

2014 Work Plan

This work plan represents OSEPI's primary activities for 2014 under the headings of our strategy for 2014-17. It provides detail on our 2014 objectives and planned activities, and explores additional collaborations envisaged in 2014, including on Shared Frameworks. There is complementarity and necessary overlap between activities in support of the network and work on own concepts/ initiatives. Further details on internal and OSF collaboration, advocacy targets and activities are listed within each staff member's individual work plan. A major focus of our 2014 activities will be building relationships with the new European Commission and Parliament and influencing their policy agendas.

1. WORK IN SUPPORT OF OSF ENTITIES, GRANTEES AND PARTNERS

I. Improve governance and development through EU external policies and funding

► Objectives for 2014

The EU commits support to a Situation Room initiative in **Malawi** and follows up on political participation in **Mali** beyond the 2013 elections. Decentralised political participation in **DRC** is part of EU commitments in the areas of justice, security sector, electoral reforms and anti-corruption.

In **Central Asia**, the EU places conditions on budgetary and project assistance in sectors where rights violations persist. Rural development assistance is linked to ending the practice of forced and child labour in **Uzbekistan** and **Tajikistan** and the EU launches a GSP investigation into trade preferences for Uzbekistan with a view to withdrawing preferences if use of forced labour continues. The EU publicly condemns suppression of dissent through extra-territorial and extra-legal measures.

In **Southeast Asia**, the EU's partnership with **Myanmar** assists the transition, reforms and peace process. EU initiatives that will continue or start in 2014 - a human rights dialogue, joint task force, reinstating of GSP - become opportunities for civil society to be included. Women's groups and ethnic groups are stronger, restrictive NGO laws rejected, and the National Human Rights Commission starts to follow the Paris Principles.

► Tools and Actions

- Convening working group meetings and roundtables with EEAS, and bilaterals with COAFR, COASI, COHOM representatives;
- Leading, convening or facilitating CSO working groups and assisting visits of CSO representatives in coordination with foundations (Nigeria, DRC, Malawi, Myanmar, Central Asia);
- Feeding CSO concerns and participants into Human Rights dialogues and Joint Task Forces (Myanmar);
- Developing an internal (OSEPI/OSF) pilot approach to gender in Malawi;
- Developing OSEPI advocacy capacity on natural resource management (NRM) in East Africa related to Africa Regional Office (AfRO) objectives on NRM and implementation of the Africa Mining Vision;

- Supporting the extractives disclosure campaign through Publish What You Pay and natural resource governance priorities of MPI;
- Writing “Voices”, op-eds, policy briefs (including: case study from gender and elections work; Joint Africa-EU Strategy; EU policies in Myanmar);
- Convening closed-door roundtables to encourage swift member state transposition of extractives industries disclosure rules to maintain pressure and arguments on transparency;
- Working with MPI, OSPC-DC to explore a DC event to explain EU extractives rules to US audience;
- Participating in EPLO/EEAS Civil Society Dialogue Network meetings (Niger, Myanmar).

II. Extend the highest European standards in enlargement and Eastern neighbourhood

► Objectives for 2014

The EU guides its Eastern neighbours in adopting and implementing legislation and practices in line with EU and Council of Europe standards, in particular for elections, media, human rights and justice. The EU insists on the adoption of a new election code ahead of **Ukrainian** presidential elections in spring 2015, and that the **Moldovan** authorities conduct public consultations and ask the Venice Commission’s opinion on the new electoral system ahead of general elections in November 2014.

In **Ukraine**, the EU monitors the effectiveness of the torture prevention mechanism. The EU insists that a new law on the public prosecutor’s office is in line with the Venice Commission recommendations. In **Moldova**, the EU insists on improving the torture prevention mechanism and on the adoption of rules to guarantee transparency of media ownership. EU leverage on Ukraine and Moldova results in effective anti-discrimination laws and the EU monitors their implementation. The Armenian government adopts domestic violence legislation and both **Armenia and Georgia** adopt and implement anti-discrimination legislation as part of the visa liberalisation process with the EU. The EU insists on safeguarding religious freedoms. OSEPI responds to OSF’s continuing discussions on **Azerbaijan** as and when relevant.

The **Western Balkans** and **Turkey** make progress towards the EU accession criteria and civil society provides influential input for the progress reports. Media freedom in Turkey and **Macedonia** improves. Roma and minority rights are well reflected in the EC’s progress reports. The strategies for Roma in enlargement countries are aligned with the EU Roma framework. The EU keeps the issue of Roma refugees and documentation as a priority for attention and resources in the accession countries.

► Tools and Actions

- Participating in EC consultations, facilitating written briefings from grantees and NFs (e.g. input into ENP and enlargement progress reports; EU-Moldova, EU-Georgia, EU-Armenia Human rights dialogues, EU reports on visa liberalisation; EP hearings);
- Organising visits of grantees and partners to meet EU officials (possible, Ukraine, Moldova, Georgia, Armenia, Azerbaijan, WBs, Turkey);
- Contributing to the development of the Visa Liberalisation Index and making the results well known in Brussels;
- Publishing joint letters and demarches with partner organisations following elections in Azerbaijan.

III. Protect, support and ensure participation of civil society and human rights defenders

► Objectives for 2014

EU policies help prevent repression of CSOs or individual detention, torture, abuse or restrictions on human rights defenders. The EU raises cases of abuse highlighted by foundations and grantees publicly and privately with government, during country-specific policy debates and human rights dialogues. Financing instruments for civil society provide adequate and flexible funds. The EU politically supports leading independent civil society groups by, *inter alia*, including civil society meaningfully in in-country consultations.

In 2014, the EU insists on removing restrictions on external funding to CSOs in **Russia** (“foreign agent” law, law on extremism, anti-Magnitsky law, and treason law). The EU maintains its conditionality on releasing all political prisoners and ending harassment of CSOs before engaging politically with the **Belarusian** authorities. The EU insists on the repeal of the anti-propaganda laws in Russia and **Moldova** which restrict activities of **LGBTI** activists, and rejects the draft law in **Ukraine**. The EU insists on Ukraine adopting a new law on freedom of assembly in accordance with the Council of Europe’s standards. The EU develops a clear policy line on protecting an **enabling environment** for civil society organisations and brings this into the MDGs debate. Civil society is included in the **EU-AU** Summit and new EEAS standards for human rights dialogues ensure in-country CSO participation.

Subject to further discussion within OSF, advocacy on the **MENA** region for 2014 will focus on grantee protection. For **Afghanistan** advocacy is likely to focus on civil society, human rights and women’s empowerment.

► Tools and Actions

- Writing a report on civil society recommendations expressed at the CSOs intercontinental forum (EU-Africa) in 2013, with follow-up bilateral meetings;
- Participation in EU consultations, facilitating written briefings from CSOs, visits of grantees and partners to meet officials (e.g. EU-Russia human rights consultations, ENP progress reports, EU-Ukraine JFS Sub-committee meeting, EU-Moldova HR meetings, Uzbekistan, Turkmenistan);
- Writing joint letters and démarches with partner organisations (e.g. on visa liberalisation commitments, on implementation of anti-discrimination laws, on Sochi Olympics – SBF, HRW, ILGA-Europe, Article 19, Amnesty International);
- Convening bilateral meetings and roundtables with officials, and participating in public debates (e.g. EU funding of Russian NGOs) supported with policy briefs, “Voices” and op-eds;
- Participating in HRDN working group on funding and joint letters and démarches (e.g. on EIDHR implementation, EU level of funding and EU mechanism of funding);
- Convening Global Europe 2020: an inside-track group to shape strategic thinking of the EEAS on Europe’s role in the world and how it can better promote human rights and open society values.

IV. Protect fundamental rights, achieve inclusion and equality in the EU

► Objectives for 2014

The European Commission prohibits the use of **structural funds** for building new or renovating existing long-term residential facilities for persons with disabilities. National governments invest structural funds in the delivery of services to allow **persons with disabilities** to live independently in the community. The Commission proposes legislation to guarantee **transparency of media ownership**,

independence of media regulatory bodies and independence of public service broadcasters. The Commission develops and endorses guidelines regulating internet service providers, search engines, social networking sites and other intermediaries involved in the **regulation of the internet**. These guidelines will set out clear obligations on intermediaries and protect the right to freedom of information, privacy and free speech for internet users. In 2014 the EU incorporates harm reduction policies as part of the two-year EU Action Plan that implements the EU's **Drugs Strategy**. In 2014 the EU institutions begin discussion of regulation options for the pharmaceutical industry to ensure **access to essential medicines** at affordable prices.

The Commission adopts an EU legislative proposal to **extend protection from discrimination** outside the field of employment for all the grounds of discrimination listed under EU law: **disability, age, sexual orientation, religion or belief** (gender and racial or ethnic origin already enjoy such legislative protection). OSEPI supports the development of priority actions to reform the Common European Asylum System (CEAS) to ensure increased protection for **asylum seekers** through enhanced solidarity among EU member states in their intake and assessment of applications for protection. **Clinical legal education** is supported and promoted at the EU level as a tool to educate on social justice.

The Commission develops an EU-wide system for monitoring national **Roma** integration strategies. Goals of the strategies in the countries of the Western Balkans and Turkey are covered in the next round of support by the instrument for pre accession assistance (IPA II). The new European Parliament keeps Roma policies high on its agenda and officially recognises anti-Roma racism. The Platform for Roma Inclusion organised by the Commission improves the quality of Roma policies in Europe and develops a monitoring mechanism of the National Roma Integration Strategies.

► **Tools and Actions**

- Launching OSF research findings, private bilateral briefings, closed-door events and public meetings with Commission officials, MEPs, and government representatives in the Council (including regulation of internet intermediaries; use of EU Structural Funds for de-institutionalisation of persons with mental health problems; independence of the media and media pluralism; reform the CEAS; adoption of further anti-discrimination legislation);
- Tabling of questions through MEPs to the Commission (including on the advancement on the horizontal directive on discrimination; the functioning of the CEAS, including options for joint processing);
- Writing and disseminating policy briefs, articles appearing in the media, and OSF “Voices”, public statements, shadow reports, case watches (including on: clinical legal education; reform the CEAS; de-institutionalisation of persons with mental health disabilities; independence of the media; regulation of internet intermediaries);
- Delivering first draft reports to the EC on Roma from the Decade Secretariat, preparing advocacy meetings between the EC and Roma civil society, supplying draft resolutions, oral and written questions, co-hosting Roma-related hearings with MEPs.

2. WORK TOWARDS OWN CONCEPTS/INITIATIVES

I. Reinforce human rights and democracy in EU foreign policies and funding

► Objectives for 2014

OSEPI combines its geographic and thematic expertise to hold the EU to its commitments on human rights and civil society. The EEAS ensures human rights section staff are trained on human rights and outreach to CSOs. A legislative response to conflict minerals (defined more broadly, without geographic bias and reflecting emerging work on pillage) emerges in 2014. And the EU accepts civil society participation in security mission planning and evaluation processes both at HQ and in the field.

The EU assesses **Eastern Partnership** countries according to the benchmarks for deep and sustainable democracy. The EU rewards countries that make good progress and penalises regression. The EU signs Association Agreements with **Moldova** and **Georgia**, and possibly **Armenia** and **Ukraine**. The EU advances countries visa liberalisation track only upon positive assessments of the benchmarks' implementation. Additional EU funding is allocated proportional to progress.

EU policies in **SE Asia** which currently prioritise access – diplomatic, trade and natural resources – re-align to the EU's own commitments to rights and civil society. Business and trade with **Myanmar** follows OECD guidelines and the European Commission follows the Parliament's request for a rights review, including of violence against Rohingya. Civil society is formally consulted with the new CSDP police training mission in Myanmar. The EU delegation in Yangon becomes the focal point for the partnership with society.

Conditions within the agenda for change development policy are respected, including on budget support. A rights-based approach to development, through strong commitments to rule of law and justice, become part of the EU's approach to the **post-2015 MDG agenda**.

► Tools and Actions

- Participating in discreet bilaterals and closed-door events for civil society and planning and evaluation elements for the Common Security and Defence Policy (on Niger and Myanmar);
- Developing the European Integration Index, other policy documents (e.g. for the incoming Commissioner on Neighbourhood);
- Participating in EU consultations (e.g. ENP annual consultation meeting), bilaterals with officials, "Voices", op-eds, roundtables, public events (e.g. launch debate of the EaP Index in Brussels and other two EU capitals), participating in public debates with officials, joint letters with partner organisations;
- Participating in the Human Rights and Democracy Network;
- Convening Global Europe 2020 meetings on OSEPI issues;
- Policy brief or Background note on the EU and human rights in external action.

II. Guarantee fundamental rights, rule of law and equality within the EU

► Objectives for 2014

Maximise OSF's impact on the framing of the new four-year programme for the Area of Justice, Freedom and Security. The EU develops and implements an effective **mechanism** and strategy to monitor and enforce implementation of the rule of law, democracy and fundamental rights inside the EU; and establishes a **European Public Prosecutor** to prosecute offences relating to the misuse of EU

funds in national courts while adequately safeguarding the rights of suspects. The EU accedes to the **European Convention on Human Rights** and its internal rules relating to EU accession to the Convention are completed in 2014.

OSF uses the policy window opened by the Italian EU presidency (July to December 2014) to foster change on human rights issues in **Italy** specifically, and the **EU** more broadly. These include **reducing the use of detention with regard to undocumented migrants and asylum seekers**.

The **Equality Data Initiative** (EDI) raises awareness within civil society that European governments' failure to collect equality data entrenches discrimination and that options to safely and anonymously collect such data exist; engages civil society groups in a campaign to demand more equality data, secure a commitment by two states to disaggregate data by ethnicity and disability, while respecting self-determination and data protection law.

EU adopts a legislative directive on **access to legal aid** and the **rights of vulnerable suspects**, commits to a legislative proposal on pre-trial detention and monitors implementation of directives already adopted.

► **Tools and Actions**

- Publishing policy briefs, articles in the media, and OSF "Voices" (including proposals for a mechanism to monitor implementation of the rule of law in member states; minimum conditions and safeguards for migrants in detention; the proposed Directive on Access to Legal Aid and the already adopted Directive on the Right to Information for Criminal Suspects; the new four-year programme for the Area of Justice, Freedom and Security; the collection of equality data; human rights in Italy);
- Convening roundtable expert meetings (including the future 2014-2018 Justice and Home Affairs Programme; the collection of equality data; EU accession to the European Convention on Human Rights; developing new advocacy tools for complex policy issues vital to maintaining open societies, such as immigration);
- Hosting events launching OSEPI research findings or participating in similar events of partners and policy makers, such as the Bingham Centre for the Rule of Law, CEPS, ENAR, MPG, PICUM, IMI, and the Italian Presidency of the EU (including on: possible models of monitoring the implementation of the rule of law in the EU; the collection of equality data);
- Convening private bilateral briefings, closed-door events and public meetings with Commission officials, MEPs, and government representatives in the Council (including detention of migrants; human rights in Italy; EU accession to the European Convention on Human Rights; a mechanism to monitor implementation of the rule of law in the EU);
- Convening informal meetings of an inside-track (Amato) group of high level policy-makers convened by OSEPI and CER on migration, internal security and justice policies;
- Managing the Equality Data Initiative project with specific actions by partner organisations (MPG and ENAR at the EU level and specific national partners).

III. **Develop a global standard on transparent governance and accountability for public and private sectors**

► **Objectives for 2014**

The EU's new rules on **country-by-country disclosure** for the extractives industry, and political momentum towards more accountability in public and private sector governance sets the legislative

and political foundations for further progress in 2014. The EU agrees on rules for public registrations of **beneficial ownership**. The EU makes commitments towards an Action Plan for the **Open Government Partnership**. EU rules advance for human rights due diligence, supply chain due diligence and a shift in corporate discourse from shareholder to stakeholder benefit.

► **Tools and Actions**

- Engaging in PWYP campaign support through the transposition process;
- Holding roundtables with officials and CSO campaigners including on extractives legislation, an EU approach to OGP, and beneficial ownership issues;
- Engaging in bilaterals with EC officials and securing high-level participation for OGP;
- Preparing senior OSF meetings in Brussels;
- Writing policy briefs and “Voices” on the transparency/accountability issues.

IV. Counter xenophobia in the European elections and throughout the 2014-19 term of the EU institutions

► **Objectives for 2014**

The elections campaign in 2014 features minimal levels of xenophobia and racist language. Candidates from all mainstream parties that support open society values pledge not to use racist speech in their campaigns. After the elections, hate speech and racism are challenged in the European Parliament through enforced procedures to create a constructive debating culture.

► **Tools and Actions**

- Commissioning research (including a discourse analysis of hate speech in European parliamentary debates and a study of best practices in countering hate speech drawing on examples from national parliaments);
- Convening workshops with MEPs, MEP candidates and political foundations of mainstream parties on rebutting populism and hate speech and promoting effective communications;
- Supporting an anti-racist speech pledge during the EU election campaign in cooperation with a consortium of NGOs.

3. SHARED FRAMEWORKS

OSEPI will engage on Shared Frameworks to ensure that EU policy advocacy options gives them maximum impact. On **Climate change/food security** OSEPI will assist with advocacy support and research to support foundations and AfRO. On the developing SF on **‘Beyond Free and Fair: promoting elections with integrity’**, OSEPI will offer expertise and gender specific analysis, including on women and political participation, as well as insights from experiences with elections. The SF on **Targeted killing/Drones** will be assessed for EU-level actors already active (such as ECLAN), and where OSF would add value. Options to help shape a European policy response to the issue might include a European common position or Code of Conduct on Drones; a European Parliament motion for a resolution on Targeted Killings; discussion with civil society input, with COJUR (the Council Working Party on legal affairs, which is tasked with coming up with a working document on Drones). The Roma SF, **Jekhutno** will have a significant EU component which OSEPI will shape. OSEPI will have a role in

shaping the proposed 'Post-2015 On the Ground' SF, and on discussions around a possible SF on beneficial ownership.

4. ADDITIONAL COLLABORATIONS

I. Thomas Paine Initiative

► Objectives for 2014

Israel Butler (OSEPI) serves on the TPI committee at the request of OSIFE (which funds it); collaborates with the Director of TPI and other funders to evaluate grant applications; and gives direction to grantees.. TPI will work to ensure that the UK does not repeal the Human Rights Act or pull out of the European Convention on Human Rights. Issue decisions on grant applications by UK-based civil society organisations with a view to positively influencing public debate on human rights in the UK so as to prevent abolition of the UK Human Rights Act and/or withdrawal from the European Convention on Human Rights.

II. OSF internal coordination and liaison with Council of Europe

► Objective for 2014

Improve coherence of OSF relations with the Council of Europe. Establish a system for exchanging information within OSF about advocacy, funding and other forms of collaboration with the Council of Europe. Create an updated overview of OSF collaboration with the Council of Europe and provide a list of contact points and description of work of OSF network members for Council of Europe.

III. Impact of Justice Initiative's work in Europe

► Objective for 2014

Maximise the impact of the work of Justice Initiative within the EU through targeted advocacy efforts around JI-sponsored litigation, legal empowerment and advocacy initiatives. Systematise collaboration between OSJI and OSEPI around specific litigation, legal empowerment and advocacy projects, scoping out the EU or national dimension of the goals pursued by Justice Initiative.

5. INTERNAL ORGANISATIONAL PLANS

Staff development is a priority at OSEPI. Besides training sessions provided by Human Resources, OSEPI has its own budget provision for advocacy training, regional expertise (including through visits to national and regional foundations), language skills and project management.

OSEPI holds an annual networking event, bringing together a large audience of policy-makers, NGOs, activists and journalists to generate debate and interest in specific open society issues. The 2014 annual event will focus on the European Parliament elections. OSEPI regularly convenes policy roundtables and panel discussions, both closed-doors and public, as listed above under 'Actions and Tools'. These events respond to policy opportunities and involve OSF colleagues, grantees and partners presenting research, analysis and recommendations relevant to our objectives. These events are usually confirmed a few weeks in advance. On average each policy analyst convenes between six

to eight such events per year. None of them exceed \$5,000 in cost, and usually 20-25 people participate.