

## UPDATE ON OPERATIONS AT OS-BRUSSELS

*May-June 2012*

### ADVOCACY

Africa: Marta Martinelli organised a briefing for the EU Crisis Management and Planning Directorate in view of the CMPD strategic review on EU security approaches to DRC. She has presented on trends about the securitisation of donors' policies and their impact on open society values at the Africa Advocacy Group meeting and advised Afrimap as a member of Afrimap's advisory board on monitoring and evaluation of Afrimap's initiatives as well as on proposals for future work (Cape Town, May 2012). She has also participated in the Open Forum organised by African Foundations in Cape Town in May. Together with OSIWA, the Observatoire pour l'Afrique and the European Institute for Security Studies, OS-Brussels organised a workshop for EU decision-makers intended to shed light on recent developments in Nigeria and advise the EU on a forward looking approach to the country. Together with Nigerian advocate Jude Ilo, Marta wrote a blog outlining main advocacy points for the EU. Marta has participated in the EU-Africa Union Joint Expert Group meeting of the partnership for Democratic Governance and Human Rights (Geneva, June 2012) and informed the civil society steering group working on AU-EU relations of progress in the partnership with a view to organise an evaluation of it. Together with colleagues she has started a conversation with the London office on the impact of armed conflict on OSF activities and values.

Burma: EU engagement with Burma is moving at a pace neither EU officials nor Burmese activists expected or planned for. Financial commitments to increased development assistance continue while the EU is in search of a clearer role for itself in the transition phase up to 2015 elections, including, among others: increased assistance for education, health and education; humanitarian assistance within the country; electoral assistance; official/institutional capacity building; and deployment of mediation expertise. OS-Brussels engaged EU policymakers in the run up to George Soros' meetings with Robert Cooper and the External Action Service, including the new Head of the (new) EU office in Yangon, Andreas List, and with other officials from the Development and Humanitarian institutions in connection with the visit of a grantee from Burma Partnership, Khin Ohmar. Neil Campbell continued to press the case for accountable investment, and the EU's potential supporting role, in line with the 'publish what you pay' standard, as well as exploring options for increased funding to the border areas. The Arakan state/Rohingya emergency, coinciding with the Europe trip of Aung San Suu Kyi, added to the intricacies of engagement and need for consistent messages to the government from all partners.

Western Balkans and Turkey: May saw the annual in-person consultations of civil society by the Enlargement Directorate General to assess how countries are progressing towards accession. OS-Brussels facilitated the visits of colleagues and grantees from Kosovo, Macedonia, Montenegro, Serbia, Croatia, Turkey and Albania to enable their substantive inputs to desk officers working on the progress reports. In the absence of clear and sustained outreach by EU Delegations in-country, these progress report consultations remain an important avenue for input. In the meantime, the European Council agreed Montenegro will start accession negotiations at the end of June. Neil also engaged with a visiting delegation of judges including the president and vice-president of the Court of Bosnia and Herzegovina.

Antidiscrimination law in Ukraine: OS-Brussels sought EU intervention to prevent a rush adoption of the antidiscrimination law in Ukraine. In June the parliament adopted the draft law in a first reading without proper consultation with civil society. We worked with the local foundation to call on the parliament to amend the draft law before the final vote in order to meet the EU standards.

Antidiscrimination law in Moldova: After three years of OSF's advocacy in Chisinau and Brussels, the Moldovan parliament adopted the antidiscrimination law on 25 May. The law was one of the key EU requirements in the process of granting Moldovan citizens visa-free travel to its territory. The general public was strongly opposing the adoption of the law rejecting the idea of giving legal protection to LGBTI or people with HIV/AIDS. Politicians have been resisting international pressure until the last deadline set up by the EU. The law is generally in line with the EU standards and will provide a useful tool for future litigation. OSF intends to support monitoring and use of the law by victims of discrimination and their defenders. OS-Brussels will inform the EU about the implementation of the law as input to the EU regular monitoring.

Visa-free travel to EU: OS-Brussels worked with the Stefan Batory Foundation to appeal to the EU to advance Moldova to the second stage of visa liberalisation process. Monitoring by Visa-free Coalition acknowledged that Moldova made considerable progress in adopting the EU requirements spelled out in the Action Plan on Visa Liberalisation. We facilitated [letters](#) of support sent to Commissioner Malmstrom and the High Representative Ashton. A decision on Moldova is expected in July-September.

Uzbekistan Forced Child Labour: In April OS-Brussels worked with partners Anti-Slavery International and HRW to organise a seminar in the European Parliament in which we pushed parliamentarians to maximise pressure on Uzbekistan in advance of the June International Labour Conference (late May). Following our visit, the European Parliament's International Trade Committee held a debate in June calling for an independent monitoring mission to be allowed access to the country. Uzbekistan is considering a request by the ILO for access in autumn 2012.

Azerbaijan – Eurovision Campaign: OS-Brussels continued its efforts on Azerbaijan, as part of a network advocacy strategy leading up to Eurovision in late May. In mid-May OS-Brussels worked with the Foreign Policy Centre to present Spotlight on Azerbaijan in Brussels; launched a policy brief on EU policy towards Azerbaijan arguing that the EU underuses its leverage toward the country because of its energy interests and placed an op-ed in the European Voice timed with the review of the Neighbourhood Policy and Eurovision. OS-Brussels briefed the Council of Europe – whose corruption by lobbyists for Azerbaijan is the subject of a report written by our grantee ESI. We argued that the Council should sanction Azerbaijan.

EU Central Asia Strategy Review: OS-Brussels worked with partners to feed recommendations on human rights and civil society to policy makers around the EU's 5 year progress report on its Central Asia Strategy. A statement, signed by 38 organisations from the Former Soviet Union, was disseminated calling for human rights to be placed at the heart of EU action in Central Asia. It makes detailed recommendations for improvements to EU human rights tools and strategies in the region. OSI-Brussels also contributed to a piece by grantee EUCAM denoting 10 Tasks for the new EUSR on Central Asia and calling for more robust and normative approach to EU action in the region in the strategy's second phase.

Central Asia Borders: OS-Brussels hosted a seminar on Central Asia's border woes and the impacts of international assistance' to present a report commissioned by OSF's Central Eurasia Project. The report makes a series of concrete recommendations to the EU, including ensuring in the run-up to the Afghan drawdown that efforts to ensure open and secure borders do not compromise human rights standards; and pay attention to soft infrastructure, notably by working with local communities. The seminar, attended by NATO and EU officials, was timely in advance of the EU's review of the Central Asia strategy.

Public Health Programme: Neil Campbell and Israel Butler provided EU advocacy training for the Public Health Programme at an event hosted by the latter where staff were guided through the various avenues available for advocacy work with the EU institutions. In addition to advice at a general level, OS-Brussels staff also offered guidance on specific projects currently underway by various elements of the Public Health Programme. Israel Butler also attended a meeting of advocates from various parts of OSF working on Roma health issues to provide advice on accessing EU funds and the planning of a forthcoming event to be hosted by a PHP grantee in conjunction with the European Economic and Social Committee around monitoring implementation of National Roma Integration Strategies.

Fundamental Rights: Israel Butler finalised exploratory meetings with members of the European Parliament, the Commission and members of the Permanent Representations as well as the Council of Europe on the question of checking compliance of legislative proposals with fundamental rights standards. The outline of an informal roundtable and background paper have been agreed together with the umbrella NGO, the Social Platform, which has offered to co-host.

EU Human Rights Strategic Framework: OS-Brussels engaged in CSO consultation and roundtables in the run up to completion and adoption of the new EU strategic framework on human rights and an action plan for its implementation. In a public statement and article, we welcomed the significant commitments in the package, including promises to integrate human rights throughout EU policy, improved outreach and transparency, and better coordination of all EU institutions and member states on human rights policy. The package will be accompanied by a new EU Special Representative on Human Rights. Proof of the new strategic framework will be in the pudding. OSF-Brussels has committed to continued engagement on monitoring its implementation and working with officials and civil society partners to hold the EU to these new standards.

Mental Health Initiative: Israel Butler provided assistance and advice to the Mental Health Initiative in their advocacy work on de-institutionalisation for persons with disabilities on three issues. Firstly, technical assistance and garnering political support in the Parliament for a petition which will be submitted to the Parliament's Petitions Committee. This will raise awareness among MEPs of the misuse of EU funds for building new or renovating existing institutions, and pressure the Commission to ensure that proper monitoring mechanisms are put in place. Secondly, by co-drafting a legal analysis on the misuse of EU structural funds from the perspective of human rights law. This will appear as a publication in a scientific journal and will be used to lobby the Commission's legal services. Thirdly, in drafting a letter addressed to key MEPs involved in negotiations on new EU legislation in this area.

Drugs Policy: Israel Butler assisted the Global Drugs Policy Programme's preparations for an event during the Cypriot Presidency of the EU to influence the content of the forthcoming EU Drugs Strategy.

Extractives legislation: The EU continues to play cat and mouse with the delayed SEC rules in the US. The European Parliament's committee (JURI) leading on the Transparency and Accounting directives' amendments which contain the extractives industries disclosure legislation delayed its vote until September. Other committees giving their opinions revealed positive support for disclosure legislation but increasing gains by the industry lobby. Neil continues to work closely with the PWYP coalition and partners in their strategies towards parliamentarians and member states. The final decision now moves well into the Cyprus presidency despite intentions of the current Danish presidency to push through a decision on their watch.

Justice and equality in the EU: At the end of May OSF submitted to the European Commission a policy briefing on the implementation of the Race Equality Directive. The briefing draws upon OSF's work on racial discrimination in EU member states to suggest key areas/topics where the Commission should increase its scrutiny (e.g. indirect discrimination, ethnic profiling, ethnic data, NGOs' standing). Further to that, OSF is drafting a strategy paper concerning the need to collect disaggregated and comparable data on groups at risk of discrimination in Europe. Contacts have been taken with experts on racial, sexual orientation and disability-related data and an internal OSF discussion is planned for July 18-20 in Budapest. Last, contacts were initiated with the Commission and the Fundamental Rights Agency concerning promoting public interest legal clinics in the EU. The topic is likely to be addressed during the FRA's annual meeting in Brussels.

Human rights in Italy: Costanza Hermanin promoted the adoption of a joint NGO statement concerning the Nomad (i.e. Roma) Emergency in Italy. The statement was signed by HRW, AI and two Italian HR NGOs on May 11<sup>th</sup> and presented to two Ministries (Interior and Integration/International Cooperation) bilaterally and during a major conference at the Italian Senate. The Statement asks the government to withdraw the appeal filed with the Supreme Court against the ruling won by ERRC against the Government on the Nomad Emergency. The Justice Initiative, ERRC, HRW, AI, and the two Italian NGOs are also working together on a joint advocacy platform for Roma rights in Italy. Advocacy on migrants' rights was assured through communication around a favourable ruling prompted by the Justice Initiative involvement in case on access to migrant detention centres and through the participation to three public events (two of which were organised around the presentation of reports by OSF's grantees) on migrant detention centres, push backs, and the Italian asylum policy. Following these events, the Ministry of the Interior took engagements concerning setting up a working group on migrant detention centres and reopening the reception centre in Lampedusa. Last, OSF was heavily involved in the preparation of the visit to Italy of the Council of Europe's Human Rights Commissioner Nils Muiznieks. Muiznieks will meet with OSF's grantees and visit sites (migrant detention centres, Roma camps and refugee camps).

EU Roma Framework and national strategies: Commissioners Reding and Andor, alongside MEP Livia Jaroka, presented their Roma Communication at the end of May. The communication was especially dedicated to the content of the submitted national Roma strategies and highlighted that they "vary in terms of quality, scope and ambition, even the best fall far short of what is required". In particular the issue of securing sufficient funds for Roma inclusion, monitoring mechanisms or "fighting discrimination and segregation in the key priority areas". From the Communication it is clear that member states have failed to adopt an integrated approach to inclusive education and to address the basics to ensure that Roma children will have full and equal access to quality, integrated education by 2020. Martin Demirovski was invited by the Brussels Office of the [Heinrich Böll Stiftung](#) to present OSF's response. In particular he highlighted the cross-party working group regarding monitoring and evaluation of the strategies, the importance of the Western Balkan countries joining the EU Roma Framework process and the national Roma strategy as a tool for wider societal inclusion of Roma.

Roma rights in Turkey: An Istanbul court ruled in favour of the cancellation of the urban renovation project targeting Sulukule, the oldest Romani settlement in Europe. The court established that the Fatih Municipality's Sulukule renovation project is "not in the public interest", and in violation of the law as well as UNESCO's criteria on preservation of historical heritage. Martin and Adrian Marsh (early childhood program) wrote a 'Voices' piece welcoming the court decision and comment on the need of further judgment to be given by the court about discrimination damages. The article also highlights the need for Turkey to join the EU processes regarding Roma inclusion such as membership in the Decade of Roma, and how the issue of housing/demolitions has been included in EU progress reports.

## OPERATIONAL AND GRANT-MAKING ACTIVITIES

Political fallout of the euro crisis: iPOPPER launched a report on the [online supporters of the Danish People's Party](#) in Copenhagen with the Danish think tank CEVEA. Jointly with the London School of Economics, iPOPPER organised a seminar in Brussels to discuss the findings of a report by Mary Kaldor on "[Subterranean Politics](#)". The report looks at social mobilisation across Europe (as Occupy or the Wutbürger protests) and how they relate to political ideas, debates and participation. The public debate focused on the question whether the EU is truly irrelevant to this new generation of activists, and how these currents of opinion and new political initiatives can revitalise the European project. A closed-door meeting hosted by OS-Brussels served to open a debate between some of the activists and the traditional, elitists pro-European movements, one main recommendation of the report. Also, iPOPPER continued delivering seminars for politicians on how to respond to racism at the European Green Council in Copenhagen in May to politicians and activists from the Netherlands, Sweden, Denmark, Norway, Romania, Hungary, Belgium and Ireland.

Italy Program: Two new reports funded by OSF in Italy were released in June 2012. These are "Lampedusa is not an Island", a report on the situation of migrants and refugees in Italy, and "Violated Rights" a report on the conditions of migrants working mainly in agriculture in the south of Italy. Follow up advocacy is now underway. Two additional reports will be released during the summer, one on the situation of migrants' NGOs in Italy and one on the international legality of Italian rules on immigration. Two campaigns supported by OSF are continuing, "LasciateCIEntrare" (Let us in), on better conditions and access to migrants' detention centres, and "Italy is Also Me" which fights for migrants' access to citizenship and voting rights. Both topics are currently the object of heated debates in Italy and results will be forthcoming. ANSI, the association of journalists of foreign background has had a first success with a ministerial commitment to put an end to the rule prohibiting foreigners from being directors of any media outlet. The documentary "Closed Sea" was screened in more than 100 locations on 20 June, international refugees' day. Zalab, who produced the documentary, with Amnesty International, are continuing their campaign to put an end to the practice of migrants' push back at sea. With the revelation that the government has renewed its agreement with Libya and will continue this practice, national and international activity is intensifying.

Fund to Counter Xenophobia in Western Europe (Xen Fund): The Fund to Counter Xenophobia in Western Europe organised an internal consultation in London on May the 14<sup>th</sup>: it has been the occasion to share the results of the mapping of private investment on the anti-racism field, the first scouting visits to the Netherlands and France, and the study on the situation in Spain; but also to inform colleagues about the preliminary findings of studies on the trends of xenophobia and on reluctant radicals in Europe and to exchange on the Fund's thematic priorities and on synergies among programs. Moreover, the Italy Program presented the situation in that country, its approach to grant-making, the collaboration with other programs and the initial results of the joint advocacy.

Meanwhile, the first reports supported by the Fund start being published such as: the "Hope not hate" report on *The 'Counter-Jihad' movement – Anti-Muslim hatred and the ideas that inspired Aders Breivik* which in its [website](#) version was covered by 80 media outlets in 35 countries, including the BBC, Guardian and Observer (UK), CBC (Canada), [Foreign Policy](#) and MSNBC (USA), TV2 (Norway), Le Monde and Liberation (France) among others; or the latest report of the Institute of Race Relations [Pedlars of Hate: the violent impact of the European far Right](#)

Pursuing its aim to raise the awareness of other European foundations around xenophobia, the Fund to Counter Xenophobia co-organised both a meeting of the Diversity Migration Integration Interest

Group of the European Foundation Centre (EFC) on “Xenophobia and Populism in Europe” in London (May 10-11) and a session at the Annual General Assembly of the EFC on “Populism and extremist parties in Europe: How should foundations respond?” (Belfast 6-8/06): in the latter, the Fund Chair, Minna Jarvenpaa, participated as a speaker. In order to support the European Commission proposal on the adoption of a European Foundation Statute which could be beneficial for the operations of OSIFE, Debora Guidetti and Viorel Ursu met on 27/6/06 with the office of German MEP Nadja Hirsch who is preparing a complementary opinion for the Culture and Education Committee of the European Parliament. The adoption will be a long process which hopefully will conclude within this legislation, but, beyond the lobbying of the EFC, it will be crucial to gather support at national level in order to overcome the resistances of the Council.

The last sub-board meeting of June approved 9 projects for Italy and 5 bigger ones for Western Europe for a total in the region of 1,080.00 EUR. Following the revision of the Fund by the Global Board in mid-June, the Italy Program is now consolidating and concentrating its grant-making while the Fund is continuing the scoping in the other focus countries by preparing a visit to Spain also in coordination with JI.

#### **Forthcoming priorities for May and June**

- Select think-tanks in Macedonia which will prepare a study regarding visa liberalisation in Macedonia and discriminatory policies against Roma which arise from implementation.
- Host an event with the National council for EU integration in Macedonia on visa liberalisation and the right of freedom of movement of Roma in Macedonia.
- Advocate for a LIBE (European Parliament) report on Anti-Gypsyism in Europe which could be considered as an “EU alternative document” to cover up the missing anti-discrimination goals from the EU Roma Framework. Such a report would increase pressure on anti-discrimination objectives of the EU countries regarding Roma.
- Develop an EU advocacy strategy regarding Roma in coordination with Roma Initiatives, MtM, Roma Health Programme, Early Childhood education, Justice Initiative etc.
- Participate in a brainstorming event of Making the Most regarding further strategy on pre-accession funds (IPA) and Roma.
- Write memo for new EUSR on Central Asia and put together package.
- Write policy brief on youth and democratisation and associated OS voices piece on the case of Tajikistan.
- Finalise EU-Georgia paper.
- Target the final debates on the extractives transparency legislation before the September vote in parliament.

- Link Burma campaign groups with PWYP coalition to devise a strategy that reduces the risk of a weak approach to Burma on human rights and business/extractives, and the consequences that such a country-specific approach might have on the effort towards global disclosure rules.
- Update office strategy in light of changing circumstances in Brussels and internal staff changes, and as a step towards full strategy re-write in 2013.
- Assist OSF grantee, Think Young, in their inclusion in the Global Civics, global consultation.
- Finalise Human Rights and Democracy Network's statement to the EEAS on CSO consultation. Develop writing guidelines and workshop for OSF-Brussels in coordination with Communications.
- Discuss and agree a strategy of the Visa-Free Europe Coalition (July)
- Organise a debate with EU officials on EU's policy towards Eastern Partnership countries (September)
- Identify new advocacy opportunities to build up international pressure on Belarusian regime
- EU advocacy guidance for the Mapping Digital Media Global Assembly (July)
- Drafting a background paper and organising a roundtable event with EU institutions, human rights bodies and civil society organisations on improving Charter implementation, to be held in October (July-August)
- Finalising the text of the petition and writing an accessible legal brief on de-institutionalisation for circulation within the Commission in consultation with MHI (July).
- Write a blog highlight possibilities for EU's intervention in support of Guinea's unfinished transition.
- Participate in fact finding mission in Kenya (together with Africa advocates) and participate in drafting an advocacy strategy for Kenya in view of the upcoming election
- Work with East African colleagues on a joint initiative on EU-ECOWAS relations
- Work on an 'EU advocacy day' capacity building event for African advocates
- iPOPPER to organise a brainstorming workshop with Bruno Boccara on a new concept for understanding the psychoanalytical underpinnings of policy making in crisis. Policy failure often results from unconscious societal dynamics such as resistance to change, anxiety, discontent and aspirations. The workshop with selected policy makers and academics will investigate how societal dynamics are shaping responses to the Eurozone crisis in unexpected ways that could lead to the opposite effects of what policy-makers intend.