



COMMISSIONER FOR HUMAN RIGHTS
COMMISSAIRE AUX DROITS DE L'HOMME



Strasbourg, 19 January 2018

CommDH(2018)1

ANNUAL ACTIVITY REPORT 2017

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for Human Rights**

Presented to the Committee of Ministers
and the Parliamentary Assembly

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Foreword by the Commissioner

In 2017 the human rights situation continued to deteriorate in many countries and issue areas across Europe. Old crises deepened, new crises emerged and commitment to Council of Europe values and the human rights protection system seemed to grow weaker.

One could argue that Europe has had a chronic migration policy crisis for some time, though each recent year has been marked by a different problematic development. 2015 saw a huge spike in new arrivals and the eruption of strains and tensions within and between countries trying to cope with the challenge. 2016 was noteworthy as the year of the much criticised EU-Turkey statement on migration. 2017 will probably be remembered as the year the EU shifted its migration control efforts to Libya, with horrific consequences for human rights. Moreover, though the number of new arrivals to Europe fell significantly, many countries maintained restrictive “emergency” measures, causing much unnecessary hardship.

Among the older crises that continued to claim many lives and cause much suffering was the conflict in and around Ukraine, which showed no sign of abating. The human rights crisis continued in Turkey as well, where a very far-reaching state of emergency weakening judicial control remained in force, as a crackdown on suspected coup conspirators widened to encompass huge numbers of people. In Poland the rule of law crisis that came to a head in 2016 also deepened in 2017. The Western Balkans, where tensions have never been far below the surface in recent years, appeared to grow more polarised.

What were the new crises of 2017? I believe the year will likely be remembered as the year the Catalan issue erupted in Spain, creating a major political crisis which also has certain human rights aspects. Despite progress in some countries, 2017 will be remembered for new lows in the violation of LGBTI rights in others. Finally, 2017 will be remembered for the hashtag “#MeToo” and the revelations about sexual harassment and sexual assault that emerged in the United States and echoed in many parts of Europe.

I sought to address these crises within the parameters of my mandate and to defend the principles undergirding the European human rights system. As in previous years, migration continued to dominate my agenda. Migration was one or the sole focus in country reports, missions or visits to Finland, Luxembourg, Malta, Slovenia, Sweden and Switzerland. I addressed a letter on a migration-related topic to the authorities in Slovenia, and issued statements on the situation in Greece and Hungary. I sought to raise awareness about migrant rights through articles and human rights comments on issues such as migrant detention and Europe’s co-operation with third countries on migration control.

I devoted much time to promoting the right to refugee family reunification as a mechanism to provide safe and legal venues for people in need of protection to come to Europe, but also as an essential precondition for successful refugee integration. In addition to addressing the issue in country work and a human rights comment, I published an Issue Paper on the topic, organised a thematic roundtable with human rights defenders, and co-organised a special gathering of the European Network of National Human Rights Institutions (ENNHRI).

In 2017 European efforts to halt the flow of migrants from Libya intensified, involving various forms of co-operation with and assistance to Libya’s authorities. This worried me and I exchanged letters with Italy’s Minister of Interior, asking for information on Italy’s co-operation with Libya and recalling Italy’s international obligations to refrain from action that could lead to persons being returned to countries where they could face torture or inhuman or degrading treatment or punishment. Soon thereafter, the UN and the media sounded the alarm about the situation in Libya, reporting around 20,000 migrants detained in awful conditions.

Regarding Ukraine, in April I carried out a follow-up mission to the country - my seventh since the beginning of my mandate. In meetings with NGOs, national human rights structures and the authorities, I addressed ongoing topics of interest, such as judicial and prosecutorial reform, the need for effective investigations into serious human rights violations, the situation of internally displaced persons, and freedom of movement and social rights in the non-government controlled areas. However, I also addressed new areas of concern, such as media freedom and the situation of NGOs. The situation in

Crimea continued to generate grave human rights concerns, but neither I nor other international human rights organisations could gain access to assess the situation first-hand.

The human rights crisis in Turkey deepened, the clearest manifestation of which was the growing number of journalists and human rights defenders in detention. At the beginning of the year, I published a memorandum documenting the dire situation of freedom of expression and media freedom in Turkey. Despite the significant constriction of space for democratic debate, the authorities pushed ahead with a referendum on constitutional changes that further weakened the independence of the judiciary. To complement my previous work in the country, in 2017 I intervened before the European Court of Human Rights as a third party in three different groups of cases regarding Turkey – on disproportionate counter-terrorism measures in the South-East, and on the freedom of expression and right to liberty and security of respectively, journalists and parliamentarians. By year's end, however, repression against a wide range of critical voices continued unabated.

The rule of law crisis continued in Poland, with the adoption of new legislation further undermining the independence of the judiciary, especially the National Council of the Judiciary and the Supreme Court, and the intensification of concerns about the separation of powers. I sought to engage with the authorities by exchanging letters with the chairman of parliament and conducting a follow-up mission to Warsaw at the end of the year. I tried to raise human rights awareness through the organisation of a seminar on women's rights and gender equality, participation as a keynote speaker at a human rights congress organised by the Ombudsman, and in media work.

Though the International Criminal Tribunal for ex-Yugoslavia (ICTY) ceased its operations at the end of the year, justice still eludes much of the Western Balkans and the needs of many victims of wartime crimes remain neglected. Moreover, efforts at reconciliation have stalled, while the forces of aggressive nationalism and revisionism are becoming more vocal. I did a considerable amount of work in the region in 2017, conducting missions or visits to Bosnia and Herzegovina, Croatia, Slovenia and Kosovo*. I also issued a statement on the anniversary of the Srebrenica genocide and published a human rights comment summarising my work on transitional justice in the region. My impression is that the region is more fragile and the international community, including the Council of Europe, should engage there more actively, lest the embers of conflict become inflamed once again.

The crisis in Catalonia prompted much reflection and concern across Europe. I went to Barcelona in the spring for a conference, met with the Catalan and Spanish ombudspersons, and witnessed an alarming divergence of perspectives between the local authorities and officials from Madrid. In the fall, when the Catalan independence movement's effort to hold an illegal referendum was met by disproportionate use of force by the police, I exchanged letters with Spain's Minister of Interior urging effective investigations and reiterating the need to set up an independent police complaints mechanism. By year's end, new elections were held in the region, but the risk of further tensions remained.

In 2017 I received extremely worrying reports about the persecution of people on the basis of their actual or perceived sexual orientation or gender identity in the Russian Federation and in Azerbaijan. Regarding Russia, I sent a letter to the head of the Investigative Committee and contacted the Ombudsman expressing concern and seeking information about the disturbing reports that had emerged about abductions, detention and severe ill-treatment of gay men in Chechnya, but little light had been shed on the result of investigations by year's end. I exchanged letters with Azerbaijan's Minister of Interior about allegations of forced medical check-ups and other measures targeting LGBTI persons, but the minister's response only heightened my concerns.

With regard to the Russian Federation more generally, in the absence of co-operation from the authorities there I continued my work from afar on topical human rights issues in the country. I published a memorandum on freedom of assembly and followed up on previous work on freedom of association in Russia by submitting a third party intervention on a group of cases at the European Court of Human Rights challenging the compatibility of the "Foreign Agent Law" with Russia's obligations under the European Convention on Human Rights.

* 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.

With regard to Azerbaijan, I made numerous statements about repression against journalists and human rights defenders, including defence lawyers. The serious human rights situation there has now been taken up by the entire Council of Europe – in addition to PACE monitoring and the Secretary General's inquiry under Article 52 of the European Convention on Human Rights, the Committee of Ministers for the first time ever launched infringement proceedings against Azerbaijan due to the authorities' continued failure to ensure the release of Ilgar Mammadov following a judgment from the European Court of Human Rights.

2017 was characterised by an outpouring of revelations about sexual harassment and sexual assault – in the entertainment industry, business, politics, the media and other domains – starting in the United States and extending to several European countries. While we knew such violations were under-reported, the scale of the revelations was much more far-reaching – and made more waves – than ever before. This confirmed the need for much more sustained efforts to challenge our own assumptions and complacency, combat patriarchal privilege, gender stereotypes, and discriminatory behaviour, and promote women's rights and gender equality.

I continued to devote considerable effort to promoting ratification and implementation of the Istanbul Convention through visits, reports, letters or opinion editorials regarding Croatia, Ireland, Latvia, Liechtenstein, Lithuania, Malta, Republic of Moldova, and the Russian Federation. I examined the situation of women victims of wartime sexual violence in both Bosnia and Herzegovina and in Kosovo. I sought to address women's sexual and reproductive health and rights (SRHR) in my work on Ireland, Liechtenstein, and Malta. At the end of the year I published an Issue Paper on women's SRHR and sought to promote it throughout Europe via media interventions, but also at a seminar in Warsaw with women's organisations in Poland.

Throughout the year, I saw my task not only as assisting governments, but also as sounding the alarm bell about on-going and emerging human rights crises and backsliding, drawing attention to the needs of victims and defending the principles underlying the human rights system. While communications work was central in this regard, so was devoting particular attention to the situation of those actors that make the human rights system function – human rights defenders, journalists, and national human rights structures (NHRs) – ombudspersons, equality bodies, national human rights institutions.

The space for human rights defenders and NGOs shrank in many places in Europe in 2017 – a broader negative trend I analysed in a human rights comment. I sent letters on problematic draft legislation on NGOs to both the Hungarian and Ukrainian authorities, and a letter to the Romanian authorities urging continued co-operation with NGOs monitoring psychiatric institutions. Over the year, I also organised two roundtables and a seminar for human rights defenders. In addition to the event on family reunification for litigators, I also organised a roundtable in Strasbourg for Russian defenders on freedom of assembly and association. The seminar took place during a mission in Warsaw and was devoted to women's rights and gender equality. As noted above, I submitted observations to the European Court on a group of cases challenging the "Foreign Agent Law" in the Russian Federation. I also made a number of statements regarding government actions against defenders over the year in Turkey and Azerbaijan.

The situation of journalists and media freedom was a focus of country visits in Bosnia and Herzegovina and missions to Kosovo and Ukraine. As my visit to Malta came soon after the assassination of a prominent journalist there, I also touched on media freedom issues there. As noted above, I also published a memorandum on media freedom in Turkey and a third party intervention on a group of cases concerning Turkish journalists before the European Court. In statements I commented on media freedom issues in Azerbaijan, Greece, Latvia, Russia and Serbia. I published two human rights comments on issues affecting media freedom – one on public service broadcasting, the other on arbitrary Internet blocking.

In various ways, I sought to support the work of national human rights structures. I analysed plans to create or strengthen such structures in visits to Liechtenstein, Monaco, Slovenia, and Switzerland. I sent letters to the authorities of Croatia and Sweden regarding legislation affecting or proposing such structures. I issued a statement on political rhetoric harmful to the independence and effectiveness of the Georgian ombudsman. I attended and gave keynote addresses at events organised by national human

rights structures in Croatia, Spain and Poland. As noted above, my Office was co-organiser of an event with ENNHRI on family reunification. Several representatives of NHRs attended a workshop my Office organised on national human rights action plans.

In the introduction to last year's annual report, I claimed that 2016 would be remembered as a turning point for human rights protection in Europe. In a positive scenario, 2016 would be remembered as the year we hit bottom and began to bounce back. In a darker scenario, it would mark the beginning of the end of the post-war human rights system. Needless to say, there were few signs of an upturn in 2017.

What more can be done to arrest the negative trend? How can we turn the tide? In circumstances of serious backsliding in certain countries and issue areas, the Council of Europe needs to reinforce its core "business" - rule of law and human rights monitoring and the provision of advice. It needs to demonstrate to member states the benefits and the added value of this work. While navigating an extremely challenging environment in the short and medium-term, we also need to think strategically. In my view, one key strategic priority should be children and youth. Otherwise, Europe in the near future may lack a critical mass of people with a willingness and ability to defend Europe's acquis of human rights, tolerance, and transnational co-operation.

My concern stems from the fact that children and youth were among the hardest hit by the economic crisis in many countries. Child poverty and youth unemployment were among the most widespread side effects of austerity policies. If we do not address these ills more effectively, what can we expect of many in this generation in the future? What will Europe mean to them, if anything? Why should they care about European integration, solidarity, even democracy? We cannot continue to leave so many young people behind.

A core strategic goal should be inclusive education. Too many children are deprived of access to mainstream education and relegated to institutions, special classes or schools. In 2017 I published a position paper summarising my work on inclusive education in more than a dozen countries. I have found strong vested interests in keeping Roma children, children with disabilities, migrant children and economically disadvantaged children in separate classes or schools, away from their peers and mainstream education. This robs these children of a quality education and sets them on the path to long-term marginalisation. It deprives their peers of the chance to acquire the necessary skills of living in diverse societies.

If the European human rights system is to have a future, we need to ensure that these young people see themselves as Europeans with a stake in the system, as democrats with the knowledge, skills, values and competencies needed to breathe life into stagnant democracies, recognise human rights backsliding when it occurs and take the necessary remedial action. We owe it to them to make sure they have the democratic options we have for so long enjoyed, but which are rapidly narrowing in so many places.

Strasbourg, 14 December 2017

A handwritten signature in blue ink, appearing to read "Nils Mitz", followed by a horizontal line.

1 Country work

Introduction

In 2017 Commissioner Muižnieks continued to rely on country visits and missions as an important means of pursuing a continuous, constructive dialogue with member states. In his country visits and missions, the Commissioner addressed specific human rights issues that he had identified as requiring particular attention. Issues covered by the visits include, among others: human rights of immigrants, refugees and asylum seekers; human rights of people with disabilities; the situation of Roma and Travellers; freedom of expression and media freedom; counter-terrorism and human rights protection; equal treatment, including women's rights and gender equality, and the situation of ethnic and religious minorities; the human rights of lesbian, gay, bisexual, transsexual and intersex (LGBTI) persons; national human rights protection systems; and transitional justice.

Reports and other documents published by the Commissioner after these visits contain both an analysis of the selected human rights issues and recommendations to member states about possible means of improvement. In certain cases, as part of his dialogue with national authorities, the Commissioner addresses letters to them to outline concerns and provide advice on specific issues. These documents, along with the replies from the authorities, are made public on the Commissioner's website and are widely circulated among policy-makers, NGOs and the media.

The present chapter contains brief summaries of the Commissioner's visits carried out in 2017 and of their outcome, as well as of other continuous monitoring and follow-up work.

1.1 Visits

Visit to Monaco

The Commissioner carried out a visit to Monaco on 18 and 19 January. The main themes of the visit were the institutional and legal framework for the protection of human rights and the rights of persons belonging to certain vulnerable groups, such as children, persons with disabilities and LGBTI persons.

The Commissioner met with HSH Prince Albert II of Monaco. He also held meetings with the Minister of State, Serge Telle; the Minister of Foreign Affairs and Cooperation, Gilles Tonelli; the Minister of the Interior, Patrice Cellario; the Minister of Social Affairs and Health, Stéphane Valeri; the Head of the Judicial Services, Philippe Narmino; the President of the National Council, Christophe Steiner; and members of the Monegasque delegation to the Parliamentary Assembly of the Council of Europe. He also met with the High Commissioner for the Protection of Rights and Freedoms and for Mediation, Anne Eastwood. Moreover, the Commissioner held discussions with representatives of civil society organisations.

The Commissioner visited the Princess Charlene Home for Children. He also took part in a debate with students of the Lycée Albert Premier of Monaco on human rights, and on his work in particular.

In a press release published at the end of the visit, the Commissioner welcomed the growing role played by the High Commissioner for the Protection of Rights and Freedoms and for Mediation. However he recommended granting to this institution the authority to initiate investigations of its own motion, notably in the area of discrimination and as regards the rights of children, who currently cannot refer matters directly to the High Commissioner. He also invited the Monegasque authorities to adopt a framework law on protection against all forms of discrimination and to strengthen the protection of children's rights by banning all forms of corporal punishment of children.

The Commissioner welcomed the progress made in Monaco regarding the rights of people with disabilities, in particular legislation on support and assistance and on the accessibility of buildings. He called on Monaco to ratify as soon as possible the United Nations Convention on the Rights of Persons with Disabilities, a key instrument for improving the protection of the rights of persons with disabilities, including persons with intellectual and psycho-social impairments.

The Commissioner also encouraged the authorities to swiftly act upon a recent bill aimed at enabling non-married partners, including those of the same sex, to obtain legal recognition and protection of their union, taking fully into account the case-law of the European Court of Human Rights in this regard.

Lastly, the Commissioner encouraged the authorities to ensure that the committee set up to monitor the implementation of the 2015 law on the preservation of national security had the appropriate independence and resources to fulfill its role effectively.

Visit to Slovenia

The Commissioner visited Slovenia from 20 to 23 March. The main topics of the visit were the human rights of Roma; the human rights of immigrants, asylum seekers and refugees; and the impact of economic deprivation and poverty on the enjoyment of human rights.

In the course of the visit, the Commissioner held discussions with the President of Slovenia, Borut Pahor; the Prime Minister, Miro Cerar; the President of the National Assembly, Milan Brglez; the Minister of Education, Maja Makovec Brenčič; the Minister of the Environment and Spatial Planning, Irena Majcen; the Minister of Health, Milojka Kolar Celarc; the Minister of Justice, Goran Klemenčič; the Minister of Labour, Family, Social Affairs and Equal Opportunities, Anja Kopač Mrak; the State Secretary at the Ministry of Foreign Affairs, Sanja Štiglic; and the State Secretary at the Ministry of Interior, Boštjan Šefic. The Commissioner also met with the Director of the Office of the Government of the Republic of Slovenia for National Minorities, Stanko Baluh, and several members of the National Assembly, including members of the Slovenian delegation to PACE. In addition, the Commissioner had exchanges with the Ombudsman, Vlasta Nussdorfer; the Advocate for the Principle of Equality, Miha Lobnik; and with representatives of UNHCR and civil society.

Following his visit, the Commissioner published a report on 11 July. With regard to asylum seekers and refugees, the Commissioner observed that the number of such persons currently present in Slovenia was manageable and welcomed Slovenia's willingness to participate in the EU relocation scheme and in the resettlement of asylum seekers from countries neighbouring Syria. Noting that Slovenia is becoming a destination country, the Commissioner recommended that the authorities make some systemic adjustments to be able to handle increasing numbers of asylum applications, including by shortening the length of asylum procedures. He further recommended improving the handling of unaccompanied migrant minors seeking asylum, notably by prohibiting the detention of irregular migrant children and strengthening the legal guardianship system. He also urged the authorities to take steps to enhance the successful integration of refugees into Slovenian society, including by combating hostility and prejudices against asylum seekers and refugees. Finally, the Commissioner recommended that the authorities refrain from activating amendments adopted in January 2017 to the Aliens Act, which fail to provide appropriate guarantees against refoulement or safeguards for the rights of everyone to seek and enjoy asylum.

While welcoming Slovenia's solid legislative and policy framework in relation to the human rights of Roma, the Commissioner regretted that some long-standing problems have not been resolved for some Roma, including as regards housing. He recommended that the central authorities take urgent action, together with local authorities, to solve the status of illegal settlements, where some Roma live in particularly poor conditions, and ensure access to clean water. The Commissioner expressed his concern about a growing phenomenon of child marriages and pregnancies in the Roma community and encouraged the authorities to counter it. He also encouraged the Slovenian authorities to continue their efforts to ensure that Roma children have access to quality education, e.g. by training and hiring more Roma assistants, and by upholding the authorities' commitment to include Roma pupils in mainstream education.

The Commissioner also examined the situation of the "erased" persons, i.e., over 25000 people who were removed from the official residence registry in the period following the country's independence in 1991, with dramatic consequences for the enjoyment of their political, civil, economic and social rights. While welcoming the steps taken by Slovenia to implement the judgments of the European Court of Human Rights on the matter, the Commissioner took note of the remaining concerns expressed by

representatives of the “erased” regarding the 2010 Act on the regularisation of the status of “erased” persons and compensation. The Commissioner recommended that the Slovenian authorities enable the regularisation of the remaining “erased” persons who wish to reintegrate into Slovenian society, in particular the small number who still live in Slovenia without legal status. He further called on the authorities to take measures to raise awareness about the human rights violations connected with the “erasure”.

While Slovenia's poverty rate is within the EU average and the country has a strong tradition as a welfare state, the Commissioner noted with concern that the number of poor people has been increasing since 2008. Those most affected are children in vulnerable families, older persons – particularly older women, the long-term unemployed, and the working poor. The Commissioner stressed that poverty is both the consequence and the source of violations of human rights protected under international and national law, such as the rights to work, food, health, housing and an adequate standard of living. The Commissioner recommended that Slovenia consider adopting a human rights based approach to its policies against poverty. He further recommended that the authorities lift any remaining austerity measures as soon as possible, refrain from pension reforms that would result in increased poverty among older persons, and create opportunities for sustainable and decent work.

Visit to Switzerland

The Commissioner carried out a visit to Switzerland from 22 to 24 May, focusing on the institutional and legal framework for the protection and promotion of human rights and the human rights of migrants, including asylum seekers and refugees.

During this visit, the Commissioner held discussions with the Federal Councillor for Foreign Affairs, Didier Burkhalter, as well as with officials working in the Department for Foreign Affairs, the Federal Office of Justice, the State Secretariat for Migrations within the Federal Department of Justice and Police, and the Federal Department of Home Affairs. The Commissioner also held an exchange with the Chair and other members of the Swiss Delegation to the Parliamentary Assembly of the Council of Europe and met with the President and the Vice-President of the Federal Commission for Women's Issues, Yvonne Schärli and Pierre-André Wagner; the President of the Federal Commission on Racism, Brunschwig Graf, and the Vice-President of the Federal Commission on Migration, Etienne Piguet. The Commissioner furthermore travelled to Zurich, where he met with the Ombudsperson of the City of Zurich, Claudia Kaufmann, and with several representatives of the Canton and the City of Zurich. The Commissioner also held discussions with representatives of non-governmental organisations and other members of civil society and visited the Glaubenberg Federal Reception Centre for Asylum Seekers and the closed reception facility in the international transit zone of Zurich airport.

On 17 October, the Commissioner followed-up this visit by publishing a report. Noting that Switzerland had a solid institutional and legal framework for the protection and promotion of human rights, he welcomed Switzerland's decision to set up a national institution for human rights. However, the terms of reference of the institution should be broadened and its independence should be guaranteed by endowing it with its own legal status and adequate human and financial resources. Concerned about federal popular initiatives with a potential to weaken the protection of human rights in Switzerland, the Commissioner recommended that the authorities establish a mechanism to monitor the compatibility of popular initiatives with human rights, while preserving the democratic value of popular initiatives. He also called on the Swiss authorities to promote social rights, in particular by ratifying the Revised European Social Charter and its Protocol on collective complaints as soon as possible. He recommended that Switzerland strengthen its antidiscrimination legislation and its awareness-raising measures targeted to society in general and the public service to combat all forms of discrimination.

Switzerland should also review the new powers given to the intelligence services in the light of applicable human rights standards and set up fully independent bodies overseeing the activities of these services. Welcoming the adoption of a national action plan on business and human rights, the Commissioner stressed the importance of ensuring that human rights abuses attributable to Swiss-based companies give rise to civil liability in Switzerland and that there are no undue judicial barriers to civil action by victims abroad. On the issue of past human rights abuses in Switzerland, including compulsory social measures, such as administrative detention and forced placements of children, the Commissioner

welcomed the establishment of compensation funds and research programmes to redress these abuses. He encouraged the Swiss authorities to ensure full respect for applicable international standards in this field, in particular by including history teaching about these abuses in school curricula. Noting the significant number of Yenish people among the victims of such abuses, he also stressed the need to address the disadvantages they continue to suffer in many fields of life by taking targeted measures.

As regards human rights of migrants, including asylum seekers and refugees, the Commissioner welcomed the new law on asylum, which should result in faster and higher quality procedures for determining refugee status, in particular through the provision of free legal assistance from the outset. Noting that persons in need of international protection who receive a temporary admission status find themselves in a precarious situation that impedes their integration notably due to the legal restrictions attached to this status with regard to family reunification, geographical mobility, and social assistance, the Commissioner called for the establishment of an international subsidiary protection status guaranteeing the same rights as are granted to persons holding official refugee status. He also made a number of recommendations regarding reception conditions for asylum seekers with a particular emphasis on the need for a gender-based and child-friendly approach to issues related to asylum. He noted that there were still too many restrictions to freedom of movement of asylum seekers and that some federal reception centres were too isolated. Concerning the detention of migrants, the Commissioner called on the authorities to remove the possibility of administrative detention for migrant children over the age of 15, which is practiced in some cantons, and to stop detaining children -- with or without their family -- in transit zones of international airports. More generally, he recalled that administrative detention should only be used as a last resort, and that alternatives to detention should be promoted.

Visit to Bosnia and Herzegovina

The Commissioner visited Bosnia and Herzegovina from 12 to 16 June, focusing on certain major issues of transitional justice and social cohesion and on freedom of the media. During his visit, the Commissioner held discussions with national authorities including the Chairman of the Council of Ministers, Denis Zvizdić; the Minister for Security of Bosnia and Herzegovina, Dragan Mektić; the Minister for Human Rights and Refugees, Semiha Borovac; the Deputy Minister for Communication and Transport of Bosnia and Herzegovina, Saša Dalipagić; the Deputy Minister of Justice of Bosnia and Herzegovina, Nezir Pivić; the Prime Minister of the Federation of Bosnia and Herzegovina, Fadil Novalić; the Minister for Refugees and Displaced Persons of Republika Srpska, Davor Čordaš; and the Minister of Education and Culture of Republika Srpska, Dane Malešević. In addition, the Commissioner met with the Ombudsmen, Jasminka Džumhur, Nives Jukić and Ljubinko Mitrović. While in Sarajevo the Commissioner met with the Director of Radio and Television of Bosnia and Herzegovina (BHRT), Belmin Karamehmedović, and took part in the international conference on “National Public Service Broadcasting in Bosnia and Herzegovina”. Meetings were also held with civil society organisations active in the field of human rights, representatives of the media sector and of the international community, and families of missing persons. In addition, the Commissioner visited a collective centre for displaced persons Hrasnica, in Sarajevo.

Following his visit, the Commissioner published a report on 7 November in which he noted a regression in co-operation on the prosecution of wartime related crimes in the region and called on all states in the region, including Bosnia and Herzegovina, to reverse this negative trend. Noting some advances in the prosecution of wartime crimes of sexual violence, the Commissioner expressed his concern about the slow progress in the prosecution of wartime crimes and the high number of such cases that remained to be tackled. He urged the authorities to take all necessary measures to end impunity and effectively address all shortcomings as concerns the protection of and support to witnesses. The authorities were also urged to ensure that all direct victims of wartime crimes and their families are provided with effective access to justice and adequate reparation.

The Commissioner reiterated that additional efforts at the national and regional levels are necessary to resolve the pending cases of missing persons and urged the authorities to establish the long-awaited fund for support to families of missing persons, and to fully comply with their international obligations notably as regards the relevant case-law of the UN Human Rights Committee.

Addressing the situation of some 50 000 internally displaced persons who are still in need of targeted assistance, including more than 7 000 persons living in 156 collective centres, the Commissioner urged the authorities to step up their work in this field with a view to creating adequate conditions for sustainable return. He also called on the authorities to resolutely fight ethnic intolerance and hate crime, which have impacted negatively on the returns of IDPs and reconciliation, and to ensure that law enforcement officials and legal professionals are adequately and systematically trained to be able to recognise and effectively investigate and sanction these offences.

With regard to freedom of the media, the Commissioner was seriously concerned that civil lawsuits for defamation have been increasingly used against journalists and have had a chilling effect on their work and freedom of expression. He stressed that domestic court judgments in defamation cases should be fully compliant with the requirements of Article 10 ECHR. To this end the training and capacity of domestic judges in this domain must be strengthened.

The Commissioner was worried about acts of violence and threats against journalists and called on the authorities to live up to their positive obligation to initiate prompt, thorough and transparent investigations into all cases of physical violence or threats against journalists, and to bring perpetrators to justice. Considering unacceptable the public use by certain leading politicians of inflammatory remarks, including personal insults against journalists and their work, the Commissioner urges politicians to put an end to this and other forms of pressure on the media. He also expressed his concern about the reported deterioration of journalists' employment conditions and called on the authorities to engage in an open dialogue with the professional media community on this issue and take all necessary measures in order to create adequate conditions for media professionals' work. At the same time, he underlined the need for media professionals to strengthen ethical journalism and to ensure that the mechanisms for self-regulation are effectively used by all media actors. Last but not least, the Commissioner urged the authorities to find a long-term, sustainable funding model for the public service media to ensure that their independence is preserved, and to refrain from any action that could lead to censorship and threaten their editorial independence.

Visit to Luxembourg

The Commissioner visited Luxembourg from 18 to 22 September, focusing on human rights issues pertaining to migration, asylum and integration. During his visit, he held meetings with Grand Duke Henri of Luxembourg; the Minister for Foreign and European Affairs, Immigration and Asylum, Jean Asselborn; the Minister of Justice, Félix Braz; the Minister for Family and Integration, Corinne Cahen; the Minister of Labour, Nicholas Schmit; the President of the Chamber of Deputies, Mars Di Bartolomeo; the Head of Luxembourg's delegation to the Parliamentary Assembly of the Council of Europe, Anne Bresseur; members of the Chamber of Deputies; officials from the Ministry for Education, Children and Youth, the Directorate of Migration, and the Luxembourg Reception and Integration Agency; the Director-General of the Grand Ducal Police Service, Philippe Schrantz; the President of the Superior Court of Justice and the Constitutional Court, Jean-Claude Wiwinius; the State Prosecutor, Martine Solovieff; and the President of the Administrative Court, Francis Delaporte. He also met with the Ombudsman, Claudia Monti, as well as representatives of the Consultative Commission for Human Rights and the Centre for Equal Treatment, and held a number of meetings with civil society organisations. In addition, the Commissioner visited the detention centre at Findel and the semi-open emergency accommodation structure ("SHUK") in Kirchberg, which are operated by the Luxembourg Reception and Integration Agency and used, respectively, for the placement of unsuccessful asylum-seekers and for persons about to be sent back to their home countries or to the European Union country where they first applied for asylum ("Dublin" transfers). He also visited the "Lily Uden" home, a reception centre for asylum-seekers operated by the Luxembourgish Red Cross.

The Commissioner recognised Luxembourg's efforts in receiving asylum-seekers and in relocating and resettling refugees, including from outside of Europe, and welcomed the overall absence of political instrumentalisation of the issue of migration. However, he noted some delays in the examination of asylum claims, and called on the authorities to accelerate the examination of claims while systematically providing applicants with information on progress made vis-à-vis their claims. He also stressed the need for additional efforts in the identification of vulnerable persons, and recommended that the presumption of minority be applied in all cases of doubt and that trained ad hoc administrators and legal guardians be

appointed for all unaccompanied minors. The Commissioner also encouraged the authorities to make more use of alternatives to detention in order to avoid the repeated deprivation of liberty of unsuccessful asylum-seekers.

The Commissioner noted the steps taken by the government in providing asylum-seekers with access to suitable accommodation and employment. He invited them to make further efforts to identify housing in locations likely to enable integration while avoiding geographical isolation and to find solutions allowing asylum-seekers to integrate into the labour force as soon as possible. The Commissioner commended Luxembourg's policy of including all foreign children in the education system without regard to their immigration status, but encouraged their soonest possible integration in regular education and meaningful interaction with locals. On the ratification of international human rights instruments, the Commissioner welcomed the news of the forthcoming ratification of the Council of Europe Istanbul Convention and recommended that Luxembourg ratify the Revised European Social Charter as well as the International Labour Organisation's 2011 Domestic Workers Convention.

Visit to Sweden

The Commissioner conducted a visit to Sweden from 2 to 6 October, focusing on the human rights of migrants, including asylum seekers and refugees, the human rights of persons with disabilities, and human rights protection in the context of counter-terrorism.

In Stockholm, the Commissioner held discussions with the Minister for Foreign Affairs, Margot Wallström; the Minister of Justice and Home Affairs, Morgan Johansson; the Minister for Migration, Helene Fritzon; the Minister of Culture and Democracy, Alice Bah Kunke; State Secretaries to the Minister for Employment and Integration, Irene Wennemon, Annica Dahl and Anders Kessling; the State Secretary to the Minister for Children, the Elderly and Gender Equality, Madeleine Harby Samuelsson; the State Secretary to the Minister of Defence, Jan Salestrand; and the Swedish Ambassador for Human Rights, Annika Ben David. The Commissioner also held an exchange with the Vice Chair of the Swedish Delegation to the Parliamentary Assembly of the Council of Europe, Tobias Billström, and other members of the delegation. He met with representatives of the Ombudsman for Children and of the Equality Ombudsman and with the Director General of the Swedish Data Protection Authority. The Commissioner also held discussions with representatives of UNHCR and UNICEF, representatives of non-governmental organisations and other members of civil society, and met with a number of unaccompanied minors of Afghan origin. The Commissioner furthermore travelled to Malmö, where he met with the Head of Safety and Security of the Municipality of Malmö, and visited the Linnéskolan School.

At the end of the visit, the Commissioner recognised the leading role Sweden has played in providing assistance to persons in need of international protection. Welcoming Sweden's efforts within the relocation and resettlement programmes, the Commissioner underlined the urgent need to increase European solidarity, as well as safe and legal avenues for people to reach protection in Europe.

Noting the rapid decline in the number of asylum seekers, after a record high of 163 000 in 2015, the Commissioner expressed the hope that the temporary measures which introduced restrictions in 2016 in response to that increase will be lifted before the 2019 deadline. The need to move beyond emergency mode being particularly urgent when it comes to the limitations introduced to the right to family reunification, he urged the authorities to lift these limitations, which also impede integration, and to ensure that refugees and beneficiaries of subsidiary protection enjoy the same rights in this regard. The Commissioner also called on the authorities to ensure that rejected asylum seekers, who cannot be returned and are at risk of destitution, are treated in a manner that is both humane and human rights compliant so that their basic needs, including shelter, clothes and food, are met.

Acknowledging that the reception of at least 35 000 unaccompanied minors who arrived in Sweden in late 2015 had put a strain on the system, the Commissioner welcomed Sweden's efforts in this domain. However, the situation of these young people raised a number of concerns and the Commissioner stressed that the authorities should always treat the best interests of the child as a primary consideration in all decisions relating to asylum and migration. Any decisions on return should be based strictly on individual circumstances, such as the demonstrable existence of a family network or a secure environment upon return. The Commissioner also stressed that if doubts remain that the person may be

underage, he or she should be treated as a minor. These cases should be prioritised to avoid long waiting periods, which contribute to psychological distress. As arrivals had slowed considerably, the authorities should also strengthen the support provided to these young people.

With regard to the human rights of persons with disabilities, the Commissioner was concerned at the decrease in the number of persons entitled to personal assistance under the Act concerning Support and Service for Persons with Certain Functional Impairments. The authorities were invited to closely monitor the impact of this decrease in terms of access to rights, in particular access to education and employment, and resort to congregate living arrangements. The Commissioner also remained concerned by the use of coercive and involuntary treatment in psychiatric institutions. The authorities should send a clear signal that the goal is to decrease coercive and involuntary treatment and ensure that sufficient safeguards are in place. Finally, the Commissioner welcomed the draft legislative provision that removes the exemption to the requirement of reasonable accommodation for enterprises with less than 10 employees.

At the end of the visit, the Commissioner also welcomed the role of local authorities in countering terrorism and extremist violence through prevention programmes and social intervention.

The Commissioner's report following his visit to Sweden will be published in 2018.

Visit to Malta

The Commissioner visited Malta from 7 to 10 November, focusing on issues pertaining to gender equality and women's rights, as well as to the human rights of migrants, including asylum seekers and refugees. During his visit, the Commissioner held discussions with national authorities including: the President of Malta, Marie-Louise Coleiro Preca; the Prime Minister, Joseph Muscat; the Minister for European Affairs and Equality, Helena Dalli; the Minister of Justice, Culture and Local Government, Owen Bonnici; the Minister for Foreign Affairs and Trade Promotion, Carmelo Abela; and the Minister for Home Affairs and National Security, Michael Farrugia. In addition, the Commissioner met with: the Parliamentary Ombudsman, Anthony Mifsud; the Commissioner of the National Commission for the Promotion of Equality, Renee Laiviera; the Chief Executive Officer of the Foundation for Social Welfare Services, Alfred Grixti; and the Chairperson of the Commission on Domestic Violence, Joseph Gerada. He also held a meeting with the Director of the Agency for the Welfare of Asylum Seekers, Joseph Baldacchino and the Assistant Refugee Commissioner, Malcolm Cutajar. Meetings were also held with civil society organisations active in the field of human rights, representatives of the media sector and of international organisations. The Commissioner visited a shelter for victims of domestic violence in Balzan and an open migrant reception centre in Hal Far.

The Commissioner welcomed the then-pending Gender-Based Violence and Domestic Violence Bill transposing into domestic law the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), as well as the authorities' efforts to establish a global strategy aimed at coordinating public services, including the police. However, he stressed that more needs to be done to protect the human rights of women. Looking forward to a more developed and dissuasive case-law in this field, the Commissioner encouraged the Maltese authorities to provide on-going training to more law enforcement officers, prosecutors and judges and to collect and analyse domestic violence data in a systematic manner. The Commissioner further underlined that the legal response needs to be combined with strong social support. Noting that a large part of social care to victims of domestic violence is provided by civil society organisations, the Commissioner called on the government to allocate more financial support to these organisations and to address the shortage of places in shelters for victims of domestic violence.

Concerned by the low participation of women in public life and their under-representation in decision-making positions in economic life, the Commissioner encouraged the Maltese authorities to adopt a holistic approach based on gender equality. As regards sexual and reproductive rights, the Commissioner welcomed the authorisation in 2016 of the emergency contraceptive pill without a prescription and urged the authorities to ensure that the existing possibility for pharmacists to refuse to sell emergency contraception means on grounds of conscience does not compromise in practice the effective accessibility of those means. Noting that abortion remains a taboo issue not debated publicly and that

Malta is among the most restrictive member states of the Council of Europe in this field, the Commissioner called for a public debate on abortion and the infringements of women's human rights resulting from its prohibition.

Concerning the human rights of migrants, the Commissioner welcomed a number of positive steps taken in the last two years, in particular the end of the policy of automatic migrant detention as well as the participation of Malta in the EU refugee relocation programme. While noting ameliorations since his predecessor's 2011 visit to the Hal Far migrant reception centre, the Commissioner stressed that living conditions in the single men's unit, which consists of containers with poor sanitation facilities, need to be further improved. He also deplored a severe problem of access to housing, not only for migrants but also for low-income Maltese households, which needs to be urgently addressed by the government. As regards asylum procedures, the Commissioner expressed concern about, *inter alia*, the fact that most of the successful asylum seekers are granted subsidiary protection rather than refugee status, which prevents them from benefiting from family reunification under Maltese law. Welcoming the adoption of the first migrant integration strategy, the Commissioner invited the government to systematise its implementation and also encouraged the authorities to facilitate access to citizenship to long-term residents.

The Commissioner's visit took place in the direct aftermath of the assassination of the Maltese investigative journalist Daphne Caruana Galizia. At the end of his visit, the Commissioner called on the authorities to conduct an effective investigation into the assassination of Daphne Caruana Galizia and to keep the victim's family and the public informed about the progress of this investigation. Underlining the crucial watchdog role played by the press in a democracy, Commissioner Muižnieks stressed the need to safeguard a conducive environment for media freedom. He invited the authorities to seize the opportunity of the parliamentary discussion on the draft law on media and defamation to do so, in particular by lowering the pecuniary damages that may be imposed by courts and allowing journalists to access all public interest-related information.

Following his visit the Commissioner sent two letters to the Maltese authorities concerning women's rights and the human rights of migrants. Their publication is scheduled in 2018.

Visit to Liechtenstein

The Commissioner conducted a visit to Liechtenstein from 22 to 24 November, focusing on the legal and institutional framework for the protection and promotion of human rights, women's rights and gender equality, and human rights of persons with disabilities.

During the visit, the Commissioner held discussions with the Hereditary Prince Alois; the Prime Minister, Adrian Hasler; the Minister for Foreign Affairs, Justice and Culture, Aurelia Frick; the Minister for Social Affairs, Mauro Pedrazzini; and the Minister for Interior, Education and Environment, Dominique Gantenbein. The Commissioner also held an exchange with the Chair and members of the Liechtenstein Delegation to the Parliamentary Assembly of the Council of Europe and met with the President and the Vice-President of the Association for Human Rights and the Ombudsperson for Children and Youth. He also met with representatives of non-governmental organisations and visited a centre for persons with disabilities and the shelter for women victims of violence.

In a press release published at the end of the visit, the Commissioner welcomed the solid legal and institutional framework for the protection and promotion of human rights in Liechtenstein and its recent strengthening through the establishment of the Association for Human Rights. He emphasised the need to ensure sustainable and adequate funding for this new institution. He also called for the adoption of comprehensive anti-discrimination legislation applying in all fields of life and for all grounds of discrimination. The Commissioner recommended the adoption of a national gender equality strategy addressing all aspects of women's rights including work-private life balance, domestic violence, access to safe and legal abortion in the country and combating persisting gender stereotypes. He supported a holistic approach to finding solutions to the underrepresentation of women in political and business lives, including further research on existing barriers and consultation with women's organisations. The Commissioner called on Liechtenstein to ratify the Council of Europe Convention on preventing and combating all forms of violence against women and domestic violence (Istanbul Convention). He stressed

that the authorities should continue awareness-raising activities in this field, provide specialised training to police, judges and other professionals, ensure sustainable funding for NGOs assisting victims, secure partnership protocols between these NGOs, social services and the police, and facilitate foreign women's residence in the country once separated from their abusive partners. The Commissioner called on Liechtenstein to ratify the United Nations Convention on the Rights of Persons with Disabilities. It was important to step up progress towards a more inclusive approach whereby persons with disabilities are able to live independently and access services in the community, rather than in separate congregated settings, and are educated in mainstream schools, with any necessary support. Concerning the ability of persons with intellectual and psychosocial disabilities to make decisions regarding their lives, the Commissioner underlined the need to sustain progress in moving from substitute to supported decision-making and to review legislation and policies regarding legal capacity and involuntary placement and treatment.

1.3 Missions

Mission to Kosovo*

The Commissioner conducted a mission to Kosovo from 5 to 9 February. The mission focused on certain issues pertaining to transitional justice and social cohesion, and on freedom of the media. In the course of his mission, the Commissioner held discussions with the Prime Minister, Isa Mustafa; the Minister of Foreign Affairs, Enver Hoxhaj; the Minister of Justice, Dhurata Hoxha; the Minister for Dialogue, Edita Tahiri; the Minister of Labour and Social Welfare, Arban Abrashi; the Minister of Communities and Return, Dalibor Jevtić; and the Deputy Minister of Interior, Valdet Hoxha. In addition, the Commissioner met with the Inter-Ministerial Working Group on Dealing with the Past and Reconciliation and the Ombudsman, Hilmi Jashari. He also met with the UN Secretary General's Special Representative for Kosovo, Zahir Tanin; the European Union Special Representative in Kosovo, Nataliya Apostolova; the Head of the European Union Rule of Law Mission in Kosovo (EULEX), Alexandra Papadopoulou; the Head of the OSCE Mission in Kosovo, Jan Braathu; and the Head of the UNHCR Mission in Kosovo, Narashima Rao.

Meetings were also held with civil society organisations active in the field of transitional justice, and representatives of the media sector and of the international community. In addition, the Commissioner visited the collective centre 'Samački I' in north Mitrovica/Mitrovicë, the Roma Mahalla settlement and the Shipol settlement in south Mitrovica/Mitrovicë.

The Commissioner was seriously concerned that 18 years after the conflict, deeply ingrained divisions along ethnic lines persist and are evident, despite the progress achieved in the context of the dialogue between Belgrade and Pristina which is facilitated by the European Union. He expressed his particular concern about divisions along ethnic lines in public education and underlined the need for the authorities to live up to their obligations and redouble their efforts in the education sector, which is of extreme importance for the young generations and the future of the country.

As concerns the fight against impunity for serious human rights violations committed during the conflict, the Commissioner noted that the work on complex war crimes cases will be a serious challenge for the domestic judiciary given the number of structural problems in the justice system and very little public trust in institutions. He strongly encouraged the authorities to seek advice from the Venice Commission in light of many planned reforms of the justice system. The Commissioner also underlined the need for the authorities to take all necessary steps to ensure the provision of effective protection and support to witnesses in the context of wartime related criminal proceedings.

The Commissioner noted with concern that the process of establishing the truth about some 1 660 missing persons has slowed down, and underlined the need to enhance domestic forensic expertise, increase regional co-operation, and ensure access to archives which may hold information that could help locate the remains of missing persons.

* 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.

The Commissioner also noted with concern that hate crimes on ethnic grounds seriously hamper the voluntary return of forcibly displaced persons and highlighted the importance of systematic recording and effective investigation and prosecution by the authorities of such crimes.

While he welcomed the inclusion of women victims of wartime crimes of sexual violence in a 2014 reparation law which provided for benefits for certain categories of war victim, the Commissioner stressed the importance of establishing a comprehensive reparation programme that would ensure effective access to employment, health care and education, and help these women overcome their fear and the social stigma.

The Commissioner highlighted the need for the authorities to effectively address and investigate all reported cases of attacks and threats against journalists, which have had a serious chilling effect on journalists. He urged the authorities to establish a sustainable, appropriate and transparent funding of the public service broadcasting organisation and to secure its editorial independence and institutional autonomy. At the same time, he underscored that journalists have to uphold the principles of ethical and professional journalism and that self-regulation needs to be improved, in order to ensure that unethical reporting does not lead to or exacerbate the existing socio-political tensions.

Mission to Portugal

The Commissioner carried out a mission to Portugal from 6 to 7 March, to follow-up on his visit of May 2012. He focused on the human rights of Roma.

The Commissioner met with the State Secretary for Citizenship and Equality, Catarina Marcelino; the High Commissioner for Migration, Pedro Calado; and the Mayor of Torres Vedras, Carlos Bernardes. He also held meetings with members of the Portuguese delegation to the Parliamentary Assembly of the Council of Europe, including its president, Catarina Mendes, and with the two deputies to the Portuguese Ombudsman, Jorge Jacob and Henrique Antunes. The Commissioner also had meetings with a number of civil society organisations and met with former President of Portugal, Jorge Sampaio.

The Commissioner focused on measures to combat discrimination and support the empowerment of Roma people. He therefore visited the city of Torres Vedras, which had developed a participatory approach to decision-making, including through Roma mediators and a community action group that develops co-operation between the Roma community and the majority population. Torres Vedras being one of seven Portuguese municipalities participating in the Council of Europe Romed programme, the Commissioner invited the authorities to provide further support to such positive initiatives and encourage their replication in other municipalities.

The Commissioner also raised issues related to education and housing. While welcoming the launch of a programme of scholarships for young Roma to take part in higher education, he invited the authorities to adopt further measures to reduce the high drop-out rates among Roma pupils and combat illiteracy. He also pointed to the continuing need to eradicate substandard and segregated Roma settlements.

Additionally, the Commissioner expressed concern about violent incidents targeting Roma in a municipality near the city of Moura (Alentejo). While welcoming the reaction of the authorities, who filed a criminal complaint, he urged them to ensure a prompt and adequate investigation so as to apprehend and adequately punish the perpetrators of such acts.

Mission to Cyprus

The Commissioner carried out a mission to Cyprus, from 26 to 28 March, to participate in the Council of Europe Disability Strategy 2017-2023 launch conference. While in Nicosia, the Commissioner also held meetings with the Minister of Labour, Welfare and Social Insurance Zeta Emilianidou, the Office of the Commissioner for Administration and Human Rights, and representatives of international organisations and of civil society. During these meetings he discussed issues pertaining to the impact of the economic crisis and austerity measures on human rights, as well as to the reception conditions of asylum seekers and to migrant integration.

Mission to Ukraine

The Commissioner carried out a mission to Ukraine from 4 to 7 April. He participated in the meeting of the Council of Europe Platform for the Protection of Journalists (4 April) and held several official meetings to discuss the follow up to his recommendations based on the various visits and missions he has carried out to the country since the beginning of 2014.

The Commissioner held meetings with Pavlo Petrenko, Minister of Justice; Yuriy Stets, Minister of Information Policy; Pavlo Klimkin, Minister of Foreign Affairs; Sergiy Kyslytsya, Deputy Minister of Foreign Affairs; Heorhiy Tuka, Deputy Minister for Temporarily Occupied Territories and Internally Displaced Persons; Anatolii Matios, Deputy Prosecutor General/Chief Military Prosecutor; and Olga Herasymiuk, First Deputy Head of the National TV and Radio Broadcasting Council, along with other members of the Council. The Commissioner also met with civil society organisations, the Parliamentary Ombudsman and representatives of UN OHCHR and UNHCR.

Topics discussed included accountability for serious human rights violations; missing persons; reforms in the judiciary; freedom of movement across the contact line; situation of IDPs and payment of pensions and social benefits to eligible persons residing on the non-government controlled territories; pending ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention); freedom of the media and the safety of journalists (including concerns reflected in alerts posted on the CoE Safety of Journalists Platform); and implementation of the Human Rights Strategy and Action Plan.

The Commissioner stressed that every effort should be made to ensure accountability for all cases of serious human rights violations, including killings, attacks and threats against journalists. On the background of the blocking of Russian media outlets and the discussions of the legislation on language quotas for TV and radio broadcasting, he recalled the relevant standards and the case-law of the European Court of Human Rights concerning blocking of Internet content and minority languages. He encouraged his interlocutors to take on board the recommendations of the relevant Council of Europe monitoring mechanisms, and to ensure a transparent process for the appointment of the management of the public service broadcaster.

Mission to Croatia

The Commissioner carried out a mission to Croatia from 11 to 12 May to participate in the conference “Reclaiming human rights in Europe: how to enhance the democratic space?” organised by the Croatian Ombudsman. On the first day of the conference the Commissioner delivered a keynote speech focusing on freedom of the media as one of the core issues of democracy, and on the second day he took part in a panel which discussed the need to protect human rights while countering terrorism. During this mission the Commissioner followed up on his 2016 report on Croatia and held meetings with the Prime Minister, Andrej Plenković and the Minister of Culture, Nina Obuljen Koržinek, as well as the State Secretaries for Justice, Interior, and Demography, Family, Youth and Social Policy. Among the issues discussed in these meetings were the human rights of migrants, freedom of the media and the ratification by Croatia of the Istanbul Convention. The Commissioner also had meetings with Ombudsmen from the region in which they discussed challenges facing these national human rights structures in the current challenging political and social context in the region.

Mission to Finland

The Commissioner carried out a mission to Finland on 6 and 7 June. He took part in a seminar in Helsinki entitled “Defending Human Rights in Europe” (6 June) and discussed the follow-up to recommendations from his 2012 report. He had meetings with Antti Häkkänen, Minister of Justice; Jaana Vuorio, Director General of the Finnish Immigration Service (Migri); Peter Stenlund, Secretary of State at the Ministry for Foreign Affairs; Rauno Merisaari, Ambassador for Human Rights and Democracy; Kimmo Hakonen, substitute for the Deputy Chancellor of Justice; Susanna Huovinen, member of the Finnish delegation to the Parliamentary Assembly of the Council of Europe; Petri Jääskeläinen, Parliamentary Ombudsman, and Sirpa Rautio, Director of the Human Rights Centre. The Commissioner commended the Finnish authorities on the adoption of a new Human Rights Action Plan for 2017-2019.

The topics discussed included: the situation of migrants and asylum seekers; legislation and practice pertaining to family reunification; discussions concerning the legislation on surveillance; and equality and non-discrimination. The Commissioner invited the Finnish authorities to consider retracting some of the most restrictive provisions - which were introduced by the authorities in 2015 and 2016, on the background of a nearly ten-fold increase in the number of asylum seekers arriving in the country, - in order to uphold the right to a fair asylum determination process and facilitate application procedures for family reunification, including for unaccompanied minors.

The Commissioner welcomed legislative changes on equality and non-discrimination and the ratification of the UN Convention on the Rights of Persons with Disabilities, and encouraged the authorities to amend the legislation on gender recognition of trans people to exclude the sterilisation/infertility requirement. On the background of the on-going discussions of legislation on surveillance and the intention to establish the office of Intelligence Ombudsman, the Commissioner shared his recommendations on the most effective ways of strengthening democratic oversight over security services, as well as to ensure due protection of the rights to confidential communication, privacy, data protection and freedom of expression.

Mission to Latvia

The Commissioner carried out a mission to Latvia from 29 June to 1 July. In the course of the mission, he met with the President, Raimonds Vējonis; the Minister of Welfare, Jānis Reirs; and the Minister of Foreign Affairs, Edgars Rinkēvičs. The meetings focused on follow-up actions undertaken by the authorities in some of the areas covered in the Commissioner's December 2016 report on Latvia, including the situation of non-citizen children, efforts regarding the de-institutionalisation of children, combating domestic violence, and progress on ratifying the Istanbul Convention. During the mission, the Commissioner also participated in a seminar on Media Freedom organised for journalists from the Eastern Partnership by the Center for Media Studies of the Stockholm School of Economics in Riga. Finally, the Commissioner took part in the 2017 Lampa Conversation Festival in Cēsis, which gathered activists, policy-makers and some 10 000 citizens for debates on democracy, human rights and current affairs.

Mission to the Czech Republic

On 25 and 26 September, the Czech chairmanship of the Committee of Ministers organised the conference "Immigration detention of children: coming to a close?" in Prague in which the Commissioner participated, delivering the keynote speech. In the course of this mission, the Commissioner held meetings with the State Secretary at the Ministry of Education Youth and Sports, Jindřic Fryč; the Deputy Minister for Human Rights Martina Štěpánková; the Public Defender of Rights, Anna Šabatová; and civil society organisations. These meetings focused on issues concerning inclusive education and the human rights of Roma. The Commissioner welcomed the reform of the Education Act and was provided with information on the progress of its implementation. He also noted with satisfaction the involvement of the Ombudsman's Office in facilitating the transition to an inclusive education system and stressed the importance of collaboration between all parties involved in order to obtain concrete positive results. There was also an exchange about the social exclusion of a significant part of the Roma community that lives in inadequate housing conditions. The Commissioner stressed the need to curb the territorial segregation of the Roma community and encouraged the Czech authorities to promptly adopt a law on social housing.

Mission to the Republic of Moldova

The Commissioner carried out a mission to the Republic of Moldova from 9 to 13 October, focusing on domestic violence and gender equality and following up on previous recommendations from his 2013 report on the administration of justice. During the mission, he held meetings with the Prime Minister, Pavel Filip; President of the Parliament, Andrian Candu; Deputy Prime Minister for Reintegration, Gheorghe Balan; Deputy Prime Minister and Minister of Foreign Affairs and European Integration, Andrei Galbur; Minister of Justice, Vladimir Cebotari; Minister of Education, Culture and Research, Monica

Babuc; Deputy Minister of Internal Affairs, Dorin Purice;¹ Deputy Minister of Health, Labour, Family and Social Protection, Viorica Dumbraveanu;² and Prosecutor General, Eduard Harunjen. He also met with the President of the Superior Council of Magistracy, Victor Micu; the Ombudsman, Mihail Cotorobai, and the Ombudsperson for Children's Rights, Maia Bănărescu; the President of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Ian Feldman; members of the Moldovan Bar Association, and representatives of civil society and international organisations.

In a press-release following his mission, the Commissioner encouraged the efforts to reform the justice system, but noted with concern persisting reports of prosecutorial bias in judicial proceedings and of cases of intimidation and harassment of lawyers. A number of long-standing issues related to the functioning of the judiciary still need to be addressed, including the excessive use of detention on remand, which has been identified as a key problem concerning Moldova in the case-law of the European Court of Human Rights. While commending progress achieved with regard to conditions of detention in certain police establishments, the Commissioner regretted that overcrowding remains problematic in many places of deprivation of liberty. He also referred to a case of death in custody of a person with mental disabilities (August 2017), which exposed a range of serious deficiencies in the protection of the rights, safety and physical integrity of detainees.

The Commissioner urged the authorities to undertake resolute actions to improve the credibility of the justice system, notably by ensuring public access to court hearings, including in high-profile and corruption-related cases (unless there are well-justified reasons to close part of such hearings) and making all judgments accessible to the public. Other long-standing recommendations include changing the composition of the Superior Council of Magistracy by abolishing the *ex officio* participation of the Prosecutor General and the Minister of Justice; revoking the initial five-year probationary period for judges; further reforming the system of disciplinary proceedings against judges; and enhancing the professional competence of the judiciary and improving the reasoning of decisions taken by courts, including in cases related to detention on remand.

While welcoming progress achieved with regard to the legal framework and raising awareness about domestic violence and gender equality, including making the police and other law-enforcement agencies fully aware of their role in ensuring the protection of survivors of violence and accountability for perpetrators, the Commissioner urged the Parliament to ensure prompt ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Within the framework of this mission, the Commissioner also travelled to Tiraspol (Transnistrian region) where he met with civil society organisations, Vyacheslav Kosinskiy, in charge of the human rights institution, as well as representatives of the leadership of the region: Vadim Krasnoselsky, Alexandr Shcherba, and Vitaliy Ignatiev. Issues discussed included the situation in penitentiary establishments and conditions of detention; domestic violence; the situation of persons with disabilities, including children; and co-operation with human rights structures and mechanisms. The Commissioner recommended: setting up a system for the prevention of domestic violence and for ensuring the effective prosecution of perpetrators and provision of adequate support and rehabilitation for victims of violence; taking measures to ensure the inclusion of children with disabilities in mainstream education; supporting the effective functioning of the Latin-script schools in the region; and engaging in co-operation with various local and international human rights institutions and mechanisms, including the Council of Europe Committee on the Prevention of Torture.

Mission to Poland

The Commissioner carried out a mission to Poland from 5 to 8 December. At the invitation of the Polish Ombudsman, Adam Bodnar, he delivered a keynote speech at the opening of the First Congress on Human Rights, organised to mark the 30th anniversary of the creation of the institution of the Ombudsman in Poland. He also had meetings with the First President of the Supreme Court, Małgorzata

¹ Following the recent public administration reform in the Republic of Moldova, Mr Purice became State Secretary in the Ministry of Interior.

² As part of the public administration reform, Ms Dumbraveanu became State Secretary in the Ministry.

Gersdorf; the Chairman of the National Council of the Judiciary, Dariusz Zawistowski, and members of that body; and Undersecretary of State at the Ministry of Justice, Marcin Warchoł. The Commissioner also met with selected human rights and legal experts as well as representatives of civil society organisations, and held a roundtable meeting with organisations active in the areas of women's rights, sexual and reproductive health and rights, domestic violence, gender equality and anti-discrimination.

In a statement marking the end of his visit, the Commissioner regretted the adoption on the same day by the Sejm of two laws changing the composition and functioning of Poland's Supreme Court and the National Council for the Judiciary, expressing his concern that the bills, if signed into law, would further undermine the independence of the judiciary by subordinating it to the executive and the legislature, thereby further eroding the separation of powers and the rule of law. He urged the Polish authorities to follow the recommendations of the Venice Commission's opinions adopted on the same day, and insisted that any reform of the judicial system should be subjected to careful reflection and consultation.

1.4 Continuous dialogue

Letter to Milan Brglez, President of the National Assembly of Slovenia

On 17 January, the Commissioner published a letter he had addressed on 12 January to Milan Brglez, President of the National Assembly of Slovenia, in which he expressed concerns about proposed amendments to the Aliens Act that risked jeopardising access to asylum in Slovenia.

In his letter, the Commissioner noted that the envisaged exceptional measures, which would be activated in case of a sudden change in the migration situation threatening "public order and internal security", would allow the police to close borders and return migrants and asylum seekers found on Slovenian territory to the country from which they entered Slovenia. The Commissioner warned that these measures were not compatible with Slovenia's legal obligations under international human rights and asylum law. The Commissioner also regretted that the Slovenian government presented the amendments to the Aliens Act as "necessary to lower security risks to the Slovenian population", thus sending a negative message that portrays migrants as a threat, instead of recognising that many are fleeing conflicts and are in need of protection. The Commissioner stressed that, in preparing for any possible emergency situation, Slovenia should preserve individualised asylum procedures and ensure that it has sufficient material and human resources to handle increased numbers of asylum seekers.

Letter to the Speaker of the Parliament (Seimas) of the Republic of Lithuania

On 16 February, the Commissioner published a letter addressed to the Speaker of the Lithuanian Parliament concerning issues related to the protection of children's rights. He strongly encouraged the members of Parliament to fully abolish, at the legislative level, the use of corporal punishment and any other form of violence against children. He further emphasised the importance of adopting a coordinated strategy at national level to safeguard and promote a culture of respect for the rights of the child, which would include measures to promote positive and non-violent forms of child-rearing.

Report on Ireland

The Commissioner visited Ireland from 22-25 November 2016 and published a report on his visit on 29 March 2017, focusing on the human rights of Travellers and Roma; women's rights and gender equality; and the human rights of children.

As concerns the human rights of Travellers, the Commissioner welcomed the government's recent recognition of Travellers' ethnicity. However, he remained concerned at the very negative impact of the reduction in the state support for the Traveller community following the economic crisis in 2008. He called on the Irish authorities to reinvest in the community and improve access of Travellers to education, health, housing and employment, as well as legal remedies in cases of discrimination. With many Traveller families still living in dire conditions mainly due to shortcomings in services provided by local authorities, the Commissioner stressed the urgent need to address these situations, notably by providing adequate safeguards against forced evictions. Noting that Roma, most of whom are from Central and Eastern Europe, suffer from disadvantage, discrimination and racism, the Commissioner called on the

Irish authorities to strengthen their efforts to ensure full respect of their human rights, including their rights to work, housing and education.

While welcoming the positive steps taken in recent years by the Irish authorities to promote women's rights and gender equality, the Commissioner called on Ireland to tackle persistent gender inequalities, including through measures aimed at overcoming gender bias in the Constitution, media and education system. The Commissioner also encouraged the Irish authorities to improve the legislation and overall response to domestic violence, including by improving access to emergency safety orders and accommodation for women victims of violence, and ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). The Commissioner expressed his concern at the current legislation and practice in Ireland which seriously hamper women's access to sexual and reproductive health and rights and in particular access to safe and legal abortion care. Noting that Ireland possessed one of the most restrictive legal frameworks on abortion in Europe, he urged the Irish authorities to make progress towards a legal regime governing the termination of pregnancy, including in the Constitution, that would be more respectful of the human rights of women.

Concerning children, the Commissioner highlighted the need to promote inclusive education in a context where the vast majority of state-funded schools are denominational. He called on the Irish authorities to remove the exemption allowing state-funded schools to use a child's religion as admission criteria and to ensure options for students who opt out from religious classes. The Commissioner recommended measures to reverse the negative impact of austerity measures on children's access to social protection, education and health. Shortcomings in the protection of the rights of immigrant children flowing from the system of Direct Provision accommodation for asylum seekers and from the lack of avenues allowing undocumented children to secure a legal status should also be addressed.

Noting that the state had taken a number of measures to address past human rights abuses against women and children in institutions, including women's homes, schools and healthcare institutions, the Commissioner called on the Irish authorities to ensure full respect of the applicable international human rights standards when dealing with all such abuses. The Commissioner recalled that all groups of victims of past serious human rights abuse have a right to truth, full support and effective remedies, as well as prompt, independent and thorough investigations, capable of ensuring accountability, into allegations of abuses.

Letter to members of the Latvian Parliament

On 13 April, the Commissioner published a letter he had sent on 20 February to members of Parliament in Latvia, inviting them to support the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). The letter followed up on a meeting between the Commissioner and parliamentarians during his visit to Latvia in September 2016. Having regard to the existence of certain misconceptions about the contents and objectives of the Istanbul Convention, the Commissioner clarified that it should be seen, first and foremost, as an important tool to comprehensively tackle violence against women and domestic violence, through prevention of violence, protection of victims and prosecution of perpetrators. He expressed the hope that Latvia would swiftly ratify the Convention.

Report on Lithuania

The Commissioner visited Lithuania from 5 to 9 December 2016 and published a report on his visit on 19 April 2017, focusing on: women's rights and gender equality; human rights of children; and human rights of persons with disabilities.

The Commissioner welcomed the progress achieved with regard to preventing and combating domestic and gender-based violence, but recommended further harmonisation of the provisions of the Criminal Code and Criminal Procedure Code with those of the 2011 Law on Protection against Domestic Violence, in particular in relation to the application of protection measures. The law enforcement, prosecutorial and judicial authorities should be made fully aware of their instrumental role in protecting victims of violence from repeated cases of abuse. To this end, the police should develop and apply a unified and systematic

approach throughout the country for preventing violence and responding to calls for help. While highlighting the prominent role of non-governmental organisations in providing assistance to victims of domestic violence, he urged the authorities to provide them with adequate resources to be able to fulfil this function. The Commissioner also urged members of parliament to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence.

As regards the protection of children's rights, the Commissioner welcomed the adoption by the government in 2014 of a De-I (deinstitutionalisation) Plan and in 2015 of legislation restricting any institutional placement of children under three to exceptional circumstances. He further encouraged the authorities to take strategic action to develop and strengthen alternative care models in family-type settings and to allocate more resources and assistance to guardians and foster care providers. The Commissioner also urged the authorities to end the practice of placing minors with behavioural problems in "socialisation centres" and instead work towards their full rehabilitation either in their own families or in a family-like environment. His other recommendations included: mandatory reporting by all relevant professionals of any incidents of alleged violence against children; development of a coordinated and effective strategy against violence and promoting positive and non-violent forms of child-rearing; and measures to ensure child-friendly justice and the availability of quality psychological services for children, including in the context of domestic violence related judicial proceedings.

While welcoming the ratification of the UN Convention on the Rights of Persons with Disabilities, the Commissioner urged the authorities to take resolute steps to accelerate the process of deinstitutionalisation and foster independent and autonomous living; to pursue efforts to reform and develop a system of supported decision-making based on individual consent, and - pending such reforms - to recognise persons presently placed under guardianship as having equal standing in courts and tribunals. Coercive practices in psychiatry should be progressively eliminated and any involuntary placements in closed settings should only take place on the basis of objective and non-discriminatory criteria, and be accompanied by adequate safeguards.

Concerning inclusive education for children with disabilities and other disadvantaged groups, the Commissioner encouraged the gradual transfer of children with disabilities from special to mainstream educational establishments. He also emphasised the importance of ensuring that people with disabilities enjoy full access to a wide range of infrastructure and services which are available to the public in general, are provided with employment opportunities, and benefit from reasonable accommodation in both public and private sectors.

Letter to the Prime Minister of Croatia

On 18 April, the Commissioner published a letter addressed to the Prime Minister of Croatia, Mr Andrej Plenković, in which he noted with interest the steps taken by Croatia to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and strongly encouraged the authorities to move quickly towards its ratification. Highlighting the value of the prompt ratification of this treaty, as a unique legal instrument tackling violence against women comprehensively and in all forms, the Commissioner drew the authorities' attention to the need to eliminate some misconceptions about this treaty in public discourse in Croatia, in particular concerning the use of the term "gender". He pointed out that the Istanbul Convention rests on the presumption that violence against women is a manifestation of a broader pattern of inequality which must be addressed and effectively tackled.

Letter to the Speaker of the National Assembly of Hungary

On 3 May 2017, the Commissioner published a letter addressed to the Speaker of the National Assembly of Hungary, László Kövér, concerning a draft law on the Transparency of Organisations Supported from Abroad. He noted that the draft law carried a clear risk of stigmatising a large number of organisations pursuing lawful activities in the field of human rights, causing a chilling effect on their activities. It also envisaged far-reaching restrictions on freedom of association, which could not be regarded as necessary in a democratic society and were therefore at variance with international human rights standards. The Commissioner expressed concern at the additional administrative burden on NGOs falling within the scope of the draft law, at the obligation for them to register as "foreign-funded" and adopt a self-labelling

practice, and at the sanctions foreseen for non-compliance. In addition, according to criteria which were not immediately clear, the draft law excluded from its scope other types of NGOs, such as those pursuing sports or religious activities. The Commissioner urged the members of the National Assembly to reject the draft law and called on Hungary to respect international and European standards on freedom of association and to refrain from stigmatising or putting at any disadvantage foreign-funded NGOs. He further regretted the apparent absence of meaningful public consultation surrounding the introduction of the draft law against the backdrop of continued antagonistic rhetoric from certain members of the ruling coalition, who publicly labelled some NGOs as “foreign agents” based on their source of funding.

Letter to the Minister of Justice, Transparency and Human Rights, and to the Alternate Minister of Interior, Greece

On 4 May, the Commissioner published a letter that he had addressed to the Greek Minister of Justice, Stavros Kontonis, and to the Alternate Minister of Interior, Nikolaos Toskas, in which he expressed deep concern about the fact that he continued to receive alarming information concerning instances of alleged ill-treatment, including torture, by Greek police officers. The Commissioner stressed that these very serious cases illustrate the long-standing and systemic problem of excessive violence on the part of law enforcement officials and serious human rights violations that require determined and systematic action by Greece. He noted with interest the adoption in December 2016 of a law that established a national mechanism for investigating incidents of arbitrariness in security forces and in detention facilities, and expressed hope that this new mechanism will contribute to the fight against and the eradication of impunity. He invited the authorities to take preventive measures, such as systematic, initial and on-going training for all law enforcement officials, prosecutors and judges, and to overhaul the existing criminal law and practice. He also reiterated his call to ensure that the definition of torture contained in the criminal code is fully aligned with the CAT definition. The authorities were also called on to review existing criminal legislation in order to ensure that adequate, dissuasive penalties are always imposed by courts and fully executed in all cases of ill-treatment by law enforcement agents.

Letter to the Prime Minister of Romania

On 15 May, the Commissioner published a letter addressed to the Prime Minister of Romania, Sorin Grindeanu, urging the authorities to increase the protection of persons with disabilities. The Commissioner called for a thorough investigation of allegations concerning serious human rights violations, such as ill-treatment of inmates of the Centre for recovery and neuropsychiatric rehabilitation in Maciuca. Additionally, he called for measures to be taken to report and investigate deaths of persons with disabilities which occurred in residential institutions. Raising the issue of guardianship of persons with disabilities, the Commissioner called on the authorities to adopt and effectively implement the new legislation aimed at enhancing their legal representation. He also called on the authorities to develop alternatives to institutional care for adults with disabilities, to further the deinstitutionalisation of children with disabilities and investigate all allegations of abuses of institutionalised children.

Letter to the President of the Senate of Italy

On 16 May, the Commissioner published a letter addressed to the President of the Italian Senate, Pietro Grasso, expressing concerns about a bill on the efficiency of civil judicial proceedings, which stipulated the transfer of juvenile justice competencies from specialised to ordinary courts and prosecution services. The Commissioner recalled that children’s rights are best met in a system where justice is delivered by specialised professionals with exclusive competencies, as was currently the case in Italy. He warned that such a transfer would be a step in the wrong direction as it might lead to a dilution of the capacity of judges and prosecutors to pay adequate and specific attention to children’s needs and, therefore, weaken the protection of the rights of children who come into contact with judicial authorities.

Letter to the Deputy Head of the Administration of the President of Ukraine

On 24 May, the Commissioner published a letter addressed to the Deputy Head of the Administration of the President of Ukraine. He expressed concern regarding recently-adopted provisions in the legislation on corruption prevention which require civil society representatives or any other persons working on corruption-related issues to declare their assets in the same way as state officials and public servants.

The Commissioner observed that such amendments single out anti-corruption NGOs, their staff and others working on such issues, including investigative journalists, and make them subject to additional and unnecessary requirements, and underlined the principle that only persons or organisations who receive public funding can be subjected to the more rigorous reporting requirements applicable to any other recipient of public budgetary resources. He called on the authorities to remove the above-mentioned provisions from the legislation in force and to foster an enabling environment for the activities of NGOs, including those working on anti-corruption or related issues.

Letter to the Parliament of Italy

On 21 June, the Commissioner published a letter addressed to the Presidents of the Italian Senate and Chamber of Deputies, the Presidents of the Justice Committees of both chambers of the Parliament and the President of the Extraordinary Commission for the Protection and Promotion of Human Rights of the Senate, calling on the Italian Parliament to improve a bill aimed at incorporating the crime of torture into the Italian Criminal Code. While the introduction of legislation on torture was welcome, the Commissioner raised concerns on the compatibility of certain aspects of the bill with international human rights standards, including the definition of torture it contained, which may result in certain cases of torture or inhumane or degrading treatment or punishment remaining unaddressed. He also stressed the need to ensure that the ability of the authorities to hold those who commit these acts to account and the possibility for victims to obtain redress are not undermined by a statute of limitations, or any other measures.

Letter to the French Senate

On 17 July, the Commissioner published a letter in which he called on the French senators to improve the bill strengthening internal security and anti-terrorism measures so as to bring it fully into line with Council of Europe standards, particularly the case-law of the European Court of Human Rights. The Commissioner stressed the need to ensure that the bill does not result in the indefinite extension of the state of emergency. He also drew the senators' attention to certain provisions which he considered to be problematic, particularly those giving prefects powers to set up protective perimeters within which searches and frisking can be organised, which have previously always been subject to a judicial order. He expressed concern about the lack of detailed criteria and adequate legal safeguards governing these powers and the possibility of closing down places of worship in which statements are made which constitute incitement to committing acts of terrorism or violence. He pointed out additional worries triggered by uncertainties as to the possibility of placing under house arrest or surveillance persons suspected of posing a particularly serious threat to public safety and order, without any detailed criteria having been defined by the law.

Letter to the Minister of the Interior of Spain

On 9 October, the Commissioner published a letter addressed to the Minister of the Interior of Spain, Juan Ignacio Zoido Álvarez, expressing concern regarding allegations of disproportionate use of force by law enforcement authorities in Catalonia on 1 October 2017. The Commissioner reiterated recommendations he had addressed to the Spanish authorities in the report published following his visit to Spain in 2013, notably as regards the use of anti-riot weapons, such as rubber bullets. He urged the authorities to ensure that swift, independent and effective investigations are carried out into all allegations of police misconduct and disproportionate use of force, with a view to deterring any further police misconduct, preventing the escalation of violence and preserving public confidence in the work of law enforcement officials. The Commissioner also called on the Spanish authorities to establish an independent police complaints mechanism.

Letter to the Minister of Labour and Social Justice of Romania

On 10 October, the Commissioner published a letter he addressed to Ms Lia-Olguța Vasilescu, Minister of Labour and Social Justice of Romania, concerning the government's co-operation with expert non-governmental organisations in order to enhance monitoring of institutions providing care to persons with disabilities. In his letter the Commissioner noted that since 1 July, experts of the Center for Legal Resources (CLR) had been unable to visit institutions because the authorities had not renewed the Memorandum of Understanding concluded with CLR in 2013. Although a Monitoring Council was

established to review the national implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRDP), this body was not yet operational. This lack of effective monitoring put the human rights of persons with disabilities in institutions at serious risk, and could lead to violations of the UNCRPD and the European Convention on Human Rights. Therefore, the Commissioner recommended the restoration of the Memorandum of Understanding, or the setting up of another form of collaboration between the authorities and CLR, which would allow the latter and other expert organisations to continue their monitoring.

Letter to the Minister of the Interior of Italy

On 11 October, the Commissioner published a letter addressed to Marco Minniti, Minister of the Interior of Italy, on Italy's maritime operations in Libyan territorial waters aimed at managing migration flows. Expressing appreciation for Italy's efforts in saving lives at sea and receiving migrants arriving at its shores, the Commissioner stressed the duty of states to protect and safeguard the human rights of migrants even when migration flows pose difficulties. Noting that handing migrants over to the Libyan authorities would expose them to a real risk of torture or inhuman or degrading treatment or punishment, the Commissioner invited the Italian government to clarify the kind of support it expected to provide to the Libyan authorities in Libyan territorial waters and the safeguards it had put in place to avert such risks for people intercepted or rescued by Italian vessels in Libyan territorial waters. He also requested information about measures to ensure that search and rescue operations in the Mediterranean, including those conducted by non-governmental actors, can continue to be carried out effectively and safely.

Letter to the Minister of Internal Affairs of Azerbaijan

On 16 October, the Commissioner published a letter addressed to Ramil Usubov, Minister of Internal Affairs of Azerbaijan, calling for thorough investigations into serious allegations of human rights violations of LGBT persons who had recently been arrested and detained in Baku. The Commissioner underscored that arrests based wholly or in part on sexual orientation or gender identity constitute discrimination and run counter to the European Convention on Human Rights. He enquired on measures taken to verify the lawfulness of the arrests and to investigate the allegations of physical ill-treatment and other forms of abuse, including forced medical examination, by law enforcement officials. He also asked the Azerbaijani authorities to inform him about measures taken to counter discourse by officials, politicians and local media outlets that fuels hate and violence against LGBT persons.

Letter to the Swedish Parliament

On 30 October, the Commissioner published a letter addressed to the Committee on the Constitution of the Swedish Parliament, welcoming the on-going discussions on the establishment of a national human rights institution. He urged parliamentarians to ensure that the new body is adequately funded, independent and effective, in accordance with the Paris Principles adopted by the UN General Assembly in 1993. The Commissioner emphasised that national human rights institutions are crucial for promoting and protecting human rights at the national level. To play this role fully, they should have as broad a mandate as possible, be pluralistic, independent from the government, adequately funded and shielded from financial control which might affect their independence. Lastly, the Commissioner recalled that particular attention should be paid to involving civil society in this process.

Letter to the Ukrainian Parliament

On 4 December, the Commissioner published a letter addressed to the Chairperson of the Parliament of Ukraine, whereby he strongly encouraged the members of the Ukrainian Parliament to accelerate the process of ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

The Commissioner addressed several objections and misconceptions - encountered in various countries and also present in the on-going public discussions in Ukraine - relating to this Convention, which aims to eradicate violence against women and domestic violence by establishing a comprehensive and effective system of prevention, protection and accountability.

2 Thematic activities

2.1 Introduction

In his work in 2017, the Commissioner covered a wide range of human rights themes. He paid particular attention to the human rights of immigrants, including asylum seekers and refugees; freedom of expression and media freedom; and women's rights. The Commissioner continued to highlight children's rights; the human rights of people with disabilities, LGBTI persons and Roma; and transitional justice, notably in the Western Balkans. Racism and intolerance, counter-terrorism and human rights protection and ill-treatment in law enforcement were also among his concerns.

Two major research papers, together with the Commissioner's recommendations, were published. The Issue Paper *Realising the right to family reunification of refugees in Europe* outlines recommendations to governments for safeguarding international protection holders' right to family life and unity. This publication was accompanied by two special seminars with human rights defenders and national human rights institutions which were organised by the Commissioner. The Issue Paper on *Women's sexual and reproductive health and rights in Europe* provides an overview of the state's obligations under international and European human rights standards in the field of women's sexual and reproductive health and rights. It provides examples of shortcomings that European states must address and the Commissioner's recommendations aimed at helping European states in this respect.

2.2 Freedom of expression and media freedom

Freedom of expression and media freedom remained major topics for the Commissioner throughout 2017. The Commissioner addressed these topics in Memoranda on Turkey and Kosovo, in a report on Bosnia and Herzegovina, during a visit to Malta, and in a letter to the Ukrainian authorities. In addition, he submitted two third party interventions to the European Court of Human Rights in relation to cases dealing with the right to freedom of expression of journalists and parliamentarians, respectively, in Turkey.

On 5 April, the Commissioner had an exchange of views in Kyiv with the NGO partners of the Council of Europe Internet Platform to promote the protection of journalism and safety of journalists. The meeting provided an opportunity to discuss new developments and challenges in the field of media freedom in Europe, and in particular threats to public service broadcasting.

Throughout the year the Commissioner reacted to a number of negative developments affecting media freedom in Europe, which were often also relayed on the Platform, through statements published on his website and on social media (Facebook and Twitter). These statements notably concerned threats publicly made against a journalist in the Russian Federation, fines imposed on a web portal in Latvia and on a political weekly in Serbia, the possible termination of the publication of a newspaper in Greece, the arrest of an Azerbaijani journalist reportedly abducted from Georgia, and the decision to deport a human rights activist and journalist from the Russian Federation. The Commissioner also issued a statement in which he referred to examples that illustrate his continuing serious concerns about freedom of expression in Azerbaijan.

Ahead of World Press Freedom Day, the Commissioner published a Human Rights Comment "Public service broadcasting under threat in Europe" on 2 May, in which he underscored that governments' attempts to turn public broadcasting into government broadcasting remain widespread and range from political interference in the editorial line of public broadcasters to insufficient safeguards in the legislation against political bias. The system of financing public broadcasters is also of the utmost importance since it has the potential to keep them politically dependent. Another important challenge public broadcasters must meet is their adaptation to evolving digital environments. Public service media organisations face serious difficulties in reaching their audiences in a media environment marked by a rapid evolution of digital technologies, which increasingly dominate the information distribution chain. In a context characterised by increasingly polarised societies, where there is a lack of trust in institutions and where the proliferation of one-sided information or outright disinformation is amplified by social media, the Commissioner underlined that strong and genuinely independent public service broadcasters are all the more important.

On 26 September, the Commissioner published a Human Rights Comment on arbitrary Internet blocking and its impact on freedom of expression. Referring to a number of countries where blocking measures raise serious concerns, the Commissioner emphasised that online censorship is on the rise. However, the systems in place for blocking suffer from a number of deficiencies, compounded by the fact that once states have introduced blocking against the most serious issues and legitimate targets such as child pornography and hate speech, they tend to extend it to all sorts of other material that they disapprove of. The Commissioner also noted an upsurge of legislation on blocking in the context of counter-terrorism, as well as an increasing tendency to leave blocking and the removal of content to the private sector or to resort to Internet throttling (slowing down) and shutdowns. He concluded by calling on member states to stop relying on or encouraging private companies to regulate the online communication space without ensuring themselves that human rights are protected and that due process guarantees are upheld in line with the European Convention on Human Rights.

On 25 October the Commissioner participated as panellist at the side-event “Stopping the erosion of media freedom: challenges, opportunities and solutions” hosted by the Permanent Mission of Latvia to the UN in New York. In his speech, the Commissioner underlined the multifaceted safety threats faced by journalists in Europe; the obstacles to their work arising from laws against defamation and measures to counter terrorism that do not comply with human rights standards; shortcomings deriving from media ownership concentration and shrinking economic independence; and challenges related to unethical journalism and deliberate disinformation. He suggested eight steps to preserve press freedom and strengthen democracy, including the eradication of impunity for violence and intimidation against journalists; a human rights compliant defamation regime, which decriminalises defamation and deals with it through proportionate civil sanctions only; a framework for the protection of sources; the establishment of high quality public service broadcasting; and effective media self-regulation to stamp out unethical and illegal journalistic behaviour.

Finally, international co-operation in the area of media freedom continued in 2017. The Commissioner notably met with the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, in October in New York and with the OSCE Representative on Freedom of the Media, Harlem Désir, in Vienna in November.

2.3 Human rights of immigrants, refugees and asylum seekers

In 2017, several of the Commissioner’s country visits had a focus on issues pertaining to the human rights of immigrants, refugees and asylum seekers. Issues related to asylum law and policies were dealt with in the Commissioner’s reports following his visit to Slovenia, Switzerland, Malta and Luxembourg. On many occasions, including following his visit to Sweden, the Commissioner reiterated the urgent need to increase European solidarity as well as safe and legal avenues for people to reach protection in Europe. The human rights of forcibly displaced persons were addressed in the context of the Commissioner’s mission to Kosovo and a visit to Bosnia and Herzegovina, followed by a memorandum and a report respectively.

A key issue of focus for the Commissioner was the right to family reunification of refugees and persons with temporary or subsidiary protection statuses. In June, the Commissioner published an Issue Paper entitled *Realising the right to family reunification of refugees in Europe*. In it, he drew attention to the various restrictions on family reunification imposed by member states, and how these restrictions affect the enjoyment of the right to family life by refugees and people with temporary or subsidiary protection. In support of the issue paper, in June, the Commissioner held a round table with NGOs working on family reunification, followed by a round table with national human rights institutions in October, organised with the European Network of National Human Rights Institutions (NHRIs). The Commissioner made a public statement on the need to lift restrictions and contributed to debates in member states, including by publishing an opinion editorial in the German daily *Süddeutsche Zeitung* and by participating in a conference on family reunification in Bern, Switzerland. In October, the Commissioner published a Human Rights Comment, entitled ‘Lifting restrictions on family reunification: good for refugees, good for host societies’ to again highlight the importance of family reunification for refugee integration and the orderly management of migration to and within Europe. The need to lift restrictions on family reunification was also emphasised by the Commissioner during his speech to the Parliamentary Assembly, which held

a day of debate on migration during its June part-session. Family reunification was addressed during his country visits to Slovenia, Switzerland, Sweden and Malta.

Another issue of concern addressed throughout the year was the detention of migrants, including asylum seekers, and especially that of children. In January, the Commissioner published his Human Rights Comment 'High time for states to invest in alternatives to detention', outlining five steps member states should take to reduce and gradually eliminate immigration detention. In March, the Commissioner published an opinion editorial addressing a new European Commission recommendation on return policy, in which he expressed concerns about the recommendation's impact on the scale and duration of immigration detention in EU member states, as well as the continued legitimisation of the detention of migrant children.

Aside from family reunification and immigration detention, the Commissioner continued to address a wide range of issues pertaining to the human rights of refugees, asylum seekers and other migrants. In January, he wrote to the President of the National Assembly of Slovenia, expressing concern that amendments to the Aliens Act would fall short of providing guarantees against *refoulement* and to ensure access to asylum. In March, he delivered an address to the Congress of Local and Regional Authorities at its 32nd session, highlighting the importance of local and regional governments in the reception and integration of refugees. In an opinion editorial, published in *Huffington Post* in March, the Commissioner warned that EU migration co-operation agreements with third countries should uphold human rights, emphasising the need for a thorough assessment of the risks involved in any co-operation activity, subject to public scrutiny. In this context, in October, the Commissioner wrote a letter to the Italian authorities seeking clarification about its maritime operations in Libyan territorial waters, in particular which safeguards were in place to prevent rescued or intercepted persons from being returned to treatment contrary to Article 3 of the European Convention on Human Rights. In November, the Commissioner spoke at the OSCE Permanent Council at its 1164th plenary meeting, highlighting the tendency of temporary measures in response to the 'migration policy crisis' to become permanent, and calling for a long-term vision on safe and legal routes and integration.

2.4 Children's rights

In 2017, the Commissioner continued to work extensively on the protection of children's rights, emphasising in particular two issues: school segregation and immigration detention of children.

On 12 September, he published a Position Paper on *Fighting school segregation in Europe through inclusive education*, based on the findings and conclusions of his country visits and ensuing reports. The paper underlines that school segregation is a serious form of discrimination, which states have the positive obligation, firmly entrenched in international human rights law, to address. While it tackles school segregation as a whole, the paper makes a specific focus on the three groups of children most affected by this phenomenon in Europe: children with disabilities, Roma children and children with a migrant background. After reviewing the situation in Council of Europe member states, including the main factors causing segregation and the negative consequences of school segregation, both for the children themselves and for the cohesion of societies, the paper lists the main principles that should underpin any policy to eradicate segregation and promote inclusive education and concludes by providing twelve recommendations. These recommendations range from improving anti-discrimination legislation and designing comprehensive desegregation strategies, to ensuring the quality of education in all schools, regulating and monitoring school admissions and defining socially balanced school districts.

The Commissioner subsequently published several articles on this topic in various European newspapers. He also raised the issue of school segregation and access to inclusive education in several of his country visits and ensuing reports, including in Lithuania, Slovenia, Ireland and Bosnia and Herzegovina and in a Memorandum following his mission to Kosovo. In November, the Commissioner also submitted comments as third party in a case before the European Court of Human Rights on access to mainstream education of a young student with a physical disability in Romania (see below).

Throughout the year, the Commissioner reiterated his concerns about the detention of children for the purposes of immigration control. In February and March, he published two statements on this topic; in the former, he expressed concern about the extension of the maximum period of detention of migrant children

and their families in Luxembourg; in the latter, he deplored the adoption by the Hungarian Parliament of a law allowing automatic detention of asylum seekers, including families with children and unaccompanied minors from the age of 14. In his report on Switzerland published in October 2017, he called for removing the possibility of detaining administratively migrant children over the age of 15 and for a stop on detention of children -- with or without their family -- in transit zones of international airports. On 21 September, on the occasion of the Prague conference on "Immigration detention of children: coming to a close?" hosted by the Czech Chairmanship of the Committee of Ministers, he delivered a keynote address in which he stressed again that states should stop detaining children for immigration purposes and instead, support and further develop alternatives to detention.

The Commissioner's work on children's rights in 2017 also covered other issues. Thus, the reports following the Commissioner's visits to Bosnia and Herzegovina, Ireland, Lithuania, Luxembourg, Monaco, Slovenia and Switzerland address certain aspects of the rights of children with disabilities; access to effective remedies; violence against children, including reparation for past human rights violations; deinstitutionalisation; children's rights in asylum and migration proceedings; specific aspects of the situation of Roma and Traveller children; and the impact of austerity measures on the enjoyment by children of their rights. Furthermore, in letters addressed to the authorities of the countries concerned, the Commissioner raised the need to preserve the independence of the Children's Ombudsman in Croatia; avoid the transfer of juvenile justice competencies from specialised to ordinary courts and prosecution services in Italy; and enhance the process of deinstitutionalisation of children with disabilities in Romania.

2.5 Human rights of persons with disabilities

The Commissioner continued to pay extensive attention to the human rights of persons with disabilities in the different areas of his work in 2017. He examined various aspects of this issue in several country visits and reports, in letters sent to governments, and in his thematic work, as well as in a third party intervention before the European Court of Human Rights.

A major theme in this work was the right of children with disabilities to receive an education without discrimination and on the basis of equal opportunity. In the abovementioned Position Paper on combating school segregation in Europe through inclusive education, the Commissioner emphasises that in light of the rights and principles enshrined in the UN Convention on the Rights of Persons with Disabilities (CRPD), the right to equal access to education for children with disabilities can only be implemented through inclusive education. He noted very serious shortcomings in law and practice hampering equal access on the basis of his numerous country visits where this issue was examined since the beginning of his mandate. In 2017, the Commissioner highlighted this issue during his visit to Liechtenstein and in his report on his visit to Lithuania, as well as in a letter sent to the Romanian authorities in May.

The Commissioner's work on inclusive education was also the basis of a third party intervention he submitted to the Court in a case concerning barriers faced by a child with physical disabilities to access mainstream education in Romania. In his submission, the Commissioner recalled his findings on the situation in Romania, as set out in his 2014 report following his visit there. He highlighted, however, that the situation in Romania provided a revealing illustration of a more general pattern in Europe: often, inclusive education, reasonable accommodation and individual supports function more as uncertain possibilities than as enforceable rights, rendering the right to inclusive education illusory and theoretical.

As in previous years, the Commissioner continued to follow closely the rights of persons with intellectual and psychosocial disabilities, in particular regarding their rights to legal capacity and to live independently, and the need to reduce coercion in psychiatry. The Commissioner raised these questions in his visits to Monaco, Sweden and Liechtenstein, as well as in his report on his visit to Lithuania. He also addressed them in a Human Rights Comment published in August, in which the Commissioner noted that member states had not yet fully internalised the paradigm shift they had endorsed by ratifying the CRPD. The question of residential institutions violating the right to live independently and being included in the community was addressed in two letters that the Commissioner addressed to Romanian authorities in May and September.

In addition to raising the abovementioned points in a keynote speech he delivered at the launch conference of the Council of Europe Disability Strategy 2017-2023 in March, the Commissioner called on

states and international organisations, including the Council of Europe, to safeguard the involvement of persons with disabilities and their representative organisations in all policy-making processes.

2.6 Human rights of LGBTI people

Whereas there were a number of progressive trends in 2017 as regards the human rights of lesbian, gay, bisexual, trans and intersex people (LGBTI), the year was also marked by extremely worrying developments in certain contexts.

On 21 February, the Commissioner published a Human Rights Comment on the legal recognition of same-sex partnerships. He observed that there has been a growing trend in Europe and elsewhere to legally recognise the family rights of LGBTI people. Today, 27 out of 47 member states of the Council of Europe provide some form of legal arrangement for same-sex couples, of which 16 recognise same-sex marriage. The Commissioner stressed that registered partnerships providing the same rights and benefits for same-sex couples as those for different-sex couples are critically important to address the many problems faced by same-sex couples and their children. On 21 March, the Commissioner delivered a keynote address by video message at the conference “Same-sex partnership in Ukraine: today and tomorrow” organised by the non-governmental organisation Nash Mir in Kyiv, in which he recalled that the Ukrainian national human rights action plan foresees the adoption of a law on registered partnerships for different-sex and same-sex couples. On 17 May, the Commissioner participated in a video interview on the occasion of IDAHOT 2017, focused on the year’s theme, “families”. He reiterated that LGBTI people have equal rights, including the right to family life, as protected under article 8 of the European Convention on Human Rights.

The Commissioner continued to promote the human rights of trans and intersex people during the year. On 28 February, he sent a video message on the occasion of a roundtable entitled “Gender identity – basic human rights”, organised by the non-governmental organisation Transparent Initiative in Croatia. In his message, the Commissioner underscored that transgender children and youth face particular difficulties when exercising their right to self-determination and that they frequently experience bullying in school. On the same theme, the Commissioner joined on 16 May a statement by UN and regional human rights experts, calling for the protection of trans and gender diverse children. In a 24 June video message to a conference in Paris entitled “From Hermaphrodites to Intersex”, the Commissioner recalled the duty of states to take legislative and policy action to stop surgical operations that are not medically necessary on intersex babies and children without their consent, and to ensure flexibility in the legal gender recognition of intersex persons.

In 2017, the Commissioner reacted to negative developments in several contexts where LGBTI people and activists faced discrimination, and were targets of hate speech or sometimes persecution and violence. On 5 April, the Commissioner sent a letter to the Head of the Russian Federal Investigative Committee, following reports by NGOs and the Russian newspaper *Novaya Gazeta* that a number of gay men (or men perceived to be gay) were abducted in the Chechen Republic between February and April 2017, and allegedly subjected to severe ill-treatment and humiliation. In the letter, the Commissioner requested information about steps taken to investigate both the alleged crimes and the statements made by Chechen public figures that may have constituted incitement to hatred, as well as to protect victims. On 31 August, the Commissioner published a Human Rights Comment in which he urged all Council of Europe member states to strengthen efforts to combat homophobia and transphobia. He recommended a comprehensive approach including the adoption of anti-discrimination and hate crime laws, training of judicial and police officials, and education campaigns about the human rights of LGBTI people, aimed at promoting more tolerant societies. In statements issued on 26 June and 20 November respectively, the Commissioner regretted the decision of the Istanbul governor to ban the 2017 Pride and of the Ankara governor to ban all LGBTI activities in the city. On 16 October, the Commissioner published a letter to the Minister of Internal Affairs of Azerbaijan, in which he called for a thorough investigation into allegations of serious human rights violations of LGBTI people who had been arrested and detained in September in Baku. The Commissioner underscored that arrests based wholly or in part on sexual orientation or gender identity constitute discrimination and run counter to the ECHR.

2.7 Human rights of Roma and Travellers

The Commissioner dealt with the human rights of Roma and Travellers during his visits to Ireland, Slovenia and Switzerland. In the ensuing reports, he highlighted a number of concerns including: gaps in the implementation of the national strategies for Roma and Travellers; the negative impact of austerity measures on policies targeted at members of these groups; equal access to quality education; access to adequate housing (including the availability of sites for Travellers) and to water; early marriages and pregnancies; discrimination and racism; and reparations for past human rights abuses.

As regards the latter issue, the Commissioner reiterated his call on member states for more resolute action in several statements. Firstly, on 12 May, he urged once again the Czech authorities to take measures to remove the pig farm from the site of the former Nazi concentration camp for Roma of Lety u Pisku. The long-awaited purchase by the Czech Government of the pig farm was finally approved in November, a move which the Commissioner praised on 23 November. He stressed that the closure of the farm put an end to an insult to the Roma victims of the Holocaust, the survivors and their descendants and that the erection of a memorial on the site was crucial for understanding the fate of the Roma during the Second World War and sending a positive message to society at large. Additionally, on 2 August, in a statement on the occasion of the commemoration of the Roma genocide during the Second World War, the Commissioner called on member states to strengthen their efforts to establish the truth about past mass human rights violations against the Roma, acknowledge states' responsibilities, compensate the victims and their descendants and adequately honour the memory of those who were victims of such crimes.

In addition, in his Memorandum of April following his visit to Kosovo, the Commissioner highlighted the need to end impunity for war time crimes and to provide effective redress to all victims, including Roma, Ashkali and Egyptians. He also stressed the importance of substantially improving their access to adequate housing and of solving health issues connected to serious environmental contamination, which particularly affected these groups. In March, the Commissioner devoted his mission to Portugal to reviewing the human rights of Roma, five years after his country visit of 2012. He focused on existing good practices aimed at supporting the empowerment of Roma at the local level and at improving community relations. In September, in the course of a mission to the Czech Republic, he held a number of bilateral meetings with the authorities, the Ombudsperson and representatives of civil society to review issues pertaining to the human rights of Roma, in particular regarding access to inclusive education.

Lastly, ending school segregation of Roma children continued to be a major priority in the work of the Commissioner in 2017. The persisting school segregation of large numbers Roma children in Europe was among the reasons that led to the preparation of the Position Paper on *Fighting school segregation in Europe through inclusive education* referred to above (see section 2.4 on children's rights).

2.8 Women's rights and gender equality

In 2017, the Commissioner examined women's rights and gender equality during his visits to Malta and Liechtenstein and in his visits and reports on Ireland, Kosovo and Lithuania. The report on Ireland addressed several women's rights issues, including the need to deal with past abuses in various institutional and health care contexts in a more human rights compliant manner. In Kosovo, the Commissioner encouraged efforts to provide adequate support and reparation to women victims of wartime sexual violence. The report on Lithuania addressed domestic and gender-based violence and encouraged the authorities to adopt effective policies aimed at reducing the gender pay gap in various industries.

The Commissioner continued to devote special attention to tackling violence against women notably by actively promoting the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). In addition to doing so in the visits and reports on Ireland and Lithuania, he discussed issues related to the ratification of the Convention during missions to Ukraine and Latvia. The Commissioner also published letters addressed to the Croatian Prime Minister, Latvian parliamentarians and the Chairperson of the Ukrainian Parliament concerning the need to deconstruct misconceptions about the Istanbul Convention and the importance of ratifying this human rights instrument.

On 6 February, the Commissioner published an opinion editorial on the duty to combat domestic violence in the Russian newspaper *Kommersant*. He stressed that the newly adopted law decriminalising domestic battery in Russia runs counter to efforts that the authorities had made in recent years to combat domestic violence, such as launching programmes and opening shelters in different regions. In a video message released on 8 March to mark International Women’s Day, the Commissioner focused on the need for sustained action to lift women out of the second-class status in which too many are still kept, inviting all to join him in making Europe a place where all women live the life they want, free from gender-based violence and from sexism. On 15 February, the Commissioner had a fruitful exchange of views with the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) about the complementarity of the work of the Commissioner and GREVIO, the need to respond to growing unsubstantiated concerns about the implications of the use of the word “gender” in the Istanbul Convention, and the specific situation of some groups of victims, including migrant women.

Finally, the Commissioner devoted significant attention to women’s sexual and reproductive health and rights in Europe. In addition to addressing these issues in his report on Ireland and during his visits to Malta and Liechtenstein, on 5 December he published an Issue Paper entitled *Women’s sexual and reproductive health and rights in Europe*. The Issue Paper stresses that, despite considerable progress, women in Europe continue to face widespread denials and infringements of their sexual and reproductive health and rights. Laws, policies and practices still curtail and undermine women’s sexual and reproductive health, autonomy, dignity, and decision-making and pervasive gender inequality continues to have profound effects on their sexual and reproductive health and rights. Moreover, in recent years, resurgent threats to these rights have emerged, jeopardising longstanding commitments to gender equality and women’s rights. The Issue Paper addresses these concerns against the backdrop of the human rights obligations of Council of Europe member states as enshrined in international and European human rights instruments and as elaborated and interpreted by human rights mechanisms in particular with respect to women’s rights to life, health, privacy, and non-discrimination as well as freedom from torture and ill-treatment. It makes a specific focus on member states’ obligations in the fields of comprehensive sexuality education; modern contraception; safe and legal abortion care; and quality maternal health care. It contains 54 recommendations by the Commissioner to help Council of Europe member states to improve women’s sexual and reproductive health and rights

2.9 Combating racism and intolerance

On 25 July, the Commissioner published a Human Rights Comment entitled “Afrophobia: Europe should confront this legacy of colonialism and the slave trade”. The Commissioner highlighted that in a number of European countries manifestations of both old and emerging forms of racism and discrimination against Black persons are still frequent. In particular, incitement to hatred against Black persons proliferates in politics and sports. Portrayal of African migrants as a menace for Europe cannot but reinforce the negative stereotypes associated with Black minorities. Such attitudes might deprive people who are in need of the protection they should be granted in Europe. Racial profiling in policing of Black persons and other visible minorities is another issue of particular concern. The Commissioner recommended that states adopt a proactive approach in their efforts to fight Afrophobia. Specifically, he called on states to: promote Black people’s positive contributions to Europe; act resolutely against all forms of incitement to hatred against Black people; collect disaggregated national data on ethnic and racial groups based upon voluntary self-identification; prohibit all forms of school segregation; prohibit all forms of racial profiling in policing and establish an effective and transparent mechanism for complaints; strengthen the legislation prohibiting discrimination in access to health care, housing and employment and use “discrimination testing” as a tool to demonstrate and eliminate discriminatory conduct; and create opportunities to increase the participation of Black people and other ethnic minorities in national and local political life, administration and decision-making processes.

2.10 National minorities

The Commissioner raised issues pertaining to the rights of national minorities during some of his country visits. When visiting Ukraine in April, he recalled, in the context of discussions on the legislation on language quotas for TV and radio broadcasting, existing international and Council of Europe standards on the protection of minority languages and highlighted the work of the relevant monitoring mechanisms.

In the Memorandum following his mission to Kosovo, the Commissioner deplored persisting divisions along ethnic lines, especially in the sphere of education. He also raised concerns about the lack of participation of members of minorities in bodies dealing with past human rights abuses and about reported instances of ethnically-motivated violence against IDPs and returnees belonging to minority groups.

Likewise, in his report following his visit to Bosnia and Herzegovina, he stressed the need to overcome segregation along ethnic lines in education, to promote history teaching aimed at inter-ethnic reconciliation and to take more vigorous measures to combat hate crimes against returnees belonging to ethnic and religious minority groups.

2.11 Systematic implementation of human rights

Systematic work on human rights means that states pursue a pro-active, strategic approach to advancing the implementation of their international human rights obligations. Such an approach is necessary to make the enjoyment of human rights a reality at the national and local level. To be successful, systematic work on human rights should involve the participation of national authorities, civil society, the business sector, and national human rights institutions. It requires setting measurable objectives and designing concrete activities to reach them, as well as effective coordination between implementing agencies, and independent evaluation of the results achieved. The development and adoption of national human rights action plans (NHRAPs) is one practical and coherent means of achieving such a systematic and strategic implementation of human rights, and the Commissioner has long encouraged their adoption.

Given that almost 20 Council of Europe member states have adopted one or several NHRAPs over the years and that several more are considering doing so, the Commissioner considered it timely to examine what has been the impact of these plans, as well as the key challenges encountered in their implementation. On 2 June, he convened a workshop in Strasbourg with the aims of facilitating an exchange of lessons learned among practitioners and helping guide future work on NHRAPs. The workshop gathered 24 invited participants from public administration, national human rights institutions and civil society from 14 member states, as well as representatives from the EU's FRA and the UNDP.

The workshop identified several positive effects of the implementation of NHRAPs, including the adoption of legislation or ratification of international treaties related to human rights; the facilitation of states' reporting required by human rights treaties; improved national institutional arrangements for the promotion and protection of human rights; and enhanced relationships between government actors and civil society. At the same time, participants noted that it has been difficult to measure the concrete impact of national human rights action plans on the daily enjoyment of human rights. A key challenge identified during the workshop was the need to develop ownership and commitment to the implementation of the plans on the part of all concerned parties. The workshop concluded that further work is needed to make sure that NHRAPs are not only used as guiding documents in ministries, but have a real impact on the daily enjoyment of human rights of all people, which should be measured using appropriate methodologies and indicators. Achieving real-life impact of the NHRAPs also requires more effective communication about the plans with all concerned stakeholders and the general public. Finally, the workshop noted that states' efforts to meet the UN Sustainable Development Goals 2030 provide an opportunity to re-energise the work on NHRAPs, by linking the two processes.

In 2017, the Commissioner continued to encourage states to adopt and implement NHRAPs, for example during his mission to Portugal, in a video message delivered at an event on the Scottish National Action Plan, and in a meeting in Strasbourg with the Minister of Interior of the Netherlands.

2.12 Statelessness

The fight against statelessness in Europe remained on the Commissioner's agenda in 2017. In May, he delivered a video message at a regional conference on protecting stateless persons from arbitrary detention, organised by the European Network on Statelessness.

The Commissioner discussed the situation of stateless children during his mission to Latvia. In the report following his visit to Bosnia and Herzegovina, the Commissioner highlighted progress achieved by the authorities, together with UNHCR and NGOs, to provide Roma at risk of statelessness with identity documents. He expressed the hope that the remaining cases of statelessness would be dealt with promptly. In the Memorandum following his visit to Kosovo the Commissioner stressed that, despite progress in recent years, additional measures were required to ensure that all Roma who were forcibly displaced to Montenegro could be registered and provided with personal identity documents.

2.13 Transitional justice and missing persons

The need to foster inter-ethnic reconciliation and social cohesion, make better use of education as a tool to promote reconciliation and tolerance, ensure adequate reparations for all war victims, and ensure effective protection for witnesses in the context of wartime criminal proceedings were among the Commissioner's recommendations, respectively in his memorandum and country report from visits to Kosovo and Bosnia and Herzegovina, published on 10 April and 7 November. The Commissioner also expressed his concern about the fate of the thousands of persons still missing as a result of the conflicts, and recommended stepping up assistance to all internally displaced persons. In the report on his visit to Slovenia, published on 11 July, the Commissioner welcomed the steps taken in Slovenia to address the human rights issues concerning the "erased" persons and encouraged the authorities to regularise the status of the remaining "erased" persons who wish to integrate into Slovenian society.

On 21 November, the Commissioner published a Human Rights Comment in which he reflected on the current state of transitional justice in the Western Balkans and on what remains to be done. Whilst he acknowledged the progress made in the search for missing persons, the Commissioner was concerned that this process has been hindered by the lack of political will and by inadequate financial and human resources for exhumations and necessary forensic work. Highlighting the important role played by the ICTY in the eradication of impunity for serious human rights violations in the region, the Commissioner noted that the fight against impunity at national level is moving far too slowly and a number of serious shortcomings persisted. The Commissioner stressed that many civilian war victims feel that their governments are failing them and comprehensive reparation mechanisms have not yet been established. Recalling states' positive obligation to tackle and eradicate school segregation, the Commissioner stressed that generations of children in the region are educated in ethnically segregated schools under the pretext of the protection of language and cultural rights of a certain ethnic group. The Commissioner concluded by noting that in order to reverse these negative trends, all political actors need to put aside their short-term political goals and to focus on the strengthening of social cohesion instead of amplifying ethnic divisions.

2.14 Counter-terrorism and human rights protection

In the course of 2017, the Commissioner expressed concerns on several occasions about national developments on counter terrorism and their impact on human rights. In an Opinion Editorial on human rights in Turkey published by Euronews on 10 March, the Commissioner expressed concern about the disproportionate conduct of anti-terrorism operations in South-Eastern Turkey and the fact that remedies and investigations into these human rights violations have been largely ineffective. He also noted that political and judicial decisions have stifled dissent notably through an overly wide application of the concepts of terrorist propaganda and support for a terrorist organisation. On 5 May, the Commissioner published his written observations submitted to the European Court of Human Rights concerning a group of 34 cases related to events which have occurred since August 2015 in the context of counter-terrorism operations and curfews in South-Eastern Turkey (see below, European Court of Human Rights). On 17 July, the Commissioner published a letter in which he called on the French Senate to improve the bill strengthening internal security and anti-terrorism measures so as to bring it fully into line with Council of Europe standards, particularly the case-law of the European Court of Human Rights (see above, Continuous dialogue).

The Commissioner reiterated these concerns in a series of statements. On the occasion of the Data Protection Day and the anniversary of Convention 108 on Personal Data Protection which took place on 27 January, the Commissioner published a statement stressing that mass surveillance is a threat to individual rights to privacy and data protection. He insisted on the need for safeguards against abuse to

prevent counter-terrorism measures from undermining democracy under the guise of defending it. On 15 September, the Commissioner participated and made the concluding observations in the Third Conference of the Independent Police Complaint Authorities' Network (IPCAN) in Strasbourg. The Commissioner expressed his concern that one of the major reactions by states to terrorist attacks has been to adopt laws on surveillance which raise serious issues of compatibility with human rights standards. The Commissioner was also worried by the tendency in certain states to normalise emergency measures by embedding them in ordinary legislation. He underlined that all instances of misconduct by police forces are corrosive of the public trust and stressed that independent police complaint mechanisms, like the members of IPCAN, can play a vital role in upholding the rule of law and human rights standards. The Commissioner stated that in this age of terrorism such safeguards are necessary to prevent deterioration in the quality of democracies while fighting terrorism.

2.15 Treatment of prisoners and rehabilitation of victims of torture

The Commissioner examined various issues relating to ill-treatment and rehabilitation of victims in his country and thematic work in 2017. In his letters to the Italian and Greek authorities, he highlighted the need to ensure the compatibility of domestic legislation on crimes of torture with the applicable international standards. He further underlined the need to ensure accountability of law-enforcement and security forces for allegations of ill-treatment in several country contexts: Greece, Georgia, the armed conflict in the east of Ukraine, and the anti-terrorist operations in South-Eastern Turkey. Various issues pertaining to healthcare in prisons, overcrowding and safeguards against ill-treatment in custody were also raised by the Commissioner in his dialogue with the authorities of Georgia and the Republic of Moldova.

The Commissioner paid particular attention to the allegations of severe physical and psychological ill-treatment of gay men in Chechnya. He urged the Russian authorities to take decisive steps to investigate alleged crimes and to protect victims. A similar call for thorough investigation into alleged ill-treatment of LGBT persons was made to the authorities of Azerbaijan (see section 2.6 above). The Commissioner also highlighted the vulnerability of institutionalised persons with disabilities in Romania - including children - and called on the authorities to ensure their protection from ill-treatment, conduct a thorough investigation of the reported abuses as well as to permit the resumption of independent monitoring of these institutions by NGOs.

On 4 December, the Commissioner published an Issue Paper on *Women's Sexual and Reproductive Health and Rights*, in which he highlighted the need for the elimination of coercive sexual and reproductive health care practices, including forced abortion, coercive sterilisation and other forms of interventions, which constitute specific forms of torture and ill-treatment.

2.16 Human rights and business

On 9 June, the Commissioner attended the Council of Europe high-level seminar on Human Rights and Business. In his intervention, he voiced his support to the UN efforts to draft a legally binding international instrument clarifying the human rights responsibilities of business and noted the high degree of popular support for hard law on at least some key responsibilities of businesses. He stressed the role of national action plans as tools for identifying the best combination of binding and voluntary measures, and called for a timely review of the implementation of the Committee of Ministers' 2016 Recommendation on business and human rights.

The issue of business and human rights was further dealt with in the report adopted following the Commissioner's May country visit to Switzerland, in which he welcomed the adoption by Switzerland of a national action plan on business and human rights, and stressed the importance of ensuring that human rights abuses attributable to Swiss-based companies give rise to civil liability in Switzerland and that there are no undue judicial barriers to civil action by victims abroad. The Office of the Commissioner was also represented at the annual UN Forum on Business and Human Rights, held in Geneva on 27-29 November.

3 Human rights defenders

The Commissioner continued to devote considerable attention to the situation of human rights defenders in Europe in his country and thematic work in 2017. As a part of his continuous dialogue with the authorities of the Council of Europe member states, he raised various issues relating to the need to ensure a safe and enabling environment for the activities of NGOs in several countries. For example, he raised concerns about the adoption of a Code of Conduct in Italy for NGOs involved in migrant search and rescue operations in the Mediterranean Sea, and requested information from the Italian authorities as to how they ensure the unimpeded conduct of these operations by NGOs. The Commissioner also highlighted the vital role played by NGOs in the monitoring of human rights of persons with disabilities living in institutions in Romania and recommended that the authorities renew their co-operation with expert NGOs. In May, the Commissioner addressed his concerns to the respective authorities as regards certain legislative amendments which had recently been introduced in Ukraine and Hungary affecting the functioning of NGOs. In a Memorandum on freedom of expression and media freedom in Turkey, the Commissioner addressed the long-standing problem of intimidation and attacks against journalists and human rights defenders in the country, noting at the same time the intensification of judicial action targeting these groups. Moreover, in the course of the year, he made five public statements concerning judicial harassment, arrests, detention and prosecution of prominent human rights defenders in Turkey. In May, the Commissioner reiterated his call to the authorities of Azerbaijan to comply with the country's human rights obligations and to release human rights defenders who had been detained because of their views or activities. Earlier in April, the Commissioner requested that the authorities of the Russian Federation provide information as to the steps taken regarding the threats and smear campaign directed against Elena Milashina, a prominent journalist and human rights defender, who has been reporting on serious human rights violations in Chechnya. In July, the Commissioner intervened before the European Court of Human Rights on a group of cases brought by Russian NGOs in relation to the application of the "Law on Foreign Agents" (see below, European Court of Human Rights).

In 2017, the Commissioner organised two round-tables with the participation of human rights defenders from various European countries. In June, the Commissioner held a round-table in Vienna on the topic of family reunification of refugees. The meeting aimed at providing human rights defenders with an opportunity for networking and an in-depth discussion on family reunification with key stakeholders. Earlier in March, the Commissioner organised a round-table with Russian human rights defenders with a view to assessing the exercise of the rights of freedom of assembly and association in Russia. The exchange of views during the meeting contributed to the Commissioner's follow-up work in the country.

In his Human Rights Comment "The shrinking space for human rights organisations" published in April, the Commissioner highlighted a trend of backsliding in the area of freedom of association in several European countries. He outlined the negative impact of restrictive measures, including legal restrictions, administrative harassment, smear campaigns, threats and intimidation of independent groups, and recommended that member states refrain from such actions and establish a constructive dialogue with NGOs.

4 Co-operation with national human rights structures

National human rights institutions (NHRIs) – such as ombudsman institutions, human rights commissions and equality bodies – are essential partners in the Commissioner's dialogue with member states, as envisaged in the Commissioner's mandate. The Commissioner meets with representatives of NHRIs during his country visits and in Strasbourg to discuss human rights concerns. He regularly uses information provided by NHRIs when he prepares country visits and refers to it in the ensuing reports. As presented below, the Commissioner continued his intense engagement with NHRIs in 2017, by maintaining a bilateral dialogue with existing NHRIs, pushing for the creation of new, independent and effective NHRIs, defending NHRIs whose independence is undermined, and continuing his substantive engagement with NHRI networks.

During his visits to Monaco, Slovenia, Switzerland and Sweden, the Commissioner analysed the national human rights framework and made recommendations regarding NHRIs. In Switzerland and Sweden in

particular, where the creation of a NHRI is currently under consideration, the Commissioner encouraged the authorities to ensure that the new institutions have a broad mandate, are pluralistic, adequately funded, independent and effective, in accordance with the Paris Principles adopted by the UN General Assembly in 1993. In keeping with his commitment to contribute to the guidance framework on NHRIs, the Commissioner provided comments in May to the European Commission on Racism and Intolerance (ECRI) regarding the review of its General Policy Nr 2 on “Specialised Bodies to Combat Racism, Xenophobia, Antisemitism and Intolerance at the national level.”

The Commissioner acted in support of the independence of NHRIs through statements about the Ombudsman for Children in Croatia and the Public Defender in Georgia, and by attending the 1st Congress of Human Rights organised by the Office of the Ombudsman in Poland. In April, the Commissioner gave a keynote address at the Symposium of the International Ombudsman Institute-Europe held in Barcelona on populism, regression of rights and the role of Ombudsman Institutions. In May, he participated in the high-level conference on “Reclaiming human rights in Europe: how to enhance the democratic space?” organised by the Croatian Ombudsman. On that occasion, he held a group meeting with the Ombudsmen of Western Balkans countries. In October, the Commissioner organised jointly with ENNHRI a roundtable on family reunification of refugees following the publication of an issue paper on the same matter.

5 Co-operation with European and international organisations

5.1 European Union

In February, the Commissioner had meetings in Brussels with the First Vice President of the European Commission, Frans Timmermans, and the EU Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn. The discussions with the First Vice President of the European Commission focused on the general human rights situation in EU member states and their respective work in Croatia, Hungary and Poland. They also exchanged views on the problem of hate speech in Europe and how to counter it in an efficient manner, including through support to the effective functioning of public service broadcasting. During the meeting with the EU Commissioner for European Neighbourhood Policy and Enlargement Negotiations, the issues covered included the situation in Turkey and the EU-Turkey statement on migration, as well as the general human rights situation in Armenia, Azerbaijan, Bosnia and Herzegovina and Kosovo.

In Brussels, the Commissioner also held an exchange of views with the EU Working Party on OSCE and the Council of Europe, most notably focusing on media freedom including the protection of journalists; the situation of human rights defenders; and the human rights of immigrants, refugees and asylum-seekers.

In February, the Commissioner had a meeting with Katharina von Schnurbein, European Commission Coordinator on combating Antisemitism, and in November with David Friggieri, European Commission Coordinator on combating anti-Muslim hatred.

The Commissioner met with the Director of the European Union Agency for Fundamental Rights (FRA), Michael O’Flaherty, in April, June and November. The two officials regularly exchanged on their respective current priorities and on-going activities, particularly in the field of asylum and immigration and civil society. They also discussed co-operation between the two institutions and ways to further develop this.

In February, the Commissioner’s Office was represented at the Inter-parliamentary committee meeting “The third reform of the Common European Asylum System (CEAS) – Up for the Challenge”, organised by the European Parliament’s Civil Liberties, Justice and Home Affairs Committee (LIBE). The meeting brought together European and national parliamentarians to discuss different aspects of the European Commission’s proposals for a third reform of CEAS.

5.1 Organisation for Security and Cooperation in Europe

In March, the Director of the Commissioner's Office had a meeting with the First Deputy Director of ODIHR, Ms Katarzyna Gardapkhadze. They discussed the current priorities and the on-going activities in member states, as well as work related to migration and Roma and Sinti.

In November, the Commissioner addressed the 1164th Plenary Meeting of the OSCE Permanent Council. In his introductory intervention, he highlighted various human rights related crises he had encountered in the course of his mandate, such as the impact of economic crisis on enjoyment of human rights; the situation in and around Ukraine; the migration policy crisis; and the government responses to terrorist attacks in member states. He also referred to his thematic work on migration and media freedom issues. In Vienna, the Commissioner also had a meeting with the OSCE Special Representative on Freedom of the Media, Harlem Désir, with whom he discussed his work on freedom of the media, including protection of journalists, and their respective country priorities.

The Commissioner met with representatives of OSCE field missions during his trips to Kosovo and the Republic of Moldova.

5.3 United Nations

Co-operation with the UN institutions focused on migration and refugees, freedom of expression, the protection of human rights defenders, the human rights of LGBTI persons and children's rights.

In January, Commissioner Muižnieks held meetings in Geneva with the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein and the UN High Commissioner for Refugees, Filippo Grandi. The issues covered during the meeting with the High Commissioner for Human Rights included their respective work in Azerbaijan, Hungary, Poland, the Russian Federation, Turkey and Ukraine. The situation of refugees and migrants in Europe, as well as the most effective strategies of communicating about human rights were in the focus of discussions with both of the Commissioner's interlocutors. Furthermore, topics covered in his discussions with the High Commissioner for Refugees included the implementation of the EU-Turkey statement on migration and the on-going negotiations concerning similar arrangements with other countries; the refugee relocation and resettlement programmes and the migration-related legislative developments in certain European countries.

On 16 May, the Commissioner joined the statement by the UN Committee on the Rights of the Child, the UN Committee against Torture, several UN independent experts, the Inter-American Commission on Human Rights and the African Commission on Human Rights, calling for the protection of trans and gender diverse children and adolescents.

In October, the Commissioner went to New York, where he took part in the 72nd Session of the United Nations General Assembly Third Committee Interactive Dialogue with the Special Rapporteur on the situation of Human Rights Defenders, Michel Forst, where the latter presented his report on the work of human rights defenders in the field of business and human rights. In his intervention, the Commissioner focused on his activities involving human rights defenders in the Council of Europe member states. In New York, the Commissioner also held meetings with Dainius Pūras, UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of health; Catalina Devandas Aguilar, UN Special Rapporteur on the rights of persons with disabilities; and Andrew Gilmour, Assistant Secretary-General for Human Rights and Head of the OHCHR Office in New York. The discussions covered country-specific and thematic issues, including women's sexual and reproductive health and rights; coercion in psychiatry and inclusive education.

During country visits, the Commissioner frequently met with UN country offices. Co-operation in the field was especially intensive in Ukraine and Kosovo. The Commissioner and his Office continued to work closely with the UNHCR Representation in Strasbourg, and with field missions, in the context of his on-going work in Slovenia, Ukraine and Kosovo.

6 European Court of Human Rights

Implementation of judgments of the European Court of Human Rights

On 20 January, the Commissioner issued a statement on his website and on social media in respect of the Russian Constitutional Court's decision of 19 January preventing the implementation of the 2014 judgment of the European Court of Human Rights in the case of the Yukos oil company. The Commissioner emphasised that preventing the implementation of the Court's judgments weakens the safeguards for individuals and companies against possible state abuses. He also stressed that the decision not to implement the judgment bore far-reaching consequences for human rights protection in Russia and undermined the integrity and legitimacy of the system of the ECHR. Therefore, he urged the Russian authorities to amend the federal law which empowers the Russian Constitutional Court to prevent the implementation of judgments of the European Court of Human Rights.

On 1 June, the Commissioner took part in the debate on the 10th Annual Report on the supervision of the execution of judgments and decisions of the European Court of Human Rights, the first such event to have been held by the Council of Europe Committee of Ministers. The Commissioner shared his views regarding pressing challenges to the execution of the Court's judgments, and his role in this process. He underlined that the prolonged non-execution of judgments is an indirect attack on the Court's authority. The Commissioner also referred to the recent changes to the Rules of the Committee of Ministers for the supervision of the execution of judgments (Rule 9) which now allow him to submit written comments on the execution of judgments to the Committee of Ministers.

Third party interventions before the European Court of Human Rights

In 2017, the Commissioner made five interventions as a third party, pursuant to Article 36, paragraph 3 of the ECHR. These interventions deal with a wide-range of issues: counter-terrorism operations in South-Eastern Turkey; the Russian "Law on Foreign Agents"; freedom of expression and right to liberty of journalists and parliamentarians in Turkey; and equal access to education for children with disabilities in Europe and particularly in Romania.

On 5 May, the Commissioner published his written observations submitted to the European Court of Human Rights concerning a group of 34 cases related to events which have occurred since August 2015 in the context of counter-terrorism operations and curfews in South-Eastern Turkey. Based on two visits the Commissioner carried out to Turkey in April and September 2016 as well as on his continuous monitoring work on this country, the first part of the Commissioner's submission provides information on the general context of counter-terrorism operations and curfews and their impact on the local population. In this respect, the Commissioner considered that the imposition of open-ended and round-the-clock curfews, which lacked sufficient legal basis and were accompanied by severe deprivations, had caused disproportionate restrictions on a huge population for an extended period of time and had subjected them to severe hardship and suffering.

The second part of the Commissioner's observations addresses in more detail major issues of concern about the human rights implications of counter-terrorism operations, including the protection of the right to life; the lack of effective investigations and the problem of impunity; restrictions on relatives paying their last respects to their deceased family members; and undue interference with the work of human rights defenders. With regard to the first aspect, the Commissioner noted that the anti-terror operations have been characterised by excessive use of force, including the employment of heavy weaponry in residential neighbourhoods, strongly suggesting that the authorities did not minimise lethal force or show the requisite care for the lives of the civilian population. As for the lack of effective investigations, the Commissioner noted that despite the number and gravity of the allegations of human rights violations committed by members of security forces, the authorities did not treat them with the requisite seriousness, which raised concerns about the prevalence of impunity.

On 14 July, the Commissioner published his written observations submitted to the European Court of Human Rights in the proceedings relating to *Ecodefence and others v. Russia* and 48 other applications concerning the legislation and practice on non-commercial organisations in the Russian Federation, and

more specifically the “Law on Foreign Agents”. In his intervention, the Commissioner assessed the legal framework in relation to the functioning of NGOs in Russia, observing that the provisions of the Law on Foreign Agents introduced unjustified discriminatory treatment for a particular set of organisations, and that subsequent amendments to the legislation had rendered the environment for NGOs receiving foreign funding even more restrictive. Apart from the pejorative label “foreign agent”, the main concerns related to the broad and vague character of the term “political activity” which included the most commonly-practiced, basic and natural methods of work of NGOs. The Commissioner underlined that the application of the Law on Foreign Agents against civil society groups advocating for changes in law and practice or scrutinising the human rights compliance of actions by public authorities greatly undermined their role as a public watchdog in a democratic society.

The Commissioner’s third party intervention also contains his assessment of the impact upon NGOs of the application of the Law on Foreign Agents, which entailed considerable interference with their ability to freely exercise the rights to freedom of association and freedom of expression. In particular, many NGOs and human rights defenders had experienced severe consequences, including disproportionate sanctions and, in one case, even criminal prosecution for “malicious” non-compliance. The Commissioner noted that the imposition of significant fines had left a number of NGOs with no choice but to initiate liquidation proceedings; moreover, the imposition of the pejorative label “foreign agent” had considerably affected the reputation of civil society groups. The Commissioner further noted that the implementation of the Law on Foreign Agents had affected the ability of NGOs to secure funds, and to co-operate with state institutions and other partners. Many civil society groups had been subjected to ostracism, harassment, and even physical attacks as a result of the application of the Law on Foreign Agents. The Commissioner considered that in order to address the problems identified, the authorities in the Russian Federation, both federal and regional, should adopt a series of measures at institutional, legal and political levels, to ensure the protection of human rights defenders at risk and promote an enabling environment for their work. This should entail, first and foremost, a thorough revision of the legislation regulating the activities of NGOs. The Commissioner underscored that NGOs should be free to solicit and receive funding, not only from public bodies in their own state, but also from institutional and individual donors, another state or multilateral agencies, subject only to the laws on customs, foreign exchange and money-laundering, as well as those on elections and the funding of political parties.

On 19 October, the Commissioner published his written observations submitted to the European Court of Human Rights concerning a group of ten applications relating to freedom of expression and the right to liberty of journalists in Turkey. These observations are based on two visits the Commissioner carried out to Turkey in April and September 2016 as well as on his continuous monitoring work on this country. The first part of the Commissioner’s submission contains his findings about Turkey’s long-standing problem regarding the overly broad interpretation of the concepts of terrorist propaganda and support for a terrorist organisation, including for statements and persons that clearly do not incite violence. He highlights that his visits in 2016 revealed that these problems had become more prevalent and pronounced than in 2011 when his predecessor had examined them. The Commissioner observes, notably, that many criminal proceedings against journalists were initiated on the basis of unsubstantiated charges and with no factual evidence other than purely journalistic activities.

The second part of the submission deals with the questions of the excessive use of detention on remand and the lack of sufficient reasoning by courts, a pre-existing problem which has been exacerbated under the state of emergency. The final part provides the Commissioner’s observations on a general pattern of increased targeting of all dissenting voices in Turkey beyond journalists, accompanied by an erosion of the independence and impartiality of the judiciary in Turkey. Against this background, the Commissioner highlights the strong chilling effect produced by the detention and prosecution of journalists, and concludes that it is difficult not to see the recent increase in their number as part of a broader pattern of repression against those expressing dissent or criticism of the authorities.

On 10 November, the Commissioner published his written observations submitted to the European Court of Human Rights regarding a group of twelve applications concerning the freedom of expression and the right to liberty and security of parliamentarians in Turkey. The observations are based on two visits carried out by the Commissioner to Turkey in April and September 2016, his ensuing Memorandum on Freedom of Expression and Media Freedom and on his continuous monitoring work on this country. In the first part, which contains his observations on the freedom of expression and the right to liberty and security of

parliamentarians in Turkey, the Commissioner highlights in particular that the lifting of the parliamentary immunity of 154 MPs in Turkey, which was considered as a misuse of the constitutional amendment procedure by the Venice Commission and the PACE, disproportionately affected the political party the applicants belong to and that the majority of the charges against them concerned their statements. Against the background of the overly broad interpretation of the concepts of terrorist propaganda and support for a terrorist organisation, including its application to people or statements that clearly do not incite violence, this situation had a negative impact not only on the applicants but also on public and parliamentary debate in general at a particularly crucial juncture.

The second part of the submission sets out the Commissioner's observations on the intensification in recent years of a pattern of undue restrictions of freedom of expression and the right to liberty and security of those expressing views critical of official policy, particularly on issues related to the situation in South-Eastern Turkey. He also details his concerns regarding judicial independence and impartiality in the country. In his conclusions, the Commissioner states that he sees the recent detention and prosecution of opposition parliamentarians as part of a broader pattern of repression against those expressing dissent or criticism of the authorities.

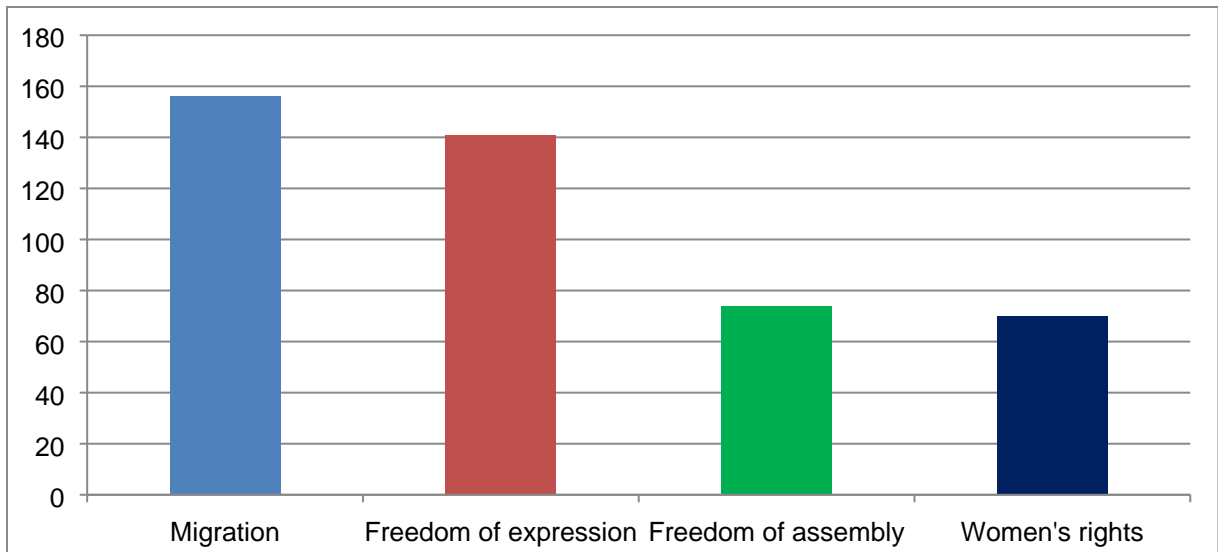
On 13 November, the Commissioner published his written observations submitted to the European Court of Human Rights in the proceedings relating to *Ștefan-Moshe Stoian and Luminița Stoian v. Romania*, concerning access of a child with a physical disability to mainstream education in Romania. The observations are based on the Commissioner's work on the right of children with disabilities to inclusive education in thirteen countries, the September 2017 Position Paper on combating school segregation through inclusive education (see above) and his report of 2014 following his visit to Romania. In his submission, the Commissioner noted that the majority of member states of the Council of Europe still failed to guarantee the right to access quality education without discrimination for children with disabilities. This failure manifests itself in practices which discriminate against these children on grounds of their disability, including the placement in segregated educational settings; enrolment denials; denials of reasonable accommodation and of necessary supports in mainstream education; and home-schooling proposed as the only available option. The Commissioner then provided observations on the implementation of this right in Romania, where he found that inclusive education, reasonable accommodation and individual supports functioned more as uncertain possibilities than as enforceable rights. He also provided observations on substantive aspects of the right to education without discrimination and on the basis of equal opportunity in light of the UN Convention on the Rights of Persons with Disabilities, as the international benchmark and legal reference point in all matters pertaining to disability.

The Commissioner concluded that the right to equal access to education for children with disabilities can only be implemented through inclusive education; that the widespread practice of refusing to provide reasonable accommodation to children with disabilities to access mainstream education amounted to discrimination; and that withholding the necessary individual supports rendered meaningless the right of these children to equal access to education. Moreover, he stressed that their rights remained illusory and theoretical in the absence of prompt and effective remedies to challenge allegations of rights violations in the area of education.

7 Communication and information work

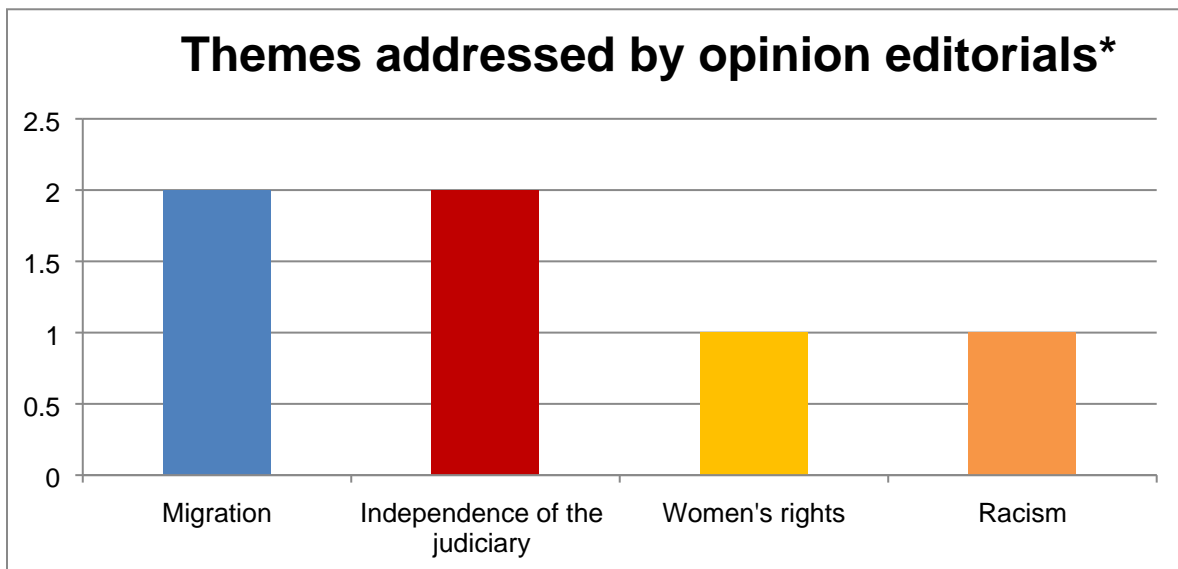
During 2017 the Commissioner's work continued to be widely covered by media outlets with national and international reach. It was also the source of a large number of social media interactions, in particular on Facebook and Twitter. As of 10 December 2017, over 1000 news pieces had been published by media outlets of over 50 countries.

The main themes covered by the media concerned the Commissioner's work on migration, freedom of expression, women's rights and freedom of assembly.



Seven opinion editorials were published in leading national and international newspapers:

- Do not give up inclusion, school segregation threatens the future of children (*Hospodářské noviny* 19 December);
- Eine Frage der Menschenwürde (*Süddeutsche Zeitung*, 24 October)
- Poland has a duty to preserve judicial independence (*Open Democracy, Gazeta Wyborcza* 17 July)
- Italian sport authorities must be more effective in combating racism (*La Gazzetta dello Sport*, 4 May);
- Human rights in Turkey – the urgent need for a new beginning (*Euronews*, 10 March)
- The duty to combat domestic violence (*Kommersant*, 06 February)
- EU agreements with third countries must uphold human rights (*The Huffington Post*, 02 February).

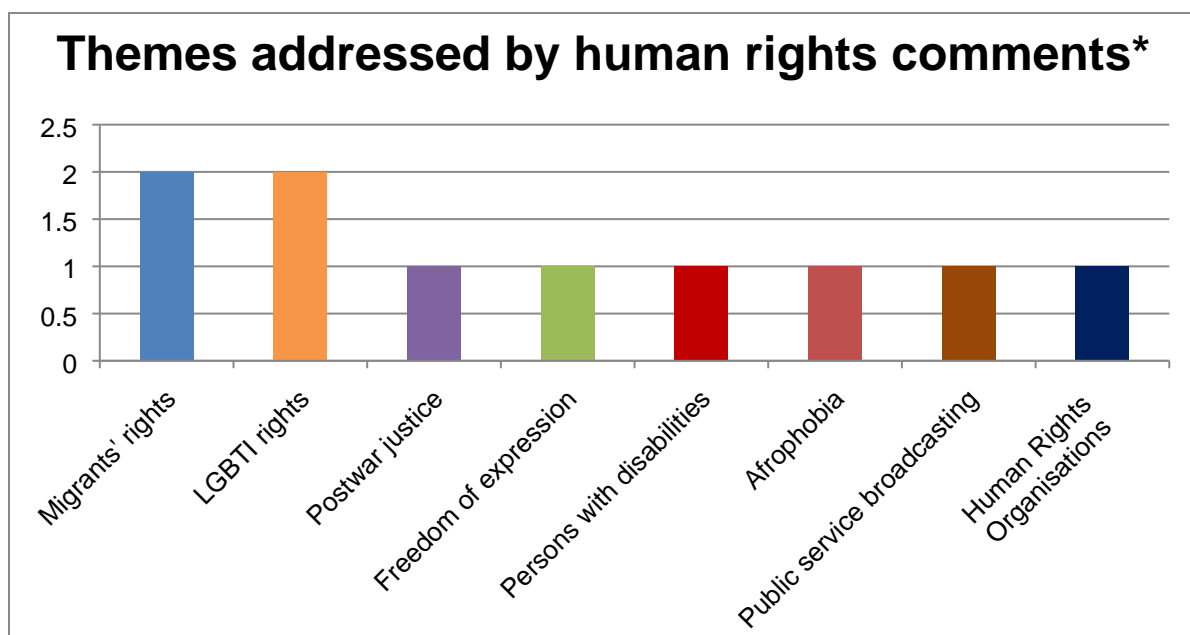


*Data for 2017 covers the period until 10 December

Human Rights Comments

Ten Human Rights Comments were published in 2017:

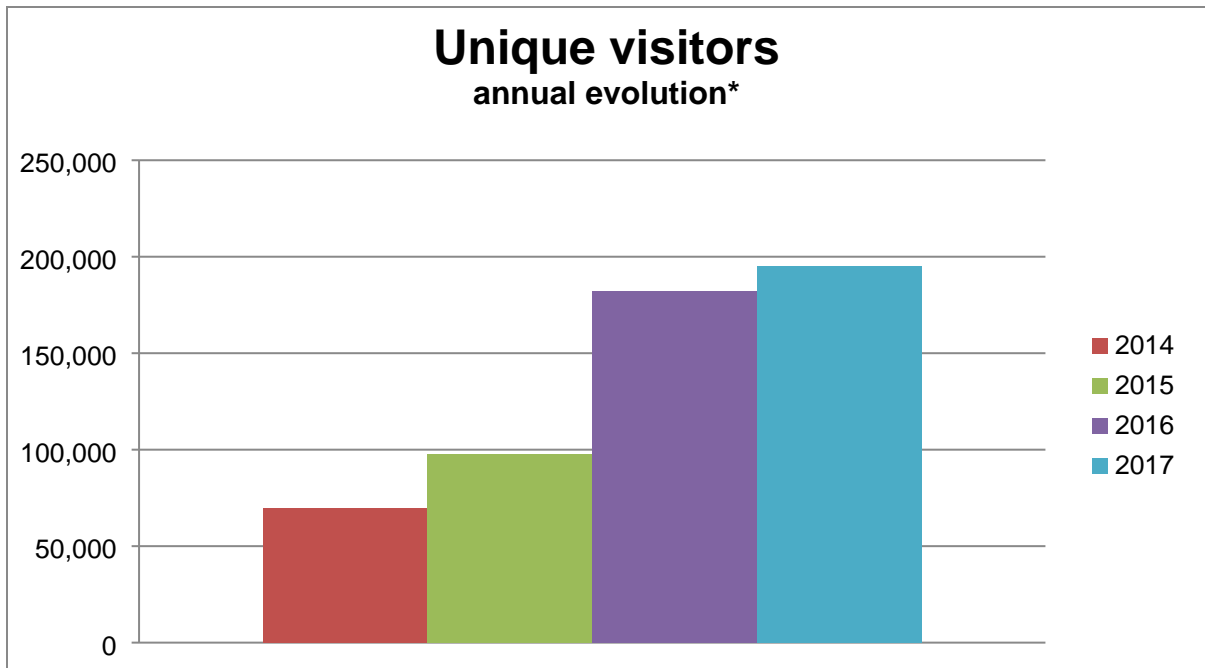
- Reconciliation Stalled in the Western Balkans (21 November)
- Ending restrictions on family reunification: good for refugees, good for host societies (26 October)
- Arbitrary Internet blocking jeopardises freedom of expression (26 September)
- The long march against homophobia and transphobia (31 August)
- Respecting the human rights of persons with psychosocial and intellectual disabilities: an obligation not yet fully understood (24 August)
- Afrophobia: Europe should confront this legacy of colonialism and the slave trade (25 July)
- Public service broadcasting under threat in Europe (2 May)
- The Shrinking Space for Human Rights Organisations (4 April)
- Access to registered same-sex partnerships: it's a question of equality (21 February)
- High time for states to invest in alternatives to migrant detention (31 January)



*Data for 2017 covers the period until 10 December

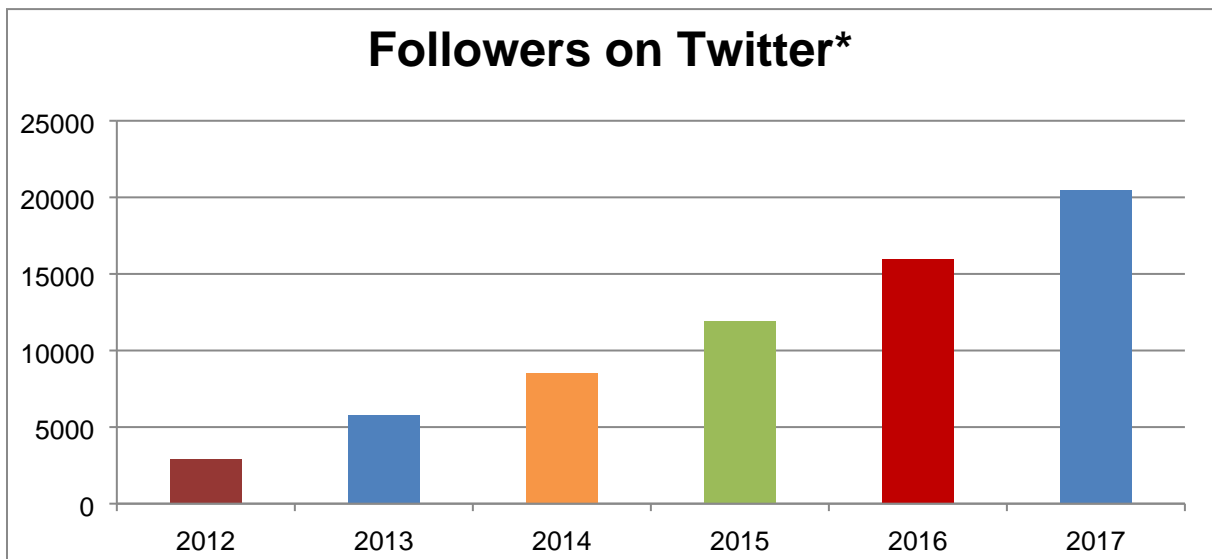
Web site and social media

By 10 December 2017, the number of visits to the Commissioner's website increased by 10% compared to the traffic of 2016, with a monthly average of unique visitors over 16,000. This is also the result of additional traffic generated by two thematic webpages created for the Issue Papers on family reunification of refugees and on women's sexual and reproductive health and rights. A short film and a video clip were also prepared for the latter Issue Paper.



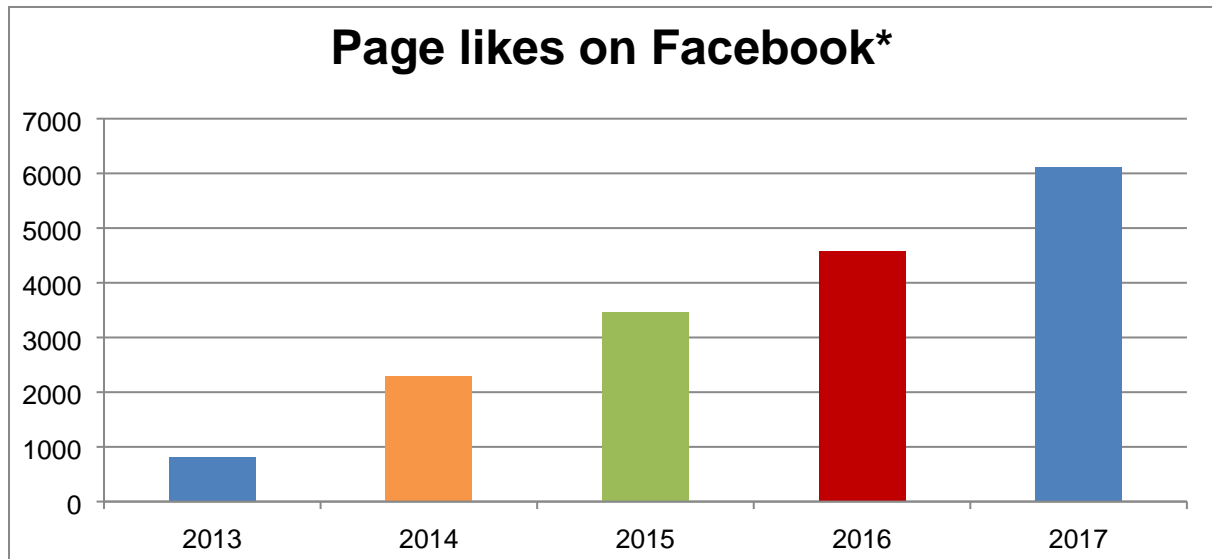
*Data for 2017 cover the period until 10 December

The presence and interaction on social media continued to be strengthened. By 10 December 298 tweets had been published, which generated over 4400 new followers. This represented 10% more than the increase from 2015 to 2016 and a 28% increase in the total number of followers compared to 2016.



*Data for 2017 covers the period until 10 December

On Facebook the Commissioner published 122 posts and received over 1500 new likes on the page (+33% compared to 2016).



*Data for 2017 covers the period until 10 December

8 Staff and budget

In 2017, the total number of permanent posts in the Commissioner's office amounts to 24 posts (16 A-grade posts and 8 B-grade posts) and 3 positions. The ordinary overall budget appropriations were of €3,482,400, which represents 1.3% of the total ordinary budget.

The budget of the Commissioner for Human Rights covers the basic structure necessary for the implementation of the mandatory activities which should be assured by permanent means from the ordinary budget of the Council of Europe.

Appendix

List of office activities in 2017

A. Visits and reports

In 2017 the following country visits, missions and contact visits were carried out:

18 to 21 January	Monaco
6 to 10 February	Kosovo*
5 to 8 March	Portugal
20 to 23 March	Slovenia
26 to 28 March	Cyprus
4 to 7 April	Ukraine (Kyiv)
11 to 12 May	Croatia (Zagreb)
22 to 24 May	Switzerland
6 to 7 June	Finland (Helsinki)
12 to 16 June	Bosnia and Herzegovina
29 June to 1 July	Latvia (Riga)
18 to 22 September	Luxembourg
2 to 6 October	Sweden
9 to 13 October	Republic of Moldova
6 to 8 November	Malta
22 to 24 November	Liechtenstein
6 to 9 December	Poland (Warsaw)

In 2017, the following country reports and letters were published:

Azerbaijan

- Letter from the Council of Europe Commissioner for Human Rights to Ramil Usubov, Minister of Internal Affairs calling for thorough investigations into serious allegations of human rights violations of LGBT persons (dated 9 October and published on 16 October with reference CommDH(2017)32).

Bosnia and Herzegovina

- Report by the Council of Europe Commissioner for Human Rights following his visit to Bosnia and Herzegovina from 12 to 16 June. Issues reviewed: transitional justice and reconciliation and freedom of the media (published on 7 November with reference CommDH(2017)28).

Croatia

- Letter from the Council of Europe Commissioner for Human Rights to Prime Minister Andrej Plenković concerning ratification of the Istanbul Convention (dated 24 March and published on 18 April with reference CommDH(2017)12).

France

- Letter from the Council of Europe Commissioner for Human Rights to the French Senate regarding the bill strengthening internal security and anti-terrorism measures (dated 10 July and published on 17 July with reference CommDH(2017)23).

Greece

- Letter from the Council of Europe Commissioner for Human Rights to Stavros Kontonis, Minister of Justice, Transparency and Human Rights of Greece, and Nikolaos Toskas, Alternate Minister

* 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.

of Interior, concerning ill-treatment by law enforcement officials (dated 18 April and published on 4 May with reference CommDH(2017)15).

Hungary

- Letter from the Council of Europe Commissioner for Human Rights to László Kövér, Speaker of the National Assembly of Hungary, on the draft law on the Transparency of Organisations Supported from Abroad (dated 26 April and published on 3 May with reference CommDH(2017)14).

Ireland

- Report by the Council of Europe Commissioner for Human Rights following his visit to Ireland from 21 to 25 November 2016. Issues reviewed: human rights of Travellers and Roma; women's rights and gender equality; human rights of children; past human rights abuses against women and children in institutions (published on 29 March with reference CommDH(2017)8).

Italy

- Letter from the Council of Europe Commissioner for Human Rights to the President of the Italian Senate, Pietro Grasso, regarding concerns about the bill on the efficiency of civil judicial proceedings (dated 9 May and published on 16 May with reference CommDH(2017)17).
- Letter from the Council of Europe Commissioner for Human Rights to the Presidents of the Italian Senate and Chamber of Deputies, the Presidents of the Justice Committees of the two branches of Parliament and the President of the Extraordinary Commission for the Protection and Promotion of Human Rights of the Senate, on draft bill aimed at incorporating the crime of torture into the Italian Criminal Code (dated 16 June and published on 21 June with reference CommDH(2017)20).
- Letter from the Council of Europe Commissioner for Human Rights to Marco Minniti, Minister of Interior of Italy, requesting information with regard to Italy's maritime operations in Libyan territorial waters aimed at managing migration flows (dated 28 September and published on 11 October with reference CommDH(2017)31).

Latvia

- Letter from the Council of Europe Commissioner for Human Rights to the Chairpersons of the Parliamentary Groups of the Latvian Parliament concerning ratification of the Istanbul Convention (dated 20 February and published on 13 April with reference CommDH(2017)11).

Lithuania

- Letter from the Council of Europe Commissioner for Human Rights to Viktoras Pranckietis, Speaker of the Parliament of Lithuania, concerning the protection of children's rights (dated 10 February and published on 16 February with reference CommDH(2017)6).
- Report by the Council of Europe Commissioner for Human Rights following his visit to Lithuania from 5 to 9 December 2016. Issues reviewed: women's rights and gender equality; human rights of children; rights of persons with disabilities (published on 19 April with reference CommDH(2017)7).

Poland

- Letter from the Council of Europe Commissioner for Human Rights to Marek Kuchciński, Speaker of the Parliament of Poland, concerning the proposed reform of the National Council for the Judiciary (dated 31 March and published on 3 April with reference CommDH(2017)10).

Romania

- Letter from the Council of Europe Commissioner for Human Rights to Prime Minister Sorin Grindeanu, on protection of persons with disabilities (dated 16 March and published on 15 May with reference CommDH(2017)16).

- Letter from the Council of Europe Commissioner for Human Rights to Lia-Olguța Vasilescu, Minister of Labour and Social Justice of Romania, regarding co-operation with expert non-governmental organisations in order to enhance monitoring of institutions providing care to persons with disabilities (dated 14 September and published on 10 October with reference CommDH(2017)27).

Russian Federation

- Follow-up Memorandum by the Council of Europe Commissioner for Human Rights on freedom of assembly in the Russian Federation (published on 29 September with reference CommDH(2017)25).

Slovenia

- Letter from the Council of Europe Commissioner for Human Rights to Milan Brglez, President of the National Assembly of the Republic of Slovenia concerning the Slovenian Aliens Act (dated 12 January and published on 17 January with reference CommDH(2017)2).
- Report by the Council of Europe Commissioner for Human Rights following his visit to Slovenia from 20 to 23 March. Issues reviewed: human rights of migrants, asylum seekers and refugees; human rights of Roma; the situation of the “erased”; poverty and its impact on the enjoyment of human rights (published on 11 July with reference CommDH(2017)21).

Spain

- Letter from the Council of Europe Commissioner for Human Rights to Juan Ignacio Zoido Álvarez, Minister of the Interior of Spain regarding allegations of disproportionate use of force by law enforcement authorities in Catalonia (dated 4 October and published on 9 October with reference CommDH(2017)30).

Sweden

- Letter from the Council of Europe Commissioner for Human Rights to the members of the Committee on the Constitution of the Swedish Parliament (Riksdag) regarding the establishment of a national human rights institution (dated 23 October and published on 30 October with reference CommDH(2017)35).

Switzerland

- Report by the Council of Europe Commissioner for Human Rights following his visit to Switzerland from 22 to 24 May. Issues reviewed: the institutional and legal framework for the protection and promotion of human rights; the human rights of migrants, including asylum seekers and refugees (published on 17 October with reference CommDH(2017)26).

Turkey

- Memorandum by the Council of Europe Commissioner for Human Rights on freedom of expression and media freedom in Turkey (published on 15 February with reference CommDH(2017)5).

Ukraine

- Letter from the Council of Europe Commissioner for Human Rights to Dmytro Shymkiv, Deputy Head of the Administration of the President of Ukraine on anti-corruption legislation that might negatively affect NGOs and journalists (dated 12 May and published on 24 May with reference CommDH(2017)18).
- Letter from the Council of Europe Commissioner for Human Rights to Andriy Parubiy, Chairperson of the Parliament of Ukraine, concerning ratification of the Istanbul Convention (dated 14 November and published on 4 December with reference CommDH(2017)38).

Kosovo

- Memorandum by the Council of Europe Commissioner for Human Rights following his mission to Kosovo from 5 to 9 February. Issues reviewed: developments in human rights protection and

issues pertaining to transitional justice and social cohesion; freedom of the media (published on 10 April with reference CommDH(2017)9).

B. Issue Papers, Opinions and other publications

The Commissioner publishes a variety of documents on human rights themes. Their aim is to raise awareness and to give advice to member states on the protection of human rights. In 2017 the Commissioner published the following:

- Issue Paper *Realising the right to family reunification of refugees in Europe*, June 2017
- Position Paper *Fighting school segregation in Europe through inclusive education*, September 2017
- Issue Paper *Women's Sexual Reproductive and Health Rights*, December 2017

C. Third Party Interventions before the European Court of Human Rights

The Commissioner fosters the effective observance of human rights by assisting member states in the implementation of Council of Europe human rights instruments, in particular the European Convention on Human Rights. The Commissioner submitted written observations concerning the following Court cases:

- Third Party Intervention by the Council of Europe Commissioner for Human Rights: 34 applications related to events which have occurred since August 2015 in the context of counter-terrorism operations and curfews in South-Eastern Turkey (submitted on 25 April and published on 5 May 2017 with reference CommDH(2017)13);
- Third Party Intervention by the Council of Europe Commissioner for Human Rights: application n° 9988/13, *ECODEFENCE and others v. Russia and 48 other applications* (submitted on 5 July and published on 13 July with reference CommDH(2017)22);
- Third Party Intervention by the Council of Europe Commissioner for Human Rights: 10 applications relating to freedom of expression and right to liberty of journalists in Turkey (submitted on 10 October and published on 19 October with reference CommDH(2017)29);
- Third Party Intervention by the Council of Europe Commissioner for Human Rights: 12 applications concerning the freedom of expression and right to liberty and security of parliamentarians in Turkey (submitted on 2 November and published on 10 November with reference CommDH(2017)33);
- Third Party Intervention by the Council of Europe Commissioner for Human Rights: application No. 289/14, *Ștefan-Moshe Stoian and Luminița Stoian v. Romania* (submitted on 13 November and published on 20 November with reference CommDH(2017)36).

D. Events organised by the Office

With the aim of promoting awareness of human rights and exploring specific concerns, the Commissioner organises workshops and conferences on topical questions. The Commissioner and his Office also contribute to debates on human rights through their participation in major conferences.

In 2017, the Commissioner's office organised or co-organised the following events:

- Round-table with Human Rights Defenders "Freedom of assembly in Russia: Legislation and practice in light of Council of Europe standards" (Strasbourg, 17 March);
- Workshop on National Action Plans for Human Rights (Strasbourg, 2 June);

- Round-table with Human Rights Defenders on “Realising the right to family reunification of refugees in Europe” (Vienna, 22 June);
- Joint European Network of National Human Rights-CommHR round-table on “Family reunification for refugees” (Brussels, 18 October).

E. Events in which the Commissioner or his Office took part

The Commissioner or his Office participated in the following major events during 2017:

- Award ceremony hosted by Strasbourg Press Club for the 2017 Prize (Strasbourg, 17 January);
- Exchange of views with PACE Monitoring Committee on Turkey (Strasbourg, 23 January);
- UN Independent Expert on Sexual Orientation and Gender Identity public consultation on protection against violence and discrimination based on sexual orientation and gender identity (Geneva, 24-25 January);
- Transparent Initiative conference on "Gender identity - basic human rights" (Zagreb, 28 February);
- European Parliament Inter-parliamentary committee meeting “The Third Reform of the Common European Asylum System: up for the Challenge” (Brussels, 28 February);
- Working breakfast with members of Belgium’s Flemish Parliament (Strasbourg, 2 February);
- Exchange of views with GREVIO – Group of Experts on Action against Violence against Women and Domestic Violence (Strasbourg, 15 February);
- Round-table organised by the Association Lawyers for Civil Society and the International Center of Non-commercial law on “Risks for NGOs in public activities” (Moscow, 15 February);
- Exchange of views with EU Council Working Group on OSCE and the Council of Europe – COSCE (Brussels, 17 February);
- OSCE Office for Democratic Institutions and Human Rights and European Parliament Democracy Support and Election Coordination Group conference “Strengthening Regional Human Rights Defenders” Networks in Western Balkans, Eastern Europe and Turkey” (Brussels, 20 March);
- LGBT Human Rights NASH MIR Center conference on “Same-sex Partnership in Ukraine: Today and Tomorrow” (Kyiv, 21 March);
- Cyprus CM chairmanship conference launching the Council of Europe Disability Strategy 2017-2023 (Nicosia, 17 March);
- 32nd Session of the Congress, speaking on developments in human rights at local and regional levels (Strasbourg, 29 March);
- IOI-Europe symposium on “Populisms, regression of rights and the role of Ombudsman institutions (Barcelona, 3 April);
- Meeting of the Partners of the Platform for the Protection of Journalism (Kyiv, 5 April);
- Training for European Citizenship and Human Rights for high-school students (Padua, 10-11 April);
- Lecture on human rights at Kulak University (Kortrijk, 20 April);

- Maison de l'Europe Strasbourg–Alsace conference on “Challenges to Human Rights in Europe today” (Strasbourg, 27 April);
- Fundamental Rights Agency expert meeting: Supporting an enabling and protective space for civil society organisations in EU Member States (Vienna, 2-3 May);
- European Network on Statelessness conference on “Protecting Stateless Persons from Arbitrary Detention in Europe” (Budapest, 4 May);
- Croatian Ombudsman High Level International Conference “Reclaiming Human Rights in Europe: How to enhance democratic space?” (Zagreb, 11 May);
- German Federal Centre for Health Education international conference “SE:LFIE Sexuality Education: Lessons Learned and Future Developments in the WHO European Region” (Berlin, 15-16 May);
- 5th International Day against Homophobia and Transphobia – IDAHOT (17 May);
- OSCE/ODIHR and Republic of Moldova conference on “Good practices in integration of migrants in line with OSCE commitments and international standards” (Chisinau, 17-18 May);
- 127th CM Formal Session (Nicosia, 19 May);
- European Commission 3rd Roundtable on Combating Anti-Muslim Hatred (Brussels, 30 May);
- Debate on the 10th Annual Report (2016) on the Supervision of the Execution of Judgments and Decisions of the European Court of Human Rights (Strasbourg, 1 June);
- Seminar “Defending human rights in Europe” hosted by the Finnish Ministry of Foreign Affairs (Helsinki, 6 June);
- Council of Europe High-level Seminar on Human rights and Business “Promoting the effective implementation of global and regional instruments” (Strasbourg, 9 June);
- Conference on the Future of Citizenship and Human Rights Education in Europe on “Learning to Live Together: a Shared Commitment to Democracy” (Strasbourg, 20 June);
- Conference “From Hermaphrodites to Intersex” part of the *Journées d'études interdisciplinaires, internationales et participatives* of the Paris Diderot University (Paris, 24 June);
- PACE debate on Migration and Refugees (Strasbourg, 28 June);
- Centre for Media Studies Seminar on Freedom of the Media, Stockholm School of Economics (Riga, 29 June);
- Conversation festival LAMPA (Cēsis, 30 June);
- 19th Summer Session of Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law (30 July-9 August);
- Video interview for HELP course on violence against women and domestic violence (Strasbourg, September 2017);
- Center for Reproductive Rights 1st European Caucus on Reproductive Rights (Crozet, 8 September);

- 3rd Independent Police Complaints Authorities' Network conference "Respecting fundamental rights and freedoms in the context of strengthening the fight against terrorism" (Strasbourg, 15 September);
- ENOC 21st Annual Conference "Relationship and Sexuality Education: Implementing the right of children to be informed" (Helsinki, 19-20 September);
- Conference hosted by the Czech Chairmanship of the CM "Immigration Detention of Children: Coming to a Close?" (Prague, 25 September);
- Human Rights House Foundation side-event on "Situation of human rights defenders in Europe" (Strasbourg, 27 September);
- Equinet 10th Anniversary Conference "Together for an Equal Europe" (Brussels, 10 October);
- Lecture on "Migration Challenges to Human Rights in Europe" hosted by the Columbia University Institute for the Study of Human Rights, the School for International and Public Affairs and the International and Comparative Education Program - Teachers College (New York, 24 October);
- UNGA 3rd Committee interactive dialogue on Human Rights Defenders (New York, 25 October);
- UNGA side-event on "Erosion of media freedom in Europe and globally" (New York, 25 October);
- Open Society Justice Initiative and Open Society Fund Prague conference "At School Together: Next Steps for Roma Education in the Czech Republic" (Prague, 14-15 November);
- Exchange of views with the OSCE Permanent Council (Vienna, 16 November);
- Advanced ELENA Course on "Legal Avenues for Strengthening International Protection in Europe" (Athens, 17-18 November);
- Conference "The Principle of Family Unity for Refugees in Switzerland – Are International Human Rights Standards Applied?" hosted by UNHCR Switzerland and the *Centre Suisse pour la Défense des Droits de Migrants* (Bern, 21 November);
- High-Level Expert Conference "2019 and Beyond: Taking Stock and Moving Forward from the Interlaken Process" (Hørsholm, 22- 24 November);
- Council of Europe Intercultural Cities 2017 Milestone Event "Urban policies for inclusive integration and diversity advantage" (Lisbon, 28-29 November);
- ILGA-Europe and TGEU capacity building seminar on LGBTI asylum and a roundtable with public authorities (Brussels, 27-28 November);
- 2017 UN Forum on Business and Human Rights (Geneva, 27-29 November);
- ENNHRI General Assembly Seminar (Brussels, 29 November)
- Moldova Open Day: Action Plan of the Council of Europe for the Republic of Moldova (Strasbourg, 4 December);
- 1st Congress on Human Rights organised by the OSCE/ODIHR and Polish Commissioner for Human Rights (Warsaw, 8 December);
- Scottish Human Rights Commission participatory event to mark end of the 1st Cycle of the Scottish Human Rights Action Plan (10 December);
- *Tour de France de l'Égalité entre les femmes et les hommes* event (Strasbourg, 13 December).