

# 1. OSEPI: Outcomes and activities:

## January 2014 update

### Highlights:

- The European Commission's report on the implementation of the antidiscrimination directives includes three core points pushed by OSEPI and Justice Initiative in a joint shadow report.
- OSEPI's proposals for a mechanism to monitor implementation of the rule of law, fundamental rights and democracy in the EU are gaining traction. Commission plans for such a mechanism are due in March.

### EASTERN NEIGHBOURHOOD

**Ukraine:** Reports over the weekend (1-2 February) indicate that two Commissioners, Štefan Füle and Olli Rehn, made explicit calls for an EU membership perspective for Ukraine. Catherine Ashton, the EU's High Representative on foreign policy, said that the EU and US are preparing a package of economic support that would be available to Ukraine if it embarks on a transition to a new political system and new elections. In contrast, Germany's new coordinator for relations with Russia, Gernot Erler, said yesterday that the EU should reconsider the Eastern Partnership and be more considerate of Russian concerns.

### AFRICA

**DRC:** To improve the EU's policies towards the Great Lakes, and DRC in particular, Marta is working on an event highlighting the condition of Congolese women at the European Parliament on 4 March.

**Joint Africa EU-Strategy (JAES):** Despite commitments to a 'people-centred' strategy, the EU-Africa Forum in April 2014 is likely to reduce the potential for CSO participation. Marta is working with the European CSO steering group of the EU-Africa Joint Strategy to target member states and the Parliament; and will convene a civil society and EEAS Pan Africa Unit meeting in February.

**Sudan/South Sudan:** Marta is participating in the ongoing OSF advocacy effort to draft the ToR for an African Union Commission of Inquiry into the crimes committed in South Sudan.

### EUROPE

**Migration in Europe:** OSEPI is focusing its advocacy on the most vulnerable categories of migrants: undocumented migrants and asylum-seekers. Costanza is planning a series of roundtables with specialised NGOs and senior EU and national officials in 2014 to influence the strategic (Post-Stockholm) guidelines on the Area of Freedom Security and Justice, which the European Council is to adopt in June 2014. OSEPI is also providing support for the International Migration Initiative's project to reform the Common European Asylum System.

**Italy:** Italy will hold the rotating presidency of the European Union between July and December 2014. In collaboration with OSIFE's Italy project, OSEPI is pursuing bilateral relations with various ministries to push for internal reform on core human rights issues (desegregation of Roma camps, closure or improvement of migrant

detention centers, improvement of reception facilities for asylum seekers), and to influence the agenda of the upcoming Italian EU presidency.

**The UK's relationship with the EU and the spectre of 'Brexit':** The UK government has pledged to repatriate powers from the EU and hold a referendum on the UK's membership of the EU. The UK cabinet office is coordinating the review of different areas of policy to examine where EU powers are beneficial or detrimental to British interests. Israel give evidence at a hearing on the EU's policies on fundamental rights. British officials told us his evidence was considered extremely valuable, as there are few experts in Brussels covering this issue. Israel subsequently submitted written evidence in January which will be used in the official report.

**Fundamental rights in the EU:** During 2012 and 2013 Israel advocated at the European Parliament and the Commission for improvements in how Commission processes ensure that proposals for legislation are in line with fundamental rights standards. In January the Commission changed some of their practices in line with Israel's proposals, by introducing training on fundamental rights for Commission officials responsible for drawing up legislative proposals; and by routinely reviewing whether EU legislation has been implemented correctly at national level, and in a way that is compatible with fundamental rights.

OSEPI's proposals for a mechanism to monitor implementation of the rule of law, fundamental rights and democracy in the EU are being actively put forward and discussed among EU Commissioners and their advisors. The Commission is expected to publish its suggestions for such a mechanism in March 2014.

Following conversations with Israel and Balazs Denes (OSIFE), Commission officials have stated that they will publicly support any future call from OSF or its partners under the European Civil Liberties Project for an EU-level platform that networks national level watchdog NGOs. Officials have also said that they would support calls for this to receive financial support from the EU.

**Serbia:** Belgrade has started accession negotiations with the EU following improved relations with Kosovo.

## ROMA

**Roma:** One of the outcomes of a meeting between George Soros and Commissioner Vassiliou is that the European Youth Forum will include Roma youth participants in the 'European Youth Event 2014' in Strasbourg from 9-11 May, organised by the European Parliament. This event will bring together about 5,000 young people from EU and candidate countries to discuss with European decision-makers on youth related issues. Sixty young Roma registered to attend the event from Roma youth networks FERYP and TernYpe and Barvalipe.

## THEMATIC PRIORITIES

**Anti-discrimination/Equality Data Initiative:** OSEPI and the Justice Initiative are leading a campaign pushing European states to collect data on racial and disability-based inequalities, and the EU to establish specific obligations in terms of equality data collection. In its January 2014 report on the implementation of two EU antidiscrimination directives, the European Commission indicated the "lack of equality data" as the second main challenge for the application of EU equality legislation (the first being "awareness of rights"). In the same report the Commission stated, for the first time, that "differentiation on the basis of nationality or language can turn out to be indirect discrimination on the basis of ethnic origin", taking up another point raised in the OSEPI-JI shadow report. The report also indicated that the when assessing discrimination against Roma, it is of no relevance

whether legislative or administrative measures employ the term Roma or other terminology such as ‘Nomads’ (a term widely used in the Italy).

At the national level, OSEPI and JI initiated the second phase of the Equality Data Initiative project, in partnership with the Migration Policy Group and the European Network Against Racism. This phase focuses on the collection of the feedback on the findings of the comparative report on the collection of equality data at the national level (output of Phase 1). Feedback will be gathered through four meetings with selected national stakeholders in Germany, France, Hungary, and Sweden. The meetings also focus on outlining strategies for advocacy and litigation on equality data at the national level, in preparation of the third, operational phase of the project.

**Anti-corruption:** The Commission published its first biennial Anti-Corruption report on 3 February. The document included analysis and recommendations on all 28 member states, but the chapter on the EU institutions was dropped before publication. The report paves the way for Transparency International’s upcoming integrity study on the EU institutions (due in April, with Heather on an advisory committee) but more significantly is a first step by the Commission into anti-corruption activities in member states. Despite cautious language in places and political compromises that weakened the text, overall it is a significant step forward.

## INTERNAL OSF

Heather, Kersty and Marta participated the pre-charette briefing on the **post-2015 development goals** shared framework and Neil will attend the charette in New York.

Martin is investigating whether there is an advocacy opportunity on **drones/targeted killings** ahead of the EU-US summit in March. Pierre-Olivier had previously researched the European perspective for the OSF mapping exercise for the shared framework.

## OSEPI staff moves

The period from September to December saw the departure of **Jacqui Hale** and **Viorel Ursu** from the OSEPI team. Viorel Ursu has taken up his position as advocacy and research manager with the Eurasia program, based in London. **Martin Konečný** (replacing Jacqui Hale – now with Save the Children), now covers Central Asia, South Asia and MENA, with a focus on human rights in the EU’s external policies. Viorel’s replacement, **Iskra Kirova**, covers the European Neighbourhood and Russia.