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ROUND-TABLE ON

THE SITUATION OF HUMAN RIGHTS DEFENDERS IN THE MEMBER STATES OF THE COUNCIL OF EUROPE

organised by Office of the Commissioner for Human Rights

3-4 November 2008 Strasbourg

Report

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Introduction

- 1. The Office of the Commissioner for Human Rights organised a round-table on human rights defenders in Strasbourg on 3-4 November 2008. The purpose was to discuss with non-governmental human rights activists and representatives of international organisations what could be done to support national voluntary work for the defence of human rights. The meeting was held pursuant to the Committee of Ministers Declaration on Human Rights Defenders adopted on 6 February 2008.
- 2. Some sixty representatives of human rights non-governmental organisations, journalists and lawyers from approximately twenty countries took part, as well as representatives of regional and international organisations. The round-table provided an opportunity for information-sharing and for discussing the challenges faced by human rights activists in their work and in the implementation by member states of the Committee of Minister's Declaration. The meeting also discussed the role of the Council of Europe and the Human Rights Commissioner in contributing to improved working conditions for such activists throughout Europe. Special attention was given to obstacles faced by them in their human rights activities, possible protection measures in urgent situations as well as suggestions on international support to their activities.

Opening remarks

- 3. The Commissioner for Human Rights noted that some governments attempted to limit or even undermine human rights activism with cumbersome registration requirements and repeated reporting demands. Networks of individuals and groups involved in human rights work should be set up as a preventive protective measure. He stressed the importance of broader solidarity within the human rights community. Good communication, the use of accurate information and facts as well as readiness and preparedness to take action in defence of one another are the first steps to establishing such a network.
- 4. He underlined the need for effective coordination among the different mandate holders including the United Nations, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) Focal Point for the Protection of Human Rights Defenders, the European Union (EU) and the Council of Europe Office of the Commissioner for Human Rights in order to obtain maximum impact in their actions. Such coordination would not be efficient without the active cooperation and contribution of NGOs working in support of human rights activists, such as Frontline and the Observatory for the Protection of Human Rights Defenders (a joint programme of the World Organisation against Torture (OMCT) and the International Federation for Human Rights (FIDH)), and other major international NGOs, such as Amnesty International and Human Rights Watch. A direct link between those active at European level and the human rights activists and NGOs at the national level was required to achieve better impact.
- 5. Human rights defenders should not be seen nor treated as a vulnerable group in need of privileges or affirmative action. Indeed, most of the violations they are subject to are ones the international community should react to anyway as they are human rights violations. The particular focus in this discussion is to make it possible for people to take action for the defence of human rights and to defend such activities when repressed or otherwise undermined. The issue is not about a special group of people, but about activities for human rights protection and promotion which have to be protected.

I. The Committee of Ministers' Declaration: challenges and opportunities

1.1 Introductory remarks

- 6. The Chairman of the Council of Europe Committee of Ministers Group of Specialists on Human rights defenders, Ambassador Petter Wille, Norway, said that the United Nations (UN) and Council of Europe Declarations on Human Defenders had given visibility to human rights activists and led to the development of networks and regional mechanisms of defenders working on various topics, such as economic, social and cultural rights, gender and rights of LGBT persons. The 1998 UN Declaration had served as the main inspiration source for the Council of Europe's drafting exercise. However, important differences exist between the two documents. While the CM declaration spells out human rights obligations of states in this respect, the UN declaration focuses on the individuals' exercise of existing rights and freedoms for human rights work.
- 7. In both negotiation processes, the question of finding an all encompassing definition of human rights defenders covering all their activities emerged. It was agreed that it is the activities in defence of human rights that should be promoted and protected and that states have the primary responsibility to protect and create an environment conducive to human rights defenders. Access to foreign funding, duties and responsibilities of human rights defenders and their compliance with national legislation also generated lengthy debates. During the CM Declaration negotiations it was agreed that no other restrictions on freedom of association could be imposed other than those permitted under Article 11 of the European Convention on Human Rights. Defenders should act within a national legal context, which is consistent with the states international human rights obligations.
- 8. The CM Declaration mentions different protective measures, such as a strengthened judiciary, independent and effective criminal investigations, effective remedies, strengthened capacities and competences of Ombudspersons, ensured access to the European Court on Human Rights (ECtHR), trial observation and emergency visas. The Council of Europe is encouraged to pay special attention to the specific situation of defenders. It also reinforces the role of the Commissioner in supporting and providing protection of human rights defenders and strengthened his capacity to act. The need for working in coordination and cooperation with the UN Special Rapporteur on Human Rights Defenders and the other regional and national actors is underlined.
- 9. The Rapporteur of the Parliamentary Assembly of the Council of Europe (PACE) on the situation of Human Rights Defenders in Council of Europe member states. MP Holger Haibach, announced that a debate in the Assembly on this issue was foreseen in April or June 2009, and would focus on the added value of parliamentary involvement The report would propose that PACE fully support the Commissioner who possesses a specific mandate in this area and that it remain seized of the matter, in close coordination with the Commissioner in order to ensure complementarity. The rapporteur stressed the key responsibility of parliamentarians at the national level, in particular to create an enabling environment for human rights defenders, by adopting appropriate legislation, monitoring and scrutinising policies and pushing for change. Parliaments could support assistance and protection measures for human rights defenders at risk, such as the issue of emergency visas. Finally, PACE, in particular its Committee on Legal Affairs and Human Rights, could take steps to improve the situation of defenders by, for example, continuing to regularly invite them to hearings and sending appeal letters, in close coordination with the Commissioner for Human Rights. He concluded that the Office of the Commissioner

had a leading role in the protection of human rights activists and should be provided with necessary resources.

- 10. The United Nations' Office of the High Commissioner for Human Rights, representing the UN Special Rapporteur on Human Rights Defenders, Ms. Margaret Sekaggya (Uganda). stated that a major achievement of the UN Declaration was the recognition of defending human rights as a right in itself. The UN Declaration referred to existing human rights obligations under the legally binding international human rights instruments. The UN Commission on Human Rights resolution 2000/61 led to the UN Secretary General appointing a special representative on the situation of Human Rights Defenders and in 2008, the mandate was transformed into a "Special Rapporteur" (SR) of the Human Rights Council. The rapporteur would conduct two country visits per year, at the invitation of states. She could also act in individual cases and address urgent appeals when violations were imminent or ongoing to governments or send allegation letters to them if the presumed human rights violations had already occurred. Governments are asked to respond with a description of the situation and whether criminal investigation and prosecution have taken place. The urgent procedure is confidential until the communications' report is published the following year.
- The ODIHR reported on their organisation's commitments and activities on human rights 11 defenders, particularly since the establishment of a Focal Point on Human Rights Defenders in 2007. The same year, the ODIHR issued a report on "Human Rights Defenders in the OSCE Region: Our Collective Conscience" that highlighted key areas and trends of particular concern regarding the situation of human rights defenders across 56 OSCE participating states. A second report due in December 2008 would focus on obstacles, but also highlight good practices that support an enabling work environment for defenders. Other activities included building the capacity of defenders to monitor and report on freedom of assembly, as well as development of a guidebook on good practices related to legislation and practices affecting NGOs. ODIHR work plans for 2009 included continuation of capacity-building projects, facilitation of regional and country-based roundtables to review issues affecting defenders, and country visits to meet with defenders, National Human Rights Institutions and local authorities. The Focal Point hopes that its expertise, contacts, flexibility and technical assistance can add to the work of other organisations.
- 12. The European Commission presented the 2004 European Union Guidelines on Human Rights Defenders and announced that an updated version was to be adopted before the end of the year. He informed the round-table that European Union's human rights dialogues with third countries also covered human rights defenders. The European Commission's support to human rights defenders included, for the period 2007-2010, an allocation of 16 million Euros under the European Instrument for Democracy and Human Rights (EIDHR). These funds are managed through calls for proposals for civil society organisations launched centrally in Brussels. Under this scheme, assistance is provided to human rights defenders' organisations to reinforce their work in support of human rights defenders in third, non-EU countries. Through NGOs, assistance can also be provided to human rights defenders in urgent need; in addition, it is possible to finance, always through NGO channels, human rights non-governmental organisations which do not have a "legal personality" under the applicable national law, as well as human rights defenders individually. The European Commission Delegations in third countries can also include support to human rights defenders in the calls for proposals launched locally.

1.2 Debate

13. The participants agreed on the need to protect peaceful human rights activities, which should be independent and based on recognised universal human rights. It was stated that

the criteria for granting consultative or participatory status in international organisations, like the Council of Europe INGO Conference, needed to be reviewed to ensure the participation of independent NGOs. Participants underlined the importance of enhancing their professionalism and launching self-regulatory initiatives.

- 14. Several participants described a deteriorating climate in general for human rights activities in Europe and asked for information on the mandates of the different international actors to whom should they turn, when and for what type of support. Concern was expressed over the negative impact EU accession could have on monitoring a country's human rights situation. The Council of Europe Declaration covers all member states in Europe, including the EU countries, and some participants proposed that the EU guidelines on human rights defenders also be applied to the Union's member states.
- 15. Participants welcomed the Commissioner's initiative to set up a taskforce to cooperate and coordinate activities of the different international organisations, mandated to work on human rights defenders, INGOs and national human rights organisations or activists from different sub-regions of Europe and specialising on specific topics.

II. Obstacles to the work of human rights defenders

2.1 Obstacles to freedom of association and freedom of assembly

- a) Registration and reporting obligations
- 16. Examples given of obstacles to the freedom of association ranged from outright prohibition to form associations to restrictions regarding their purposes and work. In some countries, the objectives of the association could not be "contrary to the national law" or to the national constitution. In particular, LGBT organisations faced difficulties in this regard. Foreign non-governmental organisations were either denied registration, or the registration procedure was extremely lengthy.
- 17. Several countries have recently adopted new legislation regulating NGOs and their activities, which limited the margin for action of civil society groups and human rights non-governmental organisations. Special registration bodies had been set up to monitor the implementation of these laws. Examples were given of "red tape" procedures for registration, cumbersome and frequent reporting requirements, repeated inspections by different state authorities, from fire safety requirements to respect for copyright laws, and repeated auditing procedures of human rights NGOs. In some instances these had resulted in criminal charges or administrative warnings being issued against the NGOs and their presidents.
 - b) Funding and challenges to the independence of defenders; accessing funds from outside/inside the country
- 18. Participants discussed the increased obstacles in accessing funds. In some countries, soliciting foreign or private funds required permission from a state authority. Fiscal legislation was sometimes used to restrict the availability of foreign and national funds or to remove tax exemptions on donations. Some human rights NGOs had experienced problems when donors had moved to give direct budget or sector support to governments. Some governments favoured funding organisations which were social service providers, rather than independent associations providing legal counselling to victims or monitoring and reporting on the national human rights situation. In some instances, governments had changed the procurement rules or made funding conditional on no public reporting on, for example, the situation of migrants or victims of trafficking in human beings.

19. Participants pleaded for a transparent selection process of NGOs receiving state grants and underlined the importance of continued funding for the monitoring of crises or post-conflict situations, or during a five year transition period after a country was admitted to the EU to consolidate human rights progress.

c) Freedom of assembly

- 20. Defenders promoting rights of LGBT persons faced particular difficulties in obtaining permissions to demonstrate. In some instances, the authorities were unwilling to provide police protection during demonstrations, and violent incidents had occurred during demonstrations for equality and human rights of LGBT persons ("gay prides") in various countries.
- 21. LGBT organisations needed support and more solidarity from the more experienced human rights organisations to help them gain legitimacy and credibility. In some countries, personal data on LGBT rights' activists had been published on the Internet and the authorities had been unwilling to take any actions to address the situation.

2.2 Denigration and stigmatisation of defenders and their work

- 22. Participants stressed that many human rights activists faced denigration, stigmatisation or smear campaigns. European NGOs dealing with migrant rights, the rights of victims of trafficking of human beings or fighting corruption were increasingly being targeted. Associations benefitting from foreign support were in some instances depicted as "unpatriotic" or accused of being "spies" of foreign states by government officials. In some countries, critical analysis or independent monitoring was associated with illegal or extremist activity. Even the highest state representatives had sometimes publicly attacked human rights defenders and their work. Media could play a very negative role and needed to be sensitised to human rights work. Participants stressed the importance of doing a country-specific analysis to effectively tackle this problem.
- 23. The rise of right wing extremist groups in several countries was creating a climate of fear among defenders and organisations working on combating racism and intolerance, minority rights and Roma. Those individuals or organisations addressing restorative or transitional justice, impunity, the situation of refugees or internally displaced persons, disappearances or missing persons were often accused of being linked to the political opposition, especially in crises or post-conflict situations.

2.3 Obstacles to monitoring and reporting: freedom of movement and freedom of expression

- a) Access to places of detention and post-conflict areas and freedom of movement
- 24. Participants raised the problems of accessing crisis or post-conflict areas, notably in the Caucasus. A pan-Caucasian network of defenders was being set up to support one another's work in political hotspots or conflict situations. The Balkans experience was also cited as an example. Organisations had been faced with intimidation and physical assaults by state officials and death threats in connection with the publication of reports.
- 25. In some countries, organisations were denied access to pre-trial detention or detention sites, prisons and retention centres for migrants. Human rights activists had received threats after having taken pictures of illegal detention places or of tortured detainees.

Special monitoring working groups, comprising non-governmental organisations mandated to inspect prisons and police stations, had been denied access during a state of emergency.

- b) Monitoring trials of human rights defenders, hate speech and demonstrations
- 26. Some participants argued that monitoring of trials against human rights activists was important and had a sobering effect on the judicial proceedings. They suggested that the Commissioner develop trial-monitoring activities or that a network of organisations carry out this activity.
- 27. Hate speech or hate crimes were not criminalised in all European countries, and many countries did not include homophobic intent as an aggravating circumstance. A monitoring project of inflammatory statements against LGBT persons by public figures, including parliamentarians, had proven to be an effective deterrent in this regard. Such projects could be replicated for other exposed groups or rights like freedom of assembly.
 - c) Reporting on human rights violations and freedom of expression
- 28. Participants underlined the importance of freedom of expression, access to information and an independent media to be able to report effectively on human rights violations. In some countries the governments attempted to take control of the media and other information outlets in order to silence critical voices. Other measures to censor independent voices ranged from bringing criminal charges of defamation or civil lawsuits for slander or libel against journalists or human rights activists to acquiring TV channels or closing down websites. In some countries, journalists were being killed or imprisoned. In others, the authorisation to broadcast was repealed or denied, including for foreign media.
- 29. In the Balkans, a coalition of NGOs had been set up to press the authorities to address past abuses and promote a truth and reconciliation process. A database of persons killed during the conflict was being created, but NGO representatives were being harassed during their investigations and criminal investigations into these serious crimes politicised.

2.4 National remedies: tackling impunity for human rights violations

30. Recognition and national accountability of human rights violations are key factors in deterring future violations. Lawyers who agreed to take on human rights cases, nationally or internationally, were increasingly being targeted, threatened, physical assaulted, killed or subject to attempts of disbarment by the authorities in some countries. Participants stressed the need to improve the protection of human rights lawyers. A voluntary fund for legal aid for defenders was proposed as well as the establishment of national, sub-regional and regional networks of lawyers who could defend each others cases.

2.5 Access to international protection mechanisms and remedies

- 31. The fundamental importance of the right to submit individual petitions to the European Court of Human Rights to seek and obtain redress for human rights violations was stressed several times. The binding force of the Court's judgment was crucial as well as its general measures. However, the Court's lengthy procedures and its requirement to exhaust domestic remedies acted as disincentives.
- 32. The Court had found violations of Article 34 of the ECHR when the lawyer of the applicant had been subject to intimidation or threats from state officials. Special support projects were needed to help defence lawyers at risk. Participants stated that lawyers in some countries faced serious threats. Their offices had repeatedly been raided by police or

- other officials and subject to sweeping searches and seizures of documents. A new trend was to accuse them of criminal acts and charge them.
- 33. Several argued for a more strategic use of the Court's possibility to issue interim measures or to ask for accelerated proceedings of cases. Many referred to the practice developed in the Inter-American system, be it the Commission's precautionary measures or the Court's provisional measures, ordering states to provide protective measures to individuals under threat.
- 34. Participants raised the difficulties of ensuring full implementation of the European Court's decisions. In many instances, the governments only partially complied and paid compensation, but they did not implement the general measures which prevent further violations. In a few countries, draft laws had been introduced to ensure liability for non-compliance or delaying implementation. They asked that the Commissioner and the Committee of Ministers play a more active role to ensure proper follow-up. A future round-table should be dedicated to the different international remedies available within the Council of Europe and the United Nations, including non- or quasi-judicial mechanisms.

III. Protection needs for human rights activists in urgent situations: threats to life and security of defenders and their relatives

- 35. Participants reported on cases of serious threats, physical attacks and even assassinations of human rights activists which were not always followed by public condemnation or effective criminal investigations. Another danger had come in the form of circulation on the Internet of the names and addresses of activists who had been working on combating torture, impunity and promoting Roma and LGBT rights.
- 36. Participants proposed that, with the support of INGOs and NGOs, international mechanisms could press for effective and independent judicial procedures which brought to justice those suspected of such crimes.
- 37. In cases of serious or imminent threats, relocation may be necessary within the country or to another country. It was stressed that such protective measures must be of a sustainable nature. Family members also needed support. It was suggested that a special fund should be set up to cater for the needs of defenders, their families and possible witnesses, i.e. to cover legal and medical expenses. International and regional organisations should follow up on any type of intervention and monitor states actions.
- 38. Participants underlined the need for government officials to speak up publicly in defense of human rights work and not allow an atmosphere of impunity to prevail. National Human Rights Structures could also be seized for urgent situations. States should be asked to launch thorough and prompt investigations, while the person at risk could also request protective interim measures from international human rights bodies.
- 39. The participants made a number of concrete proposals regarding the Commissioner's possible supportive role. These included:
 - Ensure proper follow up by states to fully implement the CM Declaration on Human Rights Defenders, the Commissioner's interventions and recommendations, recommendations by other Council of Europe monitoring mechanisms as well as the Courts decisions, including general measures;
 - Regularly consult with human rights organisations on their working situation during country visits, including those operating in conflict areas;

- Continue to monitor situations, trends and patterns and take preventive measures as well as early action;
- Conduct monitoring of hate speeches, hate crimes, demonstrations and trials of human rights activists or organisations;
- Strengthen the inter-institutional cooperation with the UN Special Rapporteur, ODIHR and EU through, for example, the taskforce to ensure coordinated or joint actions;
- Continue to work with PACE on this issue while ensuring complimentarity of action and encouraging political initiatives for the defence of human rights activities;
- Make use of quiet human rights diplomacy to put pressure on states to take steps and concrete actions to address urgent situations or systemic problems;
- Explore the possibility of encouraging the establishment of a centre in Strasbourg to provide safe shelter, training and capacity development of voluntary human rights work;
- Support networks of human rights activists nationally, sub-regionally, regionally and at the pan-European level.

Concluding remarks

- 40. The Commissioner underlined that one of his priorities is protecting and enabling human rights activism. This includes the encouragement of coordination and cooperation between human rights organisations inside the various countries and within the regions of Europe. The Commissioner stressed the importance of preventive work, namely by supporting those working at the national level. More systematic monitoring of the conditions for human rights work and registering of hate speeches, hate crimes and statements by public authorities is needed. Another challenge to be tackled was the use of the Internet against human rights NGOs and activists. The media should be sensitised so as not to be used against human rights activists. Human rights prizes, which provide support and visibility to concrete work and situations of people at risk, could also have an impact. The Commissioner stressed the need for rapid exchange of information, to enable quick responses.
- 41. On the role of international organisations and bodies, the Commissioner recalled the various existing instruments such as the EU Guidelines, the UN and the Council of Europe Declarations and warned against fruitless competition and the creation of new instruments and mechanisms. Instead, the existing ones should be fully used and their effects maximised. The Commissioner praised the work of INGOs working for the protection of those engaged in human rights work and their utility for the work of international organisations and NGOs. Regarding parliamentarians, they should display a more active political leadership in protecting human rights work at the national level, ensuring the adequate legal frameworks to promote human rights activities.
- 42. Regarding the role of the Council of Europe in the implementation of the Committee of Ministers Declaration, the Commissioner underlined that the primary obligation to create an atmosphere enabling human rights work lies with governments. The Council, and in particular the Committee of Ministers, could ensure that measures are being taken at the national level to ensure the full implementation of the ECtHR decisions, the recommendations of the Commissioner and of other international mechanisms. Member states should review their legislation to ensure that it is in line with their international obligations, notably on freedom of expression, freedom of assembly, freedom of association, freedom of movement and access to information. In addition, governments needed to ensure clear and transparent procedures for awarding funds and facilitating registration of NGOs.
- 43. The Commissioner also addressed the importance of tackling impunity at the national level. National authorities should ensure that threats and attacks to individuals and

- organisations active in defending human rights are condemned and the perpetrators are held accountable, regardless of whether they are state or non-state agents. The role of organised crime in harassing defenders must also be properly addressed.
- 44. The Commissioner highlighted the need for a study on how countries are developing legislation to regulate NGO activities, and noted with concern the use of extremism legislation against those who peacefully promote human rights. He further suggested looking into protective interim measures by the ECtHR to end further harassment of applicants and their lawyers.
- 45. The Commissioner announced that a similar event would take place in 2009.

Appendix I: Agenda

Monday 3 November 2008

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8:30	Registration of participants
9:15	Opening
	Thomas HAMMARBERG, Council of Europe Commissioner for Human Rights
9:45	I. The Committee of Ministers' Declaration on Human Rights Defenders challenges and opportunities
	Moderator: Thomas HAMMARBERG
	Introductory remarks: Petter WILLE, Ambassador and Permanent Representative of Norway Holger HAIBACH, PACE Rapporteur on the situation of Human Rights Defenders in Europe
	Debate
10:30	Coffee Break
10:45	II. Obstacles to the work of human rights defenders
	Moderator: Laurent GIOVANNONI, Cimade
	a) Obstacles to freedom of association and freedom of assembly
	 Registration and reporting obligations Funding and challenges to the independence of defenders; accessing funds from outside/inside the country Freedom of assembly
	b) Denigration and stigmatisation of defenders and their work
13:00	Lunch
14:30	II. Obstacles to the work of human rights defenders
	Moderator: Natasa KANDIC, Humanitarian Law Center, Belgrade

- c) Obstacles to monitoring, reporting on human rights violations and freedom of expression
 - 1. Access to places of detention and post-conflict areas
 - 2. Monitoring e.g. trials of human rights defenders, targetted hate speech
 - 3. Reporting on human rights violations and freedom of expression

16:00	Coffee Break				
16:15	II. Obstacles to the work of human rights defenders				
	Moderator: Karinna MOSKALENKO, International Protection Center, Moscow/Strasbourg				
	d) National remedies: tackling impunity for human rights violations				
	e) Access to international protection mechanisms and remedies				
18:00	End of first day's session				
Tuesday 4 November 2008					
8:30	III. Protection needs for defenders in urgent situations: Threats to the life and security of defenders and their relatives				
	Moderator: Eric SOTTAS, OMCT				
10:00	Coffee Break				
10:15	IV. Possible supportive actions by the Council of Europe Commissioner for Human Rights				
	Moderator: Thomas HAMMARBERG, Council of Europe Commissioner for Human Rights				
12:15	Closing remarks				
	Thomas HAMMARBERG, Council of Europe Commissioner for Human Rights				
12:45	End				
	Optional Programme for Tuesday 4 November 2008 afternoon				
13:30-14:30	Training session by Witness				
	Briefing sessions by Council of Europe monitoring bodies				
14:30-15:15	European Court of Human Rights				
15:15-16:00	European Committee for the Prevention of Torture (CPT)				
16:00-16:15	Coffee break				
16:15-17:00	European Social Charter				
17:00-17:45	European Commission Against Racism and Intolerance (ECRI)				
17:45-18:30	Framework Convention for the Protection of National Minorities (FCNM)				

Appendix II: Declaration adopted by the participants

DECLARATION OF HUMAN RIGHTS DEFENDERS

We fifty-five human rights defenders from different parts of the European continent met in a roundtable organised by the Commissioner for Human Rights on 3-4 November 2008 at the headquarters of the Council of Europe in Strasbourg. We shared with him our concerns and the obstacles we face on a daily basis in our work in defending the human rights of others persons in our countries.

We welcome the opportunity provided by the Office of the Commissioner for Human Rights to interact and create an effective network of human rights defenders throughout Europe, based on solidarity, good communication and the capacity to react rapidly in urgent situations in defence of each other's rights.

We strongly support the Commissioner's efforts and we call upon him to strengthen and expand his activities in support of us and our work. We call upon member states of the Council of Europe to support him politically and financially in this endeavour, which is at the heart of his mandate.

More resources are needed to allow the Commissioner to effectively promote an enabling and conducive environment in which all human rights standards of the Council of Europe are respected and a reality in Europe.