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1. Overview

During the last quarter of 2013, I began to encounter Syrian refugees regularly during various country visits. In October, while attending a conference in Yerevan, I went with the Armenian ombudsman to a refugee accommodation centre inhabited by several hundred Syrian-Armenians. Unbeknownst to most of the world, some 11,000 Syrian Christians have sought refuge in Armenia, where they have been welcomed with open arms. Attending another conference in November in Belgrade, I went with the Serbian ombudsman to a refugee accommodation centre in Bogovadje. There, I met asylum-seekers from various countries, including Syria – the lucky ones had found a place in the centre, but many others were living in the surrounding forest in tents and makeshift huts. On a country visit to Denmark in November, I met entire Syrian families in a refugee reception centre – their numbers had grown quickly over the preceding months and virtually all receive refugee status or subsidiary protection.

On the heels of these visits, I decided to examine more closely the human rights situation of Syrian refugees in Council of Europe countries – their right to seek asylum, the conditions of their reception or detention, and the prohibition on their collective expulsion. Consulting closely with the United Nations High Commissioner on Refugees (UNHCR) and specialised NGOs, I carried out my first ever “thematic mission” in mid-December. I followed the route taken by many Syrian refugees, starting in Turkey with visits to two large refugee camps, one only three kilometres from the border with Syria. I continued to Bulgaria, which has become a major point of entry into the European Union for Syrian and other asylum-seekers, where I visited a reception centre and a pre-deportation facility. I concluded the mission in Germany, where I visited the adaptation centre for new arrivals in Friedland and organised a press briefing in Berlin.

While UNHCR has called the Syrian crisis the world’s biggest humanitarian crisis at present, it is also Europe’s biggest refugee crisis in 20 years. However, most European governments are in a state of denial. Very few European countries are providing protection to any significant number of Syrians by participating in resettlement programmes. While some countries have high refugee recognition rates for Syrians, who have *prima facie* protection needs, several Council of Europe member states have shamefully low recognition rates for people fleeing Syria. In the worst cases, credible reports suggest that border guards and law enforcement in some countries have been mistreating desperate Syrians, robbing them, and pushing them back to the most exposed countries. This is particularly distressing, given that more than half of all Syrian refugees are children.

One conclusion from my mission was that Turkey should be commended for its role in receiving Syrian refugees and that other countries should provide it with more assistance. With around 1 million Syrian refugees, Turkey has received more than ten times as many Syrians as all the other Council of Europe member states combined. The Turkish authorities have been very generous, providing lodging for 210,000 Syrians in 21 camps, free medical care to all Syrians in camps or living in cities, free education to 45,000 children and 36,000 adults, as well as significant monthly cash support to all in the camps. However, this generosity is not sustainable in the long-term. Those living in cities are staying with friends or relatives or supporting themselves through their savings. But the savings are running out and the Turkish authorities will face increased demands for assistance. Despite the huge costs borne by the Turkish government, international

assistance has not been particularly forthcoming – less than a third of the amount requested by UNHCR in its refugee response plan for Turkey was funded. Other member states of the Council of Europe should assist Turkey financially and through resettling Syrian refugees, thereby easing Turkey's burden.

Another conclusion from my mission was that Dublin returns should not take place to Bulgaria for the time being. Bulgaria was caught unprepared for the influx - staffing levels in the accommodation facilities and for conducting interviews are woefully inadequate, conditions of reception are substandard at best, degrading at worst, and the government needs time to absorb European Union assistance and to get its act together. Following my visit, UNHCR came to a similar conclusion about Dublin returns to Bulgaria. I would extend this plea for no Dublin returns to apply to other countries whose asylum reception systems are overstretched, such as Greece, Italy and Malta as well.

A third conclusion is that Germany is doing a lot compared to other European Union member states. In addition to the more than 18,000 Syrians who have found their own way to the country, Germany has accepted 10,000 Syrian refugees through humanitarian admission programmes. This should be seen in a broader context in which other European Union countries have accepted several dozen or at most several hundred Syrian refugees under humanitarian admission or resettlement programmes – pitifully small numbers given the overall figure of close to 2.5 million persons who have fled Syria. Other countries should follow Germany's example, accept more resettlement and thereby ease pressure on Turkey and other countries neighbouring Syria, such as Jordan and Lebanon. If other European Union countries do more, Germany will likely do more as well. Sweden should also be mentioned as a country taking a generous approach, as it has accepted more than 21,000 Syrians, granting them all permanent residence permits.

Other countries in the Western Balkans and in Eastern Europe which have thus far seen themselves as countries of transit must begin to look at themselves in a different manner and do their part as well. It seems as if the Syrian refugee crisis will remain very much with us in 2014, as the situation within Syria shows no sign of improving in a rapid manner. Moreover, as Syrian refugees living in Turkish cities run out of savings, they will be facing an increasingly desperate situation as well. It is time for Council of Europe countries to live up to the human rights ideals at the core of the organisation and to be far more generous in coping with the biggest refugee crisis of recent years.

2. Missions and Visits

Mission to Armenia

From 20 to 22 October, the Commissioner travelled to Armenia to participate in the High-Level Conference on Combating Racism, Xenophobia and Intolerance in Europe, hosted by the Armenian Chairmanship of the Committee of Ministers. The purpose of the conference was to discuss current challenges concerning racism and xenophobia in political discourse and combating hate speech and racial stereotypes on social networks. During his stay in Armenia, the Commissioner held discussions with the authorities, including the Minister for Foreign Affairs, the Minister of Justice, the Head of the National Police, the Deputy Minister of Defence, and the Prosecutor General. He also had

meetings with the Human Rights Defender (Ombudsman) and civil society representatives. In addition, the Commissioner met a group of refugees from Syria, who are accommodated in a building in the Nork suburb of Yerevan.

Mission to Strasbourg and Geispolsheim

On 29 October, the Commissioner carried out a mission to Strasbourg and Geispolsheim focused on the human rights of immigrants and asylum seekers.

After having met representatives of civil society experts in this field, the Commissioner visited the migrant detention centre of Geispolsheim, where he held discussions with the staff and detainees. He concluded the visit with a meeting with the Prefect of Bas-Rhin and of the Alsace region, Mr Stéphane Bouillon, with whom he had an exchange of views and shared certain concerns about the psychological distress of detainees, but also about the situation of immigrants and asylum seekers outside the detention centre, emphasising in particular the lack of an adequate number of places in reception centres for asylum seekers and the worrying situation of unaccompanied migrant children.

Visit to Denmark

The Commissioner visited Denmark from 19 to 21 November. The aim of the visit was to review certain human rights issues in Denmark, including the rights of migrants and asylum seekers and the rights of persons with disabilities.

During his visit the Commissioner held discussions with the Danish authorities, including the Minister of Justice, Mr Morten Bødskov, Minister of Social Affairs, Children and Integration, Ms Annette Wilhelmsen and the Minister of Health and Prevention, Ms Astrid Krag. He also met with the Under-Secretary of State for Foreign Affairs, Mr Jonas Bering Liisberg, the Director of Public Prosecutions, Ole Hasselgaard, and representatives of the Danish Immigration Services, the Danish National Police and the Refugee Appeals Board. The Commissioner also held meetings with the representative of Greenland, Ms Tove Søvn Dahl Gant, the Parliamentary Ombudsman, Mr Jørgen Steen Sørensen, the Director of the Danish Institute for Human Rights, Mr Jonas Christoffersen, and with members of the Danish Human Rights Council. Furthermore, he met with representatives of a number of civil society organisations active in the field of human rights. He visited a residence for persons with autism in Copenhagen and the asylum reception centre of Sandholm and the Danish Prison and Probation Service's Institution for Asylum Seekers (Ellebaek).

Despite a number of positive changes introduced in 2012 and 2013 to Denmark's migration and asylum policies, the Commissioner found that a number of challenges remained in these areas. Prominent among these was the need to ensure that full consideration is given to the best interest of children in asylum and migration policies and practices. In this context, the Commissioner referred in particular to some of the requirements imposed on children for family reunification and to the situation of children of rejected asylum-seeker families, whose prolonged residence in the Sandholm asylum centre deprives them of full access to the rights protected under the UN Convention on the Rights of the Child. In general, he called on the Danish authorities to put an end to the "legal limbo" of rejected asylum-seekers who cannot be deported and who are required to remain in Sandholm, sometimes for many years.

The Commissioner also focused on the situation of unaccompanied minor migrants, and especially on policies to promote their return to some countries of origin even in the absence of relatives to take care of them.

Regarding persons with disabilities, the Commissioner welcomed the fact that these persons are ensured high-quality care as well as support and services in the community. However, noting the apparent trend in some municipalities to build increasingly large facilities to accommodate persons with disabilities, he drew attention to the need to ensure that living arrangements do not fall short of promoting the principles of autonomy and inclusion in the community enshrined in the UN Convention on the Rights of Persons with Disabilities.

The Commissioner also paid specific attention to the long-standing problem of excessive use of coercion in Danish psychiatric institutions, as issue which seems to be currently high on the agenda of the Danish authorities following the publication in late 2013 of a comprehensive report on psychiatry in Denmark.

The Commissioner's report on this visit is forthcoming.

3. Reports and continuous dialogue

Report on the Russian Federation

On 12 November, the Commissioner published a report on the administration of justice and the protection of human rights in the justice system, which was the principal focus of his visit to the Russian Federation from 3 to 12 April 2013. Specific issues examined on that occasion included the ongoing reform of the justice system, the independence and effectiveness of the judiciary, the observance of the right to a fair trial during judicial proceedings, and prevention of ill-treatment.

While welcoming the efforts already undertaken to reform the justice sector, the Commissioner stressed that substantial legislative, institutional and practical reforms should continue in order to remedy certain long-standing systemic problems in the administration of justice, including those highlighted in the case-law of the European Court of Human Rights. In particular, the Commissioner encouraged the authorities to develop a comprehensive strategy for further reform of the judiciary, with a view to promoting its full independence, impartiality and effectiveness.

The Commissioner noted with concern that perceptions persist within Russian society that individual judges are not shielded from undue pressure, both external and internal. With a view to addressing the factors which render judges vulnerable and undermine their independence, the Commissioner indicated four main areas where reform is needed: the role of the chairperson of the court; the non-transparent and complex, multi-layer system for appointing judges; the role of the prosecutor in the judicial system; and the caseload of judges.

Future reforms should also focus on strengthening the right to a fair trial and on ensuring genuine adversarial proceedings and respect for the presumption of innocence. The wide discretionary powers exercised by the Prosecutor's Office contribute to a large

extent to the prosecutorial bias which continues to prevail in the Russian criminal justice system. At the same time, defence rights are obstructed by harassment and other forms of pressure on lawyers. There is a need to secure a more favourable environment for the activities of defence lawyers, who should be in a position to provide assistance in the best interests of their clients and without unnecessary impediments.

The Commissioner acknowledged the steps already taken by the authorities of the Russian Federation in order to remedy certain long-standing shortcomings in the functioning of the justice system identified in the judgments of the European Court of Human Rights. Most notably, he welcomed the introduction of an effective remedy for the violation of the right to a fair trial and for non-execution of domestic judgments within a reasonable time, and called upon the authorities to address the remaining issues, including the non-execution of domestic judgments related to in-kind obligations. The Commissioner has also underlined the need to encourage the use of alternatives to custody pending trial, while in parallel ensuring that detention on remand is used as an exceptional measure and is properly justified in each individual case. As regards the systemic problem of non-investigation of disappearances and similarly serious crimes in the North Caucasus region, the Commissioner emphasised that justice was necessary to achieve genuine reconciliation in society and underscored the need for an effective investigation into past abuses and improved protection for victims and witnesses. Commissioner Muižnieks further recommended that the Russian authorities refrain from extraditing foreigners to countries where they are at risk of torture and ill-treatment.

As to the long-standing problem of torture and ill-treatment in police custody, and with a view to definitively reversing patterns of impunity, the Commissioner recommended introducing legislative amendments to criminalise torture as an independent crime, allowing the direct prosecution of police and other officials and excluding those officials implicated or complicit in cases of ill-treatment from investigations into such offences. While certain measures have been taken in order to address this issue following certain high-profile cases of torture and ill-treatment, much more needs to be done in order to effectuate a profound and lasting change in the behaviour of law enforcement officials vis-à-vis persons deprived of their liberty.

The Commissioner once again underscored the important role played by various human rights structures and civil society organisations in ensuring respect for human rights and promoting much-needed reform in the judicial system. Independence is essential to the proper functioning of ombudsman institutions and their ability to defend human rights, and should be further reinforced both in law and in practice. The Commissioner encouraged the authorities to consider the development of national and regional human rights action plans, which should be developed in close co-operation with all relevant stakeholders, most notably civil society and human rights institutions.

The report is available on the Commissioner's website.

Memorandum to the UK Joint Committee on the Draft Voting Eligibility (Prisoners) Bill

On 10 October, in response to an invitation from the UK Joint Parliamentary Committee on the Draft Voting Eligibility (Prisoners) Bill to submit evidence, the Commissioner addressed a Memorandum to Mr Nick Gibb, Chair of the Joint Committee, which was published on 17 October. In the Memorandum, the Commissioner stresses that, according to the case-law of the European Court of Human Rights, an automatic and indiscriminate ban on voting rights for prisoners contradicts the European Convention on Human Rights. He underscores the obligation for member states to fully and effectively execute the judgments of the European Court and the importance of such compliance for safeguarding the European system of human rights protection.

While the UK's non-compliance with the *Hirst (No. 2)* and *Greens and M.T.* judgments has thus far not caused irreparable damage to the Court, the Council of Europe, or the UK's international reputation, the Commissioner points out the possible negative consequences for the UK's interests, international reputation and influence on human rights related matters should the country withdraw from the European Convention.

The Memorandum is available on the Commissioner's website.

Report on Spain

On 9 October the Commissioner published a report following his visit to Spain from 3 to 7 June, during which he went to Madrid and Seville. The report deals with the impact of austerity measures on human rights, with particular emphasis on children and persons with disabilities. It also contains a chapter on the role of law enforcement officials in protecting human rights.

The Commissioner expressed deep concern about the particularly negative impact that cuts in social, health and educational budgets have had on children. He highlighted problems of malnutrition and housing, notably as a consequence of the wave of evictions due to non-repayment of mortgages, and growing child poverty rates in general. He urged the Spanish authorities to implement effective strategies to solve these poverty-related problems and increase the protection of social and economic rights. To this end, he stressed the necessity of a systematic assessment of the impact that austerity measures have on children and other vulnerable social groups, in close co-operation with civil society and the national and regional ombudsmen. The Commissioner also called on the authorities to reconsider their plans to abolish mandatory education for citizenship and human rights in schools.

Regarding persons with disabilities, the Commissioner expressed his concern about shortcomings in the implementation of the 2006 Law on personal autonomy and care for dependency and, in general, the negative impact of the economic crisis and financial restrictions on most programmes and policies aimed at promoting the inclusion of persons with disabilities on an equal footing with others. He found it disquieting that the inclusion of children with disabilities in mainstream education was under threat due to shrinking educational budgets. The Commissioner urged the authorities to promptly complete the process of reform of the legislation on the legal capacity of persons with intellectual and psycho-social disabilities so as to give full effect to the principles enshrined in the UN Convention on the Rights of Persons with Disabilities.

As regards the conduct of law enforcement authorities and human rights protection, Commissioner Muižnieks invited the authorities to abolish the practice of *incommunicado* detention, which has led to serious human rights violations, and to vigorously counter ethnic profiling practices. He also raised concerns about the disproportionate use of force by law enforcement officials to control anti-austerity demonstrations and the imposition of fines on demonstrators. He underscored in particular the need for police officials to wear visible identification numbers, especially in the context of demonstrations. The Commissioner also urged the government to end the practice of granting pardons to persons, including members of law enforcement authorities, involved in serious human rights violations, such as torture.

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

Letter to the Minister of Justice of France

On 17 October, the Commissioner published a letter to the Minister of Justice of France, Ms Christiane Taubira, concerning the annexes to the Courts of Meaux and Bobigny which have been created in the administrative detention centre of Le Mesnil-Amelot and in the migrant holding facility of Charles-de-Gaulle airport in Paris.

In his letter the Commissioner expressed his concern about respect for the human rights of the migrants required to appear at hearings in these annexes. He noted the French authorities' desire, in relocating these hearings, to avoid costly transfers which are occasionally conducted in conditions which do not respect the dignity of the persons concerned. However, he underlined that holding off-site hearings raises several questions with regard to the human rights of the persons to be presented to the judge deciding on the legality of their deprivation of liberty.

The Commissioner stressed that these off-site proceedings entail holding hearings in the immediate proximity of detention facilities where migrant litigants are held and that this situation, combined with the fact that these facilities are under the authority of the Ministry of the Interior, which is also a party to the proceedings, could undermine the independence and impartiality of the court concerned.

The Commissioner also pointed out that the location of these hearing rooms and the problems of accessing them, particularly by public transport, could make it difficult to safeguard the rights of the defence and undermine the principle of a public hearing.

Lastly, Commissioner Muižnieks highlighted the fact that holding these hearings outside the ordinary courts of justice could give credence to the idea that foreigners are not litigants like any other, and requested that the Minister of Justice inform him of the measures she intended to take to ensure that the human rights of the persons involved in these hearings are fully respected.

The letter is available on the Commissioner's website.

Report on Turkey

On 26 November, the Commissioner published a report following his visit to Turkey from 1 to 5 July, focusing on the conduct of law enforcement officials, in particular in the context of the policing of demonstrations, and the legal and institutional frameworks for the protection and promotion of human rights at the national level.

Stressing that the excessive use of force and ill-treatment by and impunity of law enforcement officials was a long-standing human rights issue in Turkey, the Commissioner highlighted several areas of concern, while also noting Turkey's recent progress in the framework of its "zero-tolerance policy" against torture. With respect to freedom of assembly, he considered that the Turkish legal framework was overly restrictive, notably concerning demonstrations deemed unlawful but which are peaceful, leading to unnecessary dispersals by force. The Commissioner also recommended that the Turkish authorities adopt clearer rules for the use of force in the context of demonstrations, in particular with respect to the use of tear gas and projectile-firing weapons, and better safeguards against ill-treatment and violations of the right to freedom of assembly by law enforcement officials.

The Commissioner also urged the Turkish authorities to pay specific attention to the problem of ill-treatment during apprehensions and in non-custodial settings, and highlighted certain concerns about the compatibility of the powers of the police with international standards, notably with regard to the use of firearms, the power to stop persons and the retention of personal data. He further recommended that the Turkish authorities address the issue of diversity within the police force, as well as the social and economic rights of law enforcement officials.

Stressing that impunity was a major problem seriously hampering Turkey's capacity to tackle the causes of human rights violations committed by law enforcement officials, the Commissioner urged the Turkish authorities to take a strong stance against this phenomenon, notably by removing all obstacles to effective investigations, prioritising investigations concerning law enforcement, and establishing an independent police complaints mechanism. With regard to investigations, the Commissioner made an inventory of the numerous, serious and consistent allegations of excessive use of force during the Gezi events which took place in June 2013, urging the Turkish authorities to investigate them promptly, adequately and effectively. He also stated his concern about the fear, expressed in particular by professional associations, of reprisals for non-violent involvement in the Gezi events.

As regards the national framework for human rights protection, the Commissioner welcomed the establishment of an Ombudsman Institution and the Turkish Human Rights Institution. While he considered that the former had the potential of contributing significantly to the domestic human rights framework, he encouraged the authorities to review the statute of the latter in the light of the Paris Principles, especially if they wish to entrust it with an independent monitoring function in accordance with the relevant international conventions, such as the OPCAT. He also encouraged the Turkish authorities to adopt comprehensive anti-discrimination legislation, to establish an equality body, and to adopt Turkey's first human rights action plan. For the further development of Turkey's national human rights framework, the Commissioner encouraged the authorities to reinforce their partnership with Turkey's vibrant civil society.

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

Letter to Mr Ignazio Marino, Mayor of Rome, Italy

On 11 December, the Commissioner published a letter he addressed to the Mayor of Rome, Mr Ignazio Marino, focusing on the segregation of Roma and Sinti, as well as on the living conditions and integration of beneficiaries of international or humanitarian protection.

Referring to his report on Italy published in September 2012, the Commissioner expressed his concerns about the housing situation of Roma and Sinti in Italy, including Rome, reiterating in particular the need to discontinue policies of forced evictions and segregated camps for Roma and Sinti. He pointed to obstacles preventing Roma living in segregated camps from accessing social housing and urged the Roman authorities to ensure that access to social housing is granted to these persons on an equal footing with the rest of the population. The Commissioner also noted with concern the forced eviction in September 2013 of Roma families from the informal camp of Salviati and their relocation to the formal camp of Castel Romano, urging the authorities to ensure that evictions only take place as a last resort, following appropriate procedural safeguards and genuine consultation.

The Commissioner also expressed his continuing concern about the situation of refugees and beneficiaries of international or humanitarian protection, many of whom face utter destitution in Italy, including in the city of Rome. Referring in particular to those living in the so-called 'Selam Palace', which he visited in July 2012, the Commissioner welcomed the fact that the Mayor of Rome had personally visited the building and that the situation concerning residence registration had improved. However, he regretted reports that the number of people living in the building had increased since his visit there and that the sanitary conditions had further deteriorated, urging the authorities to find adequate solutions without delay in close consultation with the persons concerned.

The letter is available on the Commissioner's website, along with the reply of the Municipal Counsellor for Social Affairs of Rome.

Letter to Prime Minister and Minister of Interior of Serbia, Mr Ivica Dačić

The Commissioner took the opportunity of his presence in Serbia for the Conference of Ministers responsible for Media and Information Society (see under Themes, below), to travel to Bogovadja on 7 November to visit a reception centre for asylum seekers, together with the Ombudsman of Serbia, Mr Saša Janković. Following this visit, the Commissioner wrote a letter to Prime Minister and Minister of the Interior Dačić, which was published on 12 December, to express his concerns with regard to the human rights of asylum seekers in the country.

In the letter, the Commissioner stressed the need for Serbia to strengthen its asylum system and reception capacities in order to cope with the ever increasing number of arrivals, in particular from Syria. During his visit to the Bogovadja centre, the Commissioner witnessed that all 160 places were full and that as a result about 230 asylum seekers were living in the nearby forest, in shelters such as wooden shacks or

tents, with no access to sanitation services. He emphasised that this situation requires urgent action by the Serbian authorities and that every asylum seeker in Serbia should be accommodated in a place which meets international standards.

The Commissioner noted that Serbian law establishes that registration of asylum seekers should be done in one of the two existing asylum centres and that a number of persons do not get registered, notably due to the inadequate reception capacity of these centres. With only three persons recognised as refugees since 2008, the Commissioner also expressed particular concern that even registered asylum seekers who submit their application have almost no prospect of being granted refugee status or subsidiary protection.

While welcoming efforts made, the Commissioner considers that in order to ensure a more effective asylum system, compliant with international standards, the Serbian authorities should in particular: increase the capacity of accommodation centres; establish a protection-sensitive screening mechanism able to cope with the needs of asylum seekers; improve the functioning of the Asylum Office as an independent unit within the Ministry of the Interior; and improve alignment of the processing of asylum claims with the management of accommodation.

The letter is available on the Commissioner's website.

4. Themes

4.1 Thematic mission: Syrian refugee crisis

From 14-19 December, the Commissioner undertook a thematic visit on the situation of persons fleeing Syria in Europe. The aim of this visit was to gain first-hand knowledge of the situation on the ground and to raise awareness about the urgent need for Europe to rise to the challenges posed by one of the world's biggest refugee crises of recent times, which is unfolding on its very doorstep.

The Commissioner travelled to Turkey, Bulgaria and Germany, a route that many persons forced to flee Syria currently take. He had the opportunity to speak at length with many of the refugees, including several families with children, and learn about their stories as well as current needs and hopes for the future. He also discussed practical challenges with those running the different refugee camps and centres he visited and had fruitful meetings with the national authorities. The Commissioner could also benefit from the invaluable expertise of UNHCR, whose representatives he met in the three countries visited.

In Turkey, the Commissioner visited two temporary accommodation centres in Hatay province, Altınözü and Yayladağı, the latter located only three kilometers away from the Syrian border. He met with the Minister of Justice, Mr Sadullah Ergin, and with the Governor of Hatay. In Ankara, the Commissioner met with the Head of the Emergency Response Department of the Prime Ministry Disaster and Emergency Management Presidency, Mr Fatih Özer, and with the Deputy Undersecretary of the Ministry of Foreign Affairs, Ambassador Erdogan Iscan. The Commissioner then travelled to Sofia, where he met with the Deputy Prime Minister and Minister of Interior, Mr Tsvetlin

Yovchev, and the Chairman of the State Agency for Refugees, Mr Nikolai Tchirpanliev. In Sofia, the Commissioner visited the refugee accommodation centre located in Voenna Rampa neighbourhood and the Special Centre for Temporary Accommodation of Foreigners in Busmantsi. In Germany, the Commissioner travelled to Friedland to visit an accommodation centre for refugees, and then to Berlin, where he met the State Secretary at the Federal Ministry of the Interior, Mr Klaus-Dieter Fritsche. The visit culminated with a press conference in Berlin, in which about 25 journalists, from both the German and international press, participated. The press conference started with the showing of an 8 minute video (available on the Commissioner's website) documenting the Commissioner's visit, followed by a 15 minute presentation by the Commissioner on his impressions, findings and conclusions.

These were reiterated in a Human Rights Comment (*'Syrian refugees: a neglected human rights crisis in Europe'*) the Commissioner published on his return to Strasbourg on 20 December. In this Comment, the Commissioner notes that most European governments have reacted to one of the major refugee crises of our times with striking indifference. In spite of the size and proximity of this human tragedy, of which more than half of the victims are children, Europe's response has so far been limited to providing humanitarian assistance to some of the countries neighbouring Syria, where people have sought refuge. However, when it comes to actually receiving refugees, Turkey is the only country to have opened its arms fully to Syrians in need, having taken an estimated 1 million. This amounts to well over ten times the number of Syrians in all other 46 Council of Europe states combined. Germany, Sweden, and Armenia have also taken some steps to receive Syrian refugees through humanitarian admission and facilitated family reunification.

However, with only a few thousand places available under these programmes (some 15 000 places available for resettlement as a whole) some Syrians have attempted to reach a safe haven in Europe on their own. But measures such as tightened visa requirements, strict conditions for family reunification and, in some cases, informal push backs have made it impossible for them to do so. Detention and inadequate, or even degrading, living conditions await many of those who manage to reach the territory of some member states.

The Commissioner calls on Council of Europe member states to respond generously to UNHCR's appeals not only for funding but also for resettlement of refugees from countries neighbouring Syria to their own territory. They must fully abide by their human rights and refugee law obligations emanating notably from the European Convention on Human Rights and the UN Refugee Convention. To this end the Commissioner calls on them to: keep their borders open to allow Syrian refugees to access their territory to seek and enjoy asylum, including by granting humanitarian visas; immediately cease any expulsions of Syrians at their borders; adopt formal moratoria on returns of Syrian refugees to Syria; refrain from returning Syrian refugees to countries neighbouring Syria, thereby avoiding adding to the challenges faced by their governments and local communities; refrain from using the "Dublin Regulation" for returning Syrian refugees to other European countries whose asylum systems are already overstretched; and ensure that Syrian refugees have adequate opportunities for integration in their host communities.

4.2 Issue Papers

The right to leave a country

On 5 November, the Commissioner held a press conference in Brussels to launch his Issue Paper *The right to leave a country* in Brussels. The paper focuses on six themes: the right to leave a country, including one's own; the right to seek and enjoy asylum; non-nationals' right to leave a country; prohibited discrimination as regards the right to leave a country; the situation in the Western Balkans; and the impact of the EU externalisation of border control policies on the right to leave a country. The conclusions highlight the need for European states to examine or re-examine their immigration laws and policies in order to fully align them with the European Convention on Human Rights and the Strasbourg Court's case-law.

The Commissioner underlined that the right to leave a country is enshrined in major human rights instruments and is a prerequisite to the enjoyment of other rights – most importantly, the right to seek asylum and to be protected from ill-treatment. The European challenges to these rights come in a variety of forms, especially through measures adopted by some states at the instigation of other states in pursuance of their immigration and border control policies.

In particular, the EU's current approach to border controls and immigration prompts third countries to adopt measures which may result in violations of the right to leave a country, the prohibition of collective expulsions, and the right to seek and enjoy asylum. Such measures include ethnic profiling at border crossing points, sanctions on carriers, confiscation of travel documents, readmission agreements and the practice of "push-backs".

The result of these measures is particularly evident in the Western Balkans, where countries are pressured to reduce the number of their citizens applying for asylum in the EU under penalty of seeing all their nationals subjected to mandatory visa requirements. Not surprisingly, the authorities of some of these states are restricting the departure of individuals they consider more likely to apply for asylum, the vast majority of whom are Roma.

Finally, EU member states' border guards carry out operations at sea and at land borders between third countries to ensure that nationals of these countries do not reach EU borders.

The Commissioner underlined that notwithstanding the EU's commitment to human rights and fundamental freedoms, the compatibility of certain of its border control policies with international and European human rights law is questionable. He stressed the need for EU border control policies to become more respectful of human rights standards, as well as more transparent and accountable.

The Issue Paper is available on the Commissioner's web site.

Safeguarding human rights in times of economic crisis

On 3 December, the Commissioner held a media conference in Brussels to launch his Issue Paper *Safeguarding human rights in times of economic crisis*, where he pointed out that many governments in Europe imposing austerity measures have forgotten about their human rights obligations, especially the social and economic rights of the most vulnerable, the need to ensure access to justice, and the right to equal treatment. Regrettably, international lenders have also neglected to incorporate human rights considerations into many of their assistance programmes.

The Issue Paper stresses that the economic crisis has been transformed into a new political reality of austerity which has affected the whole spectrum of human rights. Many vulnerable groups of people have been affected disproportionately. Deepening poverty, including child deprivation, and youth unemployment are likely to have long-term effects. The economic crisis is also undermining the capacity of central and local authorities to ensure human rights protection.

As embodied in international human rights law, civil, political, economic, social and cultural rights are not expendable in times of economic hardship, but are essential to a sustained and inclusive recovery. There is growing national and international case-law on the implementation of human rights in the crisis context. This is particularly the case for states' obligations to protect economic and social rights, avoid further erosion and retrogression of these rights and prevent disproportionate impacts of austerity measures on particular sectors of the population. Ombudsmen, human rights commissions and equality bodies have great potential to promote human rights-compliant responses to the crisis and protect people from discriminatory measures which result in inequalities.

The Issue Paper lays out the Commissioner's recommendations which help forge a new path along which governments can align their economic recovery policies with their commitments to human rights. Governments should conduct systematic human rights and equality impact assessments of social and economic policies and budgets while ensuring transparency, participation and public accountability in the policy cycle. Social protection minima and labour rights have to be maintained during the crisis. Particular attention needs to be paid to guaranteeing access to justice for all, promoting equality and combating racism.

Transparent financial regulations should be adopted to regulate the financial sector in the interests of human rights, and governments should consider the human rights impacts of their decisions taken within international and European institutions of economic governance. The Commissioner urges member states to ratify the major European and international human rights instruments in the field of economic and social rights and reinforce their national implementation. There is also a need to strengthen the effectiveness and independence of national human rights structures which can protect people in an accessible way against infringements of human rights resulting from austerity.

4.3 Other thematic work

Privacy and secret surveillance

On 24 October the Commissioner published a Human Rights Comment in which he pointed out the threat secret surveillance poses to the right to privacy.

The Commissioner stressed that although states have a duty to ensure security within their borders and in doing so they can undertake secret surveillance of individuals who can pose a threat, adequate and effective guarantees against abuse are needed and should be provided through legislation that strictly abides by the case-law of the European Court of Human Rights.

He also called on private companies and states alike to be more cautious in using data relating to private life, to avoid any abuses that could arise from indiscriminate mining, and to develop surveillance and data collection policies that fully respect human rights.

Freedom of expression

On 7 and 8 November, the Commissioner travelled to Belgrade to participate in the Council of Europe Conference of Ministers responsible for Media and Information Society, entitled “Freedom of expression and democracy in the digital age – opportunities, rights and responsibilities”. In his keynote speech, the Commissioner highlighted restrictions to media freedom on grounds of national security as particularly serious ones, following the recent disclosure of the US and UK mass surveillance programmes. He underlined that spying on individuals on a massive scale, without strict legal rules and democratic oversight, can have adverse effects on freedom of expression by provoking a chilling effect on investigative journalists and activists who might fear exposing their sources. He also stressed the need to ensure that media freedom applies to the new, digital environment where bloggers, activists and ordinary citizens have joined journalists in reporting in the public interest. The Commissioner concluded by emphasising that maintaining an open Internet, without undue restrictions by the authorities (or private industry) will remain an important dimension of his work on freedom of expression.

In a video message to Azerbaijan's Human Rights Forum, organised by the Institute for Reporters' Freedom and Safety (IRFS) on the occasion of Human Rights Day in Baku, Azerbaijan, the Commissioner expressed his serious concern at the intensification of the practice of unjustified or selective criminal prosecution of journalists and others who express critical opinions, including bloggers and online activists. The Commissioner also expressed his concern about limitations on freedom of assembly imposed by the banning of demonstrations in central and easily accessible locations and by the use of force leading to arrests and, in some cases, harsh sentences. At the end of his message, the Commissioner commended NGOs and human rights defenders for their crucial role.

Human rights of LGBTI people

On 25 October, the Commissioner gave a video message to the ILGA-Europe 2013 Annual Conference "Family matters! Reaching out to hearts and minds", which took place in Zagreb. The Commissioner noted that the concept of the family was changing rapidly in Europe and that the Strasbourg Court has clearly recognised that same-sex couples living in a stable partnership with or without children fall within the notion of 'family life' protected by the European Convention on Human Rights.

On 1 and 2 December, the Commissioner's Office organised a consultation on human rights and intersex persons in conjunction with the 2013 Intersex Forum in Malta. The consultation identified settings where the human rights of intersex persons are at risk, outlined protection gaps, and discussed means and institutional mechanisms for improving protection and accountability.

Human rights of immigrants, refugees and asylum seekers

On 28 and 29 October, a representative of the Commissioner's Office participated in the Annual Conference on EU Asylum Law 2013 organised by the Academy of European Law (ERA) in Trier, Germany. The conference focused on the recently agreed reform of the Common European Asylum System (CEAS) and assessed whether the second phase of the CEAS can achieve the objective of ensuring common standards in all EU member states, based on a high level of protection. The key topics included: the legislative reform package for the CEAS, the proposed early-warning system, fundamental rights considerations, and relevant case-law of the European Court of Human Rights and of the Court of Justice of the European Union.

On 7 November, a representative of the Commissioner's Office participated in the symposium organised by the International Centre for Migration Policy Development (ICMPD) in Vienna on the occasion of the ICMPD's 20th anniversary. The symposium built around the theme "10 Observations on the Future of Migration", which was presented and discussed in a panel comprising experts and politicians of several continents. Participants underlined that the key to maximising the benefits of migration and preventing, or at least minimising, negative phenomena such as human trafficking is to develop sound, forward-looking migration policies that engage all actors and take into account the synergies between migration and other areas, such as development.

Gender equality

On 15 November, the Commissioner had an exchange of views with the Gender Equality Commission. He updated the Commission on his thematic and country work on gender equality and explained the priority focus made so far on domestic violence and violence against women. The Commission provided information on its upcoming activities, which are driving the implementation of the Council of Europe Gender Equality Strategy. The ensuing discussions, which also explored possibilities for closer co-operation, focused on different subject areas, among which featured: hate speech targeting women, in particular on social media; women's access to justice, including in the framework of domestic violence; sexism in political life; the impact of the economic crisis on gender equality; trafficking in human beings and prostitution; and integrating gender equality in the work of national human rights institutions and national human rights action plans.

Launch of Scotland's National Action Plan for Human Rights

On 10 December, on the occasion of International Human Rights Day, the Commissioner participated in the launch events of Scotland's National Action Plan for Human Rights (SNAP) in Edinburgh, hosted by the Scottish Human Rights Commission. He underlined that SNAP aimed at making human rights principles apply in people's everyday lives, and that it signalled a strong commitment to internationally agreed human rights standards. This was particularly significant in the current context of economic crisis and austerity. The Commissioner commended the inclusive and participatory approach applied in the development of SNAP.

While in Edinburgh, the Commissioner met with the Scottish First Minister Alex Salmond, Deputy First Minister Nicola Sturgeon and Minister for Community Safety and Legal Affairs Roseanna Cunningham. In addition, he discussed SNAP with the Cross Party Group on Human Rights of the Scottish Parliament. The Commissioner also gave a lecture on current challenges and opportunities for human rights at Edinburgh University.

5. Other Meetings

Round table on legislation on non-commercial organisations

The Commissioner's Office took part in the round table organised by the Conference of International Non-Governmental Organisations of the Council of Europe and the Civic Chamber of the Russian Federation in Moscow on 31 October 2013. The purpose of the round table was to discuss the developments related to the legislation on non-commercial organisations in the Russian Federation and to present the Opinion of the Expert Council on NGO Law of the Conference of INGOs on the "Law on Foreign Agents". The contribution of the Commissioner's Office concerned inspections of NGOs in Russia, and issues which have been raised in this context as regards the protection of private life.

EP Committee on Civil Liberties, Justice and Home Affairs Public Hearing

On 5 November, the Commissioner participated in the public hearing of the European Parliament Committee on Civil Liberties, Justice and Home Affairs on "The situation of fundamental rights in the European Union: how to strengthen fundamental rights, democracy and the rule of law in the EU". In his intervention, he explained the broad lines of his mandate as Commissioner for Human Rights covering the 47 member states of the Council of Europe, including the 28 members of the European Union.

He stressed that since the beginning of his mandate he had visited and published reports on 14 countries, including 8 EU member states. The most frequent topics covered in the latter were the impact of the economic crisis on vulnerable groups; human rights of migrants, refugees and asylum-seekers; racism and xenophobia; human rights of Roma; and police misconduct.

The Commissioner made observations on the need for human rights compliant responses to the economic crisis. He also recalled that the EU is party to the UN Convention on the Rights of Persons with Disabilities (CRPD) and called on all EU

institutions to put an end to the use of EU structural funds in ways which contradict the aims of the CRPD, an issue about which the Commissioner receives persistent reports. He also raised the problem of the lengthy detention of migrants as well as pressure which is put on certain countries because of returns under the Dublin Regulation. The Commissioner also mentioned that some EU member states have incomplete anti-discrimination frameworks with different levels of protection for different grounds.

Finally, the Commissioner described his co-operation with the different institutions of the European Union and possible complementarity to improve the human rights situation in member states of the Council of Europe, and notably in the EU member states.

European Union Human Rights Working Group – COHOM

On 6 November, the Commissioner held an exchange of views with the COHOM. He presented the work he carried out recently and his upcoming activities and highlighted some priority themes such as the administration of justice or freedom of expression and of the media, and police misconduct.

In the subsequent discussion, the Commissioner replied to a number of questions relating, among other things, to his co-operation with relevant EU institutions, his dialogue with governments to address specific human rights issues and the use of the findings of his reports by the governments.

Meeting with OSCE High Commissioner on National Minorities

On 25 November, the Commissioner met with Ms Astrid Thors for the first time since her appointment as OSCE High Commissioner on National Minorities in July. They exchanged views on their respective priorities regarding the situation of minorities. Both of them expressed deep concern about the rise in racism and intolerance against minorities throughout Europe. The serious challenges to which Roma people continue to be confronted, including hate speech and hate crime, segregation, evictions, and limitations to freedom of movement were also a subject of discussion. They stressed complementarity in the implementation of their respective mandates and the importance of co-operation and exchanges of information between their respective staff.

Meeting with the European Union’s Fundamental Rights Agency (FRA)

On 26 November, the Commissioner met with FRA Director Morten Kjaerum and member of FRA Management Board Frauke Seidensticker in Strasbourg. The discussions focused on the situation of refugees, racism, economic and social rights, and current EU initiatives to enhance fundamental rights compliance in EU member states.

World Forum for Democracy

On 28 November, the Commissioner participated in a panel discussion on “Digital Human Rights Defenders” in the framework of the World Forum for Democracy. He discussed two specific initiatives: the Natalia Project, an initiative of Civil Rights Defenders which seeks to protect human rights activists at risk, and the TAILS (The Amnesiac Incognito Live System) initiative, launched by the National Democratic

Institute, which aims at guaranteeing that the online work of human rights activists remains untraceable. In the course of the discussion, the Commissioner highlighted the variety of challenges faced by human rights defenders, such as physical attacks, threats or arbitrary detention, as well as judicial harassment and obstacles to their work resulting from restrictive legal provisions affecting freedom of assembly, freedom of expression or freedom of association. In this context, Internet can represent a threat for human rights defenders, when repressive governments use information available on the Internet and social networking sites to identify networks of human rights defenders and other activists and persecute them. However, it also represents an opportunity, as social media play an important role in strengthening freedom of association and freedom of assembly.

6. Co-operation with national human rights structures

On 7 October in Vienna, the Commissioner addressed the conference “Strengthening fundamental rights protection together in a changing human rights landscape”, which brought together national human rights institutions, equality bodies and ombudsperson institutions across Europe, the Council of Europe and the EU Agency for Fundamental Rights to identify shared human rights concerns.

During the meeting, the Commissioner highlighted the progress achieved in establishing independent NHRs and the essential role such bodies had to play in times of economic crisis. He referred to several current human rights issues, including the accountability of the security sector, implementation of the judgments of the European Court of Human Rights and the development of national action plans for human rights. This landmark conference made an important contribution to achieving closer co-operation among NHRs and between NHRs and European organisations. Specific thematic platforms and pilot projects will be set up for enhanced collaboration and communication.

7. Communication and Information work

The main coverage concerned Spain, migration issues and the media coverage of Roma.

The report on Spain published on October 9 attracted huge media coverage, both in Spain and abroad. The main topic covered was child poverty, but some articles also referred to the recommendations concerning the conduct of the police. Among the main media were *AFP, Agência Lusa, AGI, AnsaMed, ARA, Avante, BBC, Challenges, Diario de Malaga, EFE, El Diario, El País, EuroXpress, Gaceta, Gibraltar Chronicle, Huffington Post, Kathimerini, La Voz de Cadiz, Les Echos, Le Soir, Mlada Fronta, New Europe Publico, RaiNews24, Reuters, RTVE, Servimedia, TeleCinco, The Guardian, The Irish Times, The Local, and Xornal de Galicia*. In addition, the concerns expressed on the Spanish draft law on public safety were covered by *20 Minutos, ABC, Cadenaser, Correo Gallego, Der Standard, EFE, El Diario, El Pais, Europa Press, Faro de Vigo, La Jornada, La Nueva España, La Opinion de Coruna, La Repubblica, La Vanguardia, La Voz de Cadiz, La Rioja, Publico, RTVE, The Huffington Post, and Turquie News*.

The launching of the Issue Paper on the right to leave a country and additional work concerning migration issues, including the Syrian refugee crisis, received major

international coverage (*Agence Europe, Akter, Anadolu Ajansi, ANSA, Athens News Agency, Avanti, Beta, BIRN, B92, Bulgarian National Television, Dalloz, Danish Radio, Der Spiegel, Deutsche Welle, Die Zeit, Dnevnik, DPA, Dunya, EFE, Efimerida ton Syntakton, El Pais, ENA, ERF, European Voice, Evangelische Presse Dienst, Frankfurter Rundschau, Gazzetta del Sud, Inews, Information, Itar-Tass, Journal du droit des jeunes, Kathimerini, La Opinion, La Vanguardia, Malta Today, National Public Radio, Neues Deutschland, Nova TV, Novi magazine, Novine, Novinite, Osservatorio sui Balcani, Radio Free Europe, Radio Latvia, RAINews 24, Reitingi, Reuters, RTS, RTV, Tanjug, The Journal of Turkish Weekly, The Malta Independent, To Vima, Turkey News, Unione Sarda, Vesti, WAZ, Weser Kurier, World Bulletin*). A live interview was organised in the studios of Deutsche Welle TV in Berlin on the situation of Syrian refugees.

The Commissioner's comment on irresponsible media coverage of Roma issues received worldwide coverage (*The Associated Press, The Washington Post, CBS, CNN, The Toronto Star, Eleftherotypia, Athens News Agency, KYΠE, ANSA, Ouest France, The Voice of Russia, MIA, The Journal, Khatimerini, Fria Tider, El Comercial, EFE, SIR, STA, RTV, De Morgen, New Europe, The Telegraph, EFE, B92, Hirado, NRA, New Post, The Irish Times, Daily Mail, 24 Heures, CNN, La Tribune de Genève, Le Monde, Le Nouvel Observateur, NPR, Radio New Zealand*). The Czech news agency, *Radio Prague* and *Prager Zeitung* covered the Commissioner's concerns about anti-Roma demonstrations in the Czech Republic, while the *Huffington Post* mentioned the Commissioner's concerns about the Roma situation in an article covering France.

Another activity that attracted wide national and international media attention was the report on Turkey, which focused mainly on police conduct. It was covered both with interviews, articles and opinions published by newspaper columnists in *AFP, Agence Europe, ANSA, Associated Press, BirGun, Blick, CNN Turk, Deutsche Welle, DPA, EFE, Eleftherotypia, Fox News, Hürriyet, Hürriyet Daily News, Kathimerini, Le Monde, Lettera 43, Nieuws, NTV, Radikal, RFI, SDA/ATS, Today's Zaman, Washington Post, and YLE*.

The publication of the issue paper on safeguarding human rights in times of economic crisis also received huge media coverage, with articles and interviews in *Agenzia Giornalistica, Ansa, Ceskapozice, De Tijd, EFE, La Vanguardia, El Diario, Eleftherotypia, Ethnos, EUObserver, EurActiv, Huffington Post, Kathimerini, Le Monde, Lusa, NeosKosmos, New Europe, PressTV, Publico, Reuters, RTP, RTVS, STA, Ta Nea, The Irish Examiner, The Press Project, The Wall Street Journal, and TVXS*.

The report on the administration of justice in Russia was covered with interviews and articles by *Kommersant, Vedomosti, Radio Echo Moscow, Interfax, Ria Novosti, Reuters, Extensivo Juridico, The Moscow Times, BFM, Eleftherotypia, RAPSİ, Radio France Internationale, Tatar inform, SIR, and Chicago Tribune*.

The Commissioner's work on Greece continued to receive media attention, in particular by *Mediapart, Le Monde, Eleftherotypia, Epohi, Cyprus Mail, Greece Tomorrow, AVGI, Efimerida ton Syntakton, and Proto Thema*.

The letter to the French Minister of Justice concerning the off-site hearings for irregular migrants was widely covered in France, mainly by *AFP, Le Figaro, Le Monde, Le Point - Nice-Matin, RTL AFP, Le Point, Témoignages, Gandul, and Mediafax*.

The Memo sent to the UK Joint Parliamentary Committee on the Draft Eligibility Voting (Prisoners) Bill was covered by *The Guardian*, *The Telegraph*, *Daily Mail* and *Ria Novosti*.

The Commissioner's interview on the tragedy in Lampedusa was published by Ansa and mentioned by *La Repubblica*, *Corriere della Sera*, and *Der Spiegel*.

The report on the Republic of Moldova was covered by *Omega*, *Radio Free Europe*, *Unimedia*, *Jurnal*, *Radio Vocea Basarabiei*, *Publica* and *Noi*.

The Human Rights Comment on surveillance was covered by *AFP*, *Die Zeit*, *Dow Jones*, *Die Welt*, *Sabah*, *RTV Slovenija*, *EPD*, *Postimees*, and *Mylliet*.

The media in Armenia followed the Commissioner's participation in the ministerial meeting in Yerevan very closely and also covered his wake-up call on the situation of Syrians in Europe (*Aravot*, *News*, *Tert*, *Aysor*, *Arminfo*, *Hetq*, *Mediamax*, *Public Radio of Armenia*).

The tweet in which the Commissioner expressed concerns about the raid on a media outlet in Lithuania as well as his participation in the Council of Europe conference on media freedom were mentioned by *15Min*, *ANSamed*, *BNS*, *MTI*, *Postimees*, *RTS*, *Tanjug*, and *B92*.

Another tweet which called on the Croatian authorities to condemn the Nazi salute of one of its national football team's players was mentioned by *Al Jazeera Balkans*, *HINA*, *Klix*, *Nezavisime*, *SRNA*, *Tanjug*, *B92*, and *Today*.

Further coverage concerned freedom of expression and integration of refugees in Italy (*Ansa*, *Il Giornale*, *Frankfurter Rundschau*, *Il Tempo*), Roma (*Ansa*, *Mediafax*), the ban of the Belgrade Pride (*Beta*, *Blic*, *Danas*), Azerbaijan (*Frankfurter Rundschau*, *Radio Free Europe*, *The Journal of Turkish Weekly*), Greenpeace (*South Wales Argus*), the visit to Denmark (*Berlingske*, *Information*, *Politiken*, *The Copenhagen Post*, *Ritzau*, *TV2fyn*), the erased (*Dnevnik*, *RTVS*, *STA*), Latvia (*Latvian News Agency*, *Baltic Daily Delfi*, *Radio Latvia*, *Reitingi*), LGBT in Croatia (*Jutarnji list*, *e-Novine*, *ITN/ Reuters TV*, *Reuters*, *Tanjug*, *Telegraf*), Serbia (*Tanjug*) and EU aid in Belarus (*The Sunday Telegraph*), Ukraine (*ANSA*, *EFE*, *MTI*, *Novostimira*, *Ukrainform*), Croatia (*Tanjug*), Racism (*EurActiv*, *Holyrood*, *Itar-Tass*), the Scottish Human Rights Action Plan (*BBC*, *Herald Scotland*), minorities (*RTV*), freedom of the media (*Deutsche Welle*).

Two opinion editorials were published. The first was published by the Slovenian newspaper *Delo* on October 19 and focused on the situation of erased persons in Slovenia. The Commissioner called on the authorities to broaden the scope of the compensation law in order to provide a full remedy for the human rights violations suffered by the erased persons.

The second opinion editorial was published by *European Voice* on December 5 and concerned human rights in the EU. The Commissioner underscored that the EU should improve its human rights output in its fields of competence, in particular as concerns migrants, social protection, persons with disabilities and anti-discrimination.

Three press conferences were organised: two in Brussels for the launchings of the Issue Papers on migration and austerity, in each of which more than 20 journalists participated; and a third press conference in Berlin at the end of the thematic visit on Syrian refugees which was attended by over 25 journalists.

More than 60 interviews were organised on almost all the topics mentioned above.

The number of followers on twitter continued to grow reaching 5 879 (a 16% increase as compared to the end of September). Interactions on Facebook also increased. The Commissioner's website was surfed by more than 25 500 unique visitors (a 42% increase compared to the previous quarter).

The website was restyled and made more interactive.

Two Human Rights Comments were published:

Human rights at risk when secret surveillance spreads (October 24);
Syrian refugees: a neglected human rights crisis in Europe (December 20).

8. Next three months

January

20-24/01 Visit to Georgia

27-31/01 PACE Session

February

04-10/02 Visit to Ukraine

17-18/02 Joint CoE/OSCE Conference "Not for Sale - Joining Forces Against Trafficking in Human Beings" Austria CM chairmanship (Vienna)

27/02 Exchange of views with OSCE Permanent Council (Vienna)

March

04/03 Lecture on immigration hosted by Institute for Human Rights, University College London Faculty of Laws (London)

13-14/03 Italian Parliament Conference "What Europe Stands For. Growth, Jobs, Rights: will the European Union rise to the occasion?" (Rome)

17-21/03 Visit to Montenegro

9. Observations and reflections

The final quarter of the year saw the coming to fruition of two thematic projects that had long been in the making – Issue Papers on “The Right to Leave a Country” and “Safeguarding Human Rights in Times of Economic Crisis”. Work on both of these papers began soon after the assumption of my duties as Commissioner for Human Rights, but they both remain topical today.

During a roundtable with human rights defenders in Sarajevo in March 2012 organised by my predecessor, I first heard serious allegations that the right to leave a country was a topical issue in the region, as several countries with visa facilitation agreements with the European Union were being pressured to stop the outflow of mostly Roma asylum-seekers to the EU. Sometimes, the way this has been done has been highly problematic, e.g., by conducting ethnic profiling at exit points, confiscating airline tickets, etc. On a country mission to the “former Yugoslav Republic of Macedonia” and on a recent trip to Serbia, I learned that the issue remains topical in the region. At the same time, I have found low awareness among EU officials and representatives of EU member states about these problematic practices in the Western Balkans and the role of EU member state pressure and incentives in contributing to their persistence. I hope that the Issue Paper helps to spur debate in all Council of Europe member states and that practices restricting the right to leave a country are brought to an end.

Upon assuming office in early 2012, it was clear that the economic crisis was having a negative impact on human rights, but *how* was unclear. Moreover, I discovered on my first country mission, which happened to be to a country undergoing a severe crisis (Portugal), that we had no ready-made prism through which to analyse the situation and no collection of best practices to recommend to member states. Thus, we began a process of consultation with outside experts and national human rights structures about the impact of the crisis, the relevant standards, and how states could best mitigate the negative impact on human rights. We refined our thinking during visits to a number of countries hard hit by austerity, including Italy, Greece, Spain and Estonia. Now, with the Issue Paper, we not only have a clear prism for analysing the situation in member states, but also solid recommendations based on best practices.

In the process of preparing and promoting these two issue papers, I have learned how interdependent our country and thematic work is and about the needs of two of my core sets of interlocutors - human rights defenders and national human rights structures. Regarding the latter, I was particularly gratified by the meeting we organised in Vienna in October together with the Council of Europe, the EU Fundamental Rights Agency, and the European networks of ombudsmen, equality bodies and national human rights institutions. Clear progress has been made throughout the region in creating such independent bodies. Now the challenge is to make them all truly effective guardians of human rights within their own countries and to facilitate their co-operation and work to address human rights issues across borders as well.