human rights issues of common interest including the role of the institution of the Commissioner for Human Rights in the Convention system, and the continuing cooperation between the Court and the Commissioner's Office.

### ***Meeting with the Vice-President of the Council of State of the Netherlands***

On 18 October, the Commissioner met with Thom de Graaf, Vice-President of the Council of State of the Netherlands. During the meeting, the Commissioner provided information about her mandate, working methods, interaction with the ECHR system, and her engagement with civil society. The Vice-President and the Commissioner also exchanged on issues related to the rule of law situation across Europe, and democratic oversight of intelligence services, including in view of legislative changes in the Netherlands.

### ***Meeting with the Minister of Justice and Security of the Netherlands***

On 19 October, the Commissioner met with Dilan Yesilgöz-Zegerius, Minister of Justice and Security of the Netherlands. They discussed issues related to asylum, including reception conditions in the Netherlands, in view of the Commissioner's earlier [letter](#) on this topic. They furthermore had an exchange on the importance of protecting freedom of expression, media freedom and freedom of

assembly, and discussed the issue of repatriation of nationals of Council of Europe member states, especially children, held in camps in North-East Syria or detained in Iraq.

### ***Meetings with the President of Ireland and the Minister of State for European Affairs of Ireland***

On 25 October in Dublin, the Commissioner met with the President of Ireland, Michael D. Higgins, jointly with three human rights defenders, the President of Homo Faber (Poland), Anna Dąbrowska; the Associate Director of the Europe and Central Asia Division of Human Rights Watch, Ms Tanya Lokshina; and the Executive Director of the Centre for Civil Liberties (Ukraine), Ms Oleksandra Romantsova. The Commissioner also met with Thomas Byrne, the Irish Minister of State for European Affairs, to discuss issues of common concern.

### ***Meeting with the Minister of Justice of Slovenia***

On 30 November, the Commissioner met in Strasbourg with the Slovenian Minister of Justice, Dominika Švarc Pipan. They discussed several developments of human rights significance in Slovenia, including the opening of the first Barnahus house for children, the adoption of the law on equal rights for same-sex partners, the law on strengthening the independence of the public broadcaster, steps to repair excessive limitations of freedom of assembly, the creation of a governmental task force on combating hate speech, and the ratification of the Trømso convention on access to official documents.

### ***National Human Rights Forum in Lithuania***

In a video message to the National Human Rights Forum of the Republic of Lithuania which took place on 9 December in Vilnius, the Commissioner focused on the importance of combating violence against women, including through the ratification and effective implementation of the Istanbul Convention, fostering efficient and non-discriminatory asylum and migration policies in Europe, and ensuring protection of the rights of LGBTI people, Roma and Travellers and persons with disabilities.

## **5. Human Rights Defenders**

On 10 October, the Commissioner [met](#) with Evgenia Kara-Murza representing her husband Vladimir Kara-Murza, the winner of the 2022 Václav Havel Human Rights Prize, and with representatives of the Hungarian Rainbow Coalition/Invalid Campaign for LGBTQIA+ and the Ukrainian 5 AM Coalition, who were also nominated for this prize. The Commissioner paid tribute to their courageous and dedicated work in defending human rights in their respective societies and expressed her intention to continue supporting them and all other human rights defenders in Europe.

On 12 October, the Commissioner issued a [statement](#) on the necessity for member states to provide more support to Russian and Belarusian human rights defenders. First, she stressed the importance of denouncing violations against human rights defenders in those two countries, including judicial harassment, prosecution, and imprisonment for their opposition to the war in Ukraine. Secondly, she emphasised the importance of providing political and practical support, including financial aid and funding, to those who had remained there. Thirdly, she urged member states to adopt and implement comprehensive and sustainable relocation policies. Fourthly, she asked that states grant

access to a stable residence for these human rights defenders and facilitate their efforts in registering new civil society entities so that they can continue their work in the host countries.

On 24-25 October, the Commissioner organised a round-table in Dublin with human rights defenders from across Europe. The event was hosted by the Irish Presidency of the Council of Europe Committee of Ministers. Participants discussed the key challenges faced by human rights activists in times of crises and explored ways to strengthen their protection in Europe. They addressed human rights defenders' personal safety and liberty and the various forms of harassment, discreditation and marginalisation they experience. Participants further discussed negative changes to the broader environment in which civil society organisations had been operating in the context of multiple crises across Europe. They also interacted with key international stakeholders and mechanisms established to support human rights defenders at UN and regional level present at the meeting, including the United Nations Special Rapporteur on Human Rights Defenders, the Parliamentary Assembly of the Council of Europe (PACE) General Rapporteur on the situation of Human Rights Defenders and the Special Rapporteur on Environmental Defenders under the Aarhus Convention, in view of strengthening the protection, networking, and strategic cooperation of human rights defenders. The event will be followed by the publication of a report reflecting key findings and recommendations to member states stemming from the discussions with human rights defenders.

On 26 October, the Commissioner took part in the Frontline Defenders' bi-annual conference, the [Dublin Platform for Human Rights Defenders](#), and delivered a keynote speech during the plenary session, sharing information about her mandate and engagement with human rights defenders across Europe. The keynote speech was followed by an exchange of views with Mary Lawlor, the UN Special Rapporteur on the Situation of Human Rights Defenders, and participants of the conference on the current situation of human rights defenders in Europe and worldwide, including challenges they face and possible ways to overcome them.

On 28 October, the Commissioner participated in the panel entitled "Human Dimension of Security in the Western Balkans – Is there protection for Human Rights Defenders?" during the [Belgrade Security Conference](#) organised by the Lawyers' Committee for Human Rights, in cooperation with Belgrade Centre for Security Policy. Underlining the importance of the work of human rights defenders, the Commissioner expressed concern about increasing risks faced by human rights defenders who expose corruption and threats to the environment, those working on transitional justice, and LGBTI activists in the region. She stated her continuing commitment to calling on member states to deliver on their duty to foster an environment in which defenders may conduct their work safely, free from fear of threats, violence, and reprisals.

On 7 December, the Commissioner [participated](#) online in the 20<sup>th</sup> International Anti-Corruption Conference organised jointly by Transparency International and the International Anti-Corruption Conference Council in Washington DC from 6 to 10 December 2022. In her speech, she focused on her role in supporting human rights defenders in Council of Europe member states, stressing the challenges human rights defenders face and the importance of their work in the current context of global crises.

On 10 December, the Commissioner attended the award ceremony of the Nobel Peace Prize in Oslo, shared this year by prominent human rights defenders from Belarus, Russia, and Ukraine: Ales Bialiatski, who is currently detained in Belarus; Russian human rights group Memorial; and the Ukrainian Center for Civil Liberties. The previous day, the Commissioner [participated](#) in a conference

organised by the Norwegian Helsinki Committee and the Nobel Peace Center and delivered a keynote speech on the role that human rights defenders play in contributing to peace, freedom, justice and democracy throughout their work in defence of human rights particularly in times of the war in Ukraine and other crises. The Commissioner warmly congratulated representatives of the Nobel Peace Prize laureates, long-standing partners of her Office, and expressed her firm support for their exemplary and committed efforts in defending human rights.

On 10 December, to celebrate Human Rights Day, the Commissioner issued a [statement](#) on the necessity to better protect and support human rights defenders, which should be amongst the top priorities for Council of Europe member states. Referring to the Nobel Peace Prize award to human rights defenders as a worldwide recognition of the universality of their work, she emphasised that rights defenders from Belarus and Russia are also key partners of the Council of Europe as they share Europe's common values and courageously struggle for human rights, democracy and the rule of law in our societies.

## 6. Communication and information work

The Commissioner's work generated more than 600 news items from different national and international news outlets. The main topics covered by the media were migration, media freedom and the report on the United Kingdom.

The work on the rights of asylum seekers, refugees and migrants was covered by a variety of outlets, including *Agence Europe, Altreconomia, Deutschlandfunk Kultur, ORF, STT, ABC News, Agence Belga, Agentschap Belga, De Standaard, Diario Noticias de Navarra, El Diario, El Faro de Ceuta, EuroActiv, Europa Press, Frankfurter Allgemeine Zeitung, Frankfurter Rundschau, Göteborgs Posten, Il Manifesto, Independent Online, La Libre Belgique, La Nacion, La Republica, La Stampa, La Verdad de Ceuta, Neue Zürcher Zeitung, PAP, RTBF, Sky News, Tanjug, The Associated Press, The Brussels Times, The Canadian Press, The Shift News, The Washington Post, Times of Malta, VoA, and WNP.pl.*

As part of the work on migration, the visit to Spain was the single most covered activity (*AFP, Africa Radio, Agencia Lusa, Anadolu Agency, Antena 3, Cadena Ser, EFE, El Confidencial, El Diario, El Faro de Melilla, El Huffpost, El Imparcial, El Mundo, El Nacional, El Norte de Castilla, El Pais, El Progreso, EurActiv, Europa Press, France 24, InfoMigrants, La Jornada, La Nacion, La Rioja, La Vanguardia, La Verdad, Las Provincias, Les Echos, L'Expression, MTI, Noticias ao Minuto, Reuters, RFI, RTL.lu, SwissInfo, The Associated Press, The Canadian Press, The Washington Post, Yahoo Noticias.*)

The Commissioner's work on media freedom was covered by *ABC News, Agence Europe, ANSA, Articolo21, Balkan Insight, Danas, EurActiv, Frankfurter Allgemeine Zeitung, Frankfurter Rundschau, Independent Online, In Depth News, Index.hu, Jornal de noticias, Malta Today, Newsbook, Osservatorio Balcani e Causaso, SIR, The Associated Press, The Canadian Press, The Conversation, The Irish Examiner, The Malta Independent, The Shift News, The Washington Post, Times of Malta, US News, VOA, and Yahoo News.*

The report on the United Kingdom was broadly covered, mainly by *BBC, Belfast Telegraph, Evening Standard Online, Independent Online, Ireland-Live, Irish Legal News, Law Society of Ireland Gazette, Mail Online, RTE, The Daily Mirror, The Guardian, The Herald, The Irish Examiner, The Irish News,*

*The Irish Post, The Irish Times, The National, The Press Association, The Scotsman, The Washington Post, and Yahoo News.*

The Memorandum on Kosovo\* was mentioned by several news outlets, including *Balkan Insight, Blic, Euractiv, RTS, Telegraph, Kosovo Online, and Osservatorio Balcani e Caucaso.*

*The Associated Press, The Independent, Ungarn Heute, Agence Europe, Malta Today, The Malta Independent, and Times of Malta* covered the Commissioner's work on women's rights.

The statement on the situation around Nagorno-Karabakh was covered by *ArmenPress, AzerNews, Daily Sabah, Interfax, News.am, News.az, SIR, Trend, and Weekly Azerbaijan Business Monitoring.*

Additional coverage concerned social rights (*Reporter.gr, SIR, Zougla.gr*), older persons (*Agence Europe, Reporter.gr*), the war in Ukraine (*Agence Europe*), children's rights (*Agencia Lusa, Agensir, Cable free TV, Ukrinform, Welt Online*), LGBTI (*Euroobserver, Reporter Cyprus, CNN, Dnevnik.se, The Scotsman, The Times*), and human rights defenders (*Hirado.hu, Reform.by, TASR, Teraz.sk; Ukrinform, Webradio, BelaPAN, Glas Istre, Hina*).

47 tweets were published, generating just under 800 000 impressions in total and an average engagement rate of 3,6%. The number of followers increased by 1,4% (an increase of 954 followers compared to the previous quarter). On Facebook, 41 posts reached 29404 people and garnered 139 new page likes.

More than 120 000 unique visitors consulted the Commissioner's website, an increase of more than 21% compared to the same quarter of 2021 and of 40% to the previous quarter of 2022.