Networking and advocacy strategies for Human Rights Defenders from Central Asia and South Caucasus

European Parliament
19–20 March 2018
PHS 04B001

Defenders from:
Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Mongolia, Tajikistan, Uzbekistan

Organised by:
OSCE office for Democratic Institutions and Human Rights
European Parliament, Democracy Support and Election Coordination Group

DG External Policies
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Introduction

On 19-20 March 2018, 27 competitively selected human rights defenders (HRDs) from South Caucasus and Central Asia (14 men and 13 women) gathered at the European Parliament premises in Brussels for the event ‘Networking and advocacy strategies for human rights defenders from Central Asia and South Caucasus’.

The two-day event was jointly organized by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the European Parliament (EP). The event’s objective was to enable HRDs to better analyse and counter current and future challenges related to their human rights activities, while exploring tailored advocacy strategies through country-specific scenario building techniques. In addition, the event created a space for collaboration, networking and an exchange of experiences among HRDs as well as between HRDs and Members of the European Parliament (MEPs) and representatives of EU institutions.

Countries of Participants
List of abbreviations

CSO    Civil society organization
DEVCO  Directorate-General for International Cooperation and Development
EC     European Commission
EEAS   European External Action Service
EED    European Endowment for Democracy
EIDHR  European Instrument for Democracy & Human Rights
EP     European Parliament
EU     European Union
GONGOs Government-organized non-governmental organization
HRDs   Human rights defenders
LGBTI  Lesbian, gay, bisexual, transgender and intersex
MEP    Member of the European Parliament
NGOs   Non-governmental organizations
ODIHR  Office for Democratic Institutions and Human Rights
OSCE   Organization for Security and Co-operation in Europe
The networking event started off with a plenary session featuring introductory remarks by Jennifer Croft, Deputy Head of ODIHR Human Rights Department and Inga Rosinska, Head of Unit Human Rights Actions, Directorate-General External Policies of the European Parliament.

Following the brief welcome, David Mark, ODIHR human rights adviser and capacity building coordinator, introduced the agenda of the first day of the event, which was built around a capacity building exercise in scenario development techniques facilitated by ODIHR’s external experts Keith Hiatt, Pavel Chacuk and Regina Joseph.

An initial presentation by Regina Joseph discussed the role of country and region-specific political, security, economic and socio-cultural factors (drivers) and their potential influence on the work of HRDs. Following the induction session, the participants were divided into four working groups. With the overall guidance by moderator Regina Joseph, each group discussed the drivers relevant for their countries and regions. Each of the discussions was supported by one of the facilitators. The discussion on political drivers was supported by Pavel Chacuk, security drivers, including digital security by Keith Hiatt, economic drivers by David Mark and socio-cultural drivers by Jennifer Croft.

During these working group discussions, participants applied a methodology similar to the so called PESTEL\(^1\) tool, in order to identify the key drivers across all four categories. Each group compiled a list of relevant drivers in the four categories, and a HRD representative of each group presented the findings and the results of the discussion during a concluding plenary session. Other participants were also invited to add their views and to ask further questions.

<table>
<thead>
<tr>
<th>Identified key drivers</th>
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<tr>
<td><strong>Political drivers</strong></td>
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<tr>
<td>• Foreign influence;</td>
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<td>• Transnational trafficking;</td>
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<td>• Political professionalism and bureaucracy</td>
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<td><strong>Socio-cultural drivers</strong></td>
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<td>• Religion: conflict of ideologies and growth in radicalism, internal religious divisions;</td>
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<td>• Gender inequality;</td>
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<td><strong>Security drivers</strong> (including digital security)</td>
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<td>• Aggressive neighbourhood, foreign and domestic (increasing potential for conflict,</td>
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<td><strong>Economic drivers</strong></td>
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<td>• Transnational corporate impact on trade;</td>
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<td>• Banking sector and balance of trade;</td>
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<tr>
<td>• International</td>
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</tbody>
</table>

\(^1\) PESTEL stands for Political, Economic, Social, Technological, Environmental, and Legal. It is an analysis tool used to analyse and to monitor these different factors that might have an impact on an organization or the work of HRDs. The result of the analysis is subsequently used to identify threats and weaknesses.
Building upon the group discussion and the results of the plenary presentations, participants were asked to rank the drivers according to their relative impact and to identify the top 3 drivers in each category, in order to pave the way for the development of the scenarios.
Upon the completion of the ranking of the drivers, participants were divided in two groups to develop possible scenarios in a group discussion. The discussion was structured by a 2x2 matrix or 4 axes guiding the generation of four scenarios by each of the two groups. Participants assessed their drivers against the uncertainty axes of economic growth and political stability. (Please see the graphic on p.9 for further explanation of the methodology).

The groups each developed four scenarios taking into consideration these uncertainty axes and the previously identified drivers. The groups included all participating HRDs and were facilitated by David Mark, Keith Hiatt, Pavel Chacuk and Regina Joseph.
SCENARIO DEVELOPMENT

INCREASE IN ECONOMIC GROWTH

SCENARIO ONE:
More economic growth
Movement towards authoritarianism

SCENARIO TWO:
More economic growth
More democratic

SCENARIO THREE:
Decrease economic growth
Movement towards authoritarianism

SCENARIO FOUR:
Decrease in economic growth
More democratic

MOVEMENT TOWARDS AUTHORITARIANISM

DECREASE IN ECONOMIC GROWTH

MOVEMENT TOWARDS DEMOCRACY
The two regional groups, together with facilitators, crafted narratives detailing potential future scenarios until 2030, taking the previously identified drivers into account.

During the discussions in group 1, participants touched upon different country-specific issues and challenges to shape the most likely scenarios for the upcoming years. While holding different views on the most important drivers impacting the respective regions, some HRDs agreed that their countries are heading towards a more authoritarian regime for reasons including a lack of independence of security services, undemocratic constitutional amendments, and absence of checks and balances. HRDs also expect that a further digitalisation of society in the future might be accompanied by quasi-total government control over the Internet and communication technologies. Some HRDs also agreed that economic growth is most likely to decrease in their countries, further enforcing authoritarian tendencies and providing a case for scenario four (decrease in economic growth, movement towards authoritarianism). On the other hand, some HRDs also agreed to a certain extent that their respective countries are likely to remain in scenario two (more economic growth, more democratic) as authorities increasingly display sensitivity to human rights concerns and have adopted the necessary legal framework, although much work is still required to implement legislation.

Participants of the second group discussed whether their countries are likely to move towards a democratic setting in the upcoming years. HRDs discussed the situation of political prisoners and closed trials in the region and agreed that the failure to implement structural reforms is a step backward for democracy and is also conducive to negative developments in the human rights realm. Some HRDs also predicted an increased role of Islam; radicalisation; and stronger and more exclusive nationalisms. HRDs also flagged that government repression on grounds of fighting terrorism and extremism are likely to rise alongside an image problem for HRDs advocating for the rights of so perceived terrorists and unpopular ethnic and other minorities.

HRDs also reflected on ongoing practices of forced labour as well as the growing restrictions for civil society activities in their respective countries and a tendency for authorities to create GONGOs (government-created fake NGOs). It is expected that governments in the region will resort even more to GONGOs, which might divert to them any available public funds destined to civil society. Greater challenges remain in the realm of corporate responsibility standards in the natural resource sector. The potential expansion of the Eurasian Economic Union, with more countries joining, and the possibility of the election of a female head of state were among the other possible scenarios discussed by this group. Generally, the group cited the expected appearance of women leaders in some countries as a positive development, referring to women leader’s potential to serve as role models in the fight for gender equality.

Overall, participants agreed that the financial situation will improve by 2023 through economic growth, especially in Central Asia. A similar prospect was agreed upon for the improvement of internet access and digitalization. Nevertheless, participants concluded that improvements in
these two realms are not sufficient to lead to more democratic systems and that their countries are likely to remain in scenario one (more economic growth, less democratic).

The discussion was finalized in a plenary session and participants were divided into country-specific groups and tasked to develop their advocacy strategies, based on the potential scenarios identified during the day. HRDs were then able to specifically tailor the messages to be conveyed to EU representatives on day 2, taking the drivers and the direction that their country might take in the future into consideration.
Day Two – 20 March

The second day of the event was dedicated to advocacy activities with different EU representatives (from European Commission and European Parliament), based on the advocacy strategies developed by participants during the end of day one.

Jennifer Croft (ODIHR) moderated a panel featuring Philippe van Amersfoort, Deputy Head of the Central Asia Division, European External Action Service (EEAS); Jussi Närvi, Team Leader for Armenia, Azerbaijan and Belarus, Eastern Partnership Bilateral Division, EEAS; Raphaël Warolin, EEAS Unit Global-Human Rights; Lenka Vitkova and Christine Mardirossian from the European Commission's Directorate-General for International Cooperation and Development (DG DEVCO) Unit on Gender Equality, Human Rights and Democratic Governance; and Guus van Zwoll, Head of Secretariat of Protect Defenders EU. All panellists presented their ongoing work in the South Caucasus and Central Asia, highlighted examples of their work with HRDs and reported on protection mechanisms available for HRDs.

Philippe van Amersfoort stressed that the promotion of human rights represents a core aspect of the EEAS’ work. He emphasized that the EU is currently reviewing and updating its strategy for Central Asia. The review process was started with consultation sessions including state representatives of Central Asian states and members of civil society. Some HRDs in the room participated in respective seminars held in the capitals of Central Asian countries. It was noted that Federica Mogherini, EU High Representative for Foreign Affairs and Security Policy, talked about EU objectives in Central Asia in a recent plenary, stressing the need to support Uzbekistan and Kyrgyzstan in particular.

Jussi Närvi reported on the work of his division regarding particularly Armenia and Azerbaijan, countries which have not yet concluded association agreements with the EU. He explained that the association agreement with Georgia has been in place for a few years; the recently signed EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA) is not yet in force; and an association agreement with Azerbaijan is currently being negotiated, based on a first draft presented by the country. Närvi highlighted that this is the first time that a draft agreement was not prepared by the EU first. In the past, the two parties attempted to negotiate an agreement but failed to find common ground regarding their objectives. This time, however, expectations seem to be overlapping. Närvi further stressed that the draft agreement includes a sub-section specifically dedicated to democracy and human rights. (NB: During the event, HRDs from Azerbaijan had the chance to attend the EP Foreign Affairs Committee, during which the agreement between EU and Azerbaijan was discussed.). Närvi also highlighted that the EEAS uses silent diplomacy as a tool, with public statements available as another instrument. He stressed the importance of the role of civil society, especially in light of ongoing negotiating priorities with Armenia and Azerbaijan. He also emphasized the importance of seeking commitments from negotiation partners to guarantee that civil society has the space to act as a
watchdog of democracy and government actions. He invited defenders present at the event to preparatory meetings.

Lenka Vitkova reported on the work of the DG DEVCO Unit on Gender Equality, Human Rights and Democratic Governance in relation to HRDs, especially the efforts undertaken by the European Instrument for Democracy & Human Rights (EIDHR). In this context, Vitkova stressed the importance of the EU Guidelines on HRDs as a key policy instrument. The EIDHR works independently from agreements with countries. It operates on the basis of the following five objectives. The first three objectives are of most relevance for HRDs:

1) Support to human rights and human rights defenders in situations where they are most at risk;
2) Support to other priorities of the EU in the field of human rights (death penalty, torture, impunity);
3) Support to democracy (elections, accountability that comes from CSO and media, pluralism, participation of women in political life);
4) EU Election observation missions (EOMs) only upon invitation of governments and not directly related to civil society;
5) Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms (International Criminal Court, Office of the United Nations High Commissioner for Human Rights and National Human Rights Institutions working in the countries).

In terms of direct financial support, the European Commission invested more than 20 million euros since the inception of the instrument and it currently runs 32 projects. A project supporting HRDs was designed by the EU, this project however represents the smallest part of the total funding available for HRDs. Generally, the EU launches global calls for proposals, which can target all the relevant countries. The biggest chunk of money is dedicated to targeted projects, either through local calls for proposals or directly negotiated projects.

In terms of protection of HRDs, the EU has three mechanisms in place:

1) The EIDHR emergency fund, helping defenders relocating and providing a maximum amount of 10,000 EURO (e.g. when someone is in prison, his/her family needs to be supported, or the HRD needs money for medical and legal costs);
2) Protect Defenders EU (see below);
3) Support for activities of HRDs working in particularly difficult contexts on the ground is available in the form of “Crisis Facility” awards, awarded based on project proposals from organizations (either implemented openly or in a restricted manner). In the period from 2010 to 2018, 30 people from Central Asia and South Caucasus received this emergency support. NGOs can apply to europeaid-eidhr@ec.europa.eu.
Guus van Zwoll from Protect Defenders EU explained that twelve organizations are part of the platform, which was created to give emergency support to all kinds of HRDs all over the world.²

Protect Defenders EU provides three different types of grants and activities:

1) An emergency grant, very similar to the one put in place by the EDIHR. It consists of an amount of up to 10,000 EUR focusing mostly on legal and medical support. Overall, 38 HRDs were supported with this kind of grant.
2) A 60,000 EUR grant, supporting organizations in different ways (new activities, money for NGOs facing shrinking financial space). 96 grants were granted worldwide, 3 of them in the regions represented by participants.
3) Temporary relocations of HRDs covering costs of up to 60,000 EUR, normally 12-15,000 EUR per HRD (from 3-6 sometimes 9 months for relocation). More than 300 HRDs were relocated of which 21 are hailing from Central Asia and the South Caucasus.

In addition, Protect Defenders EU organizes outreach missions to reach HRDs beyond capital cities. The 24/7 emergency helpline dedicated to HRDs facing immediate risks is also run by Front Line Defenders, and employs staff speaking Arabic, English, French, Russian or Spanish who will be able to immediately react and mobilize rapid international support. Usually, emergency grants requests receive responses within 48 hours.

During the Q&A session, participants inquired whether the EU also supports unregistered organizations, as organizations carrying out human rights activities in certain countries are prevented from doing so by being denied official registration. EU representatives stated that EU projects are also targeting unregistered organizations. They further highlighted the key role played by EU Delegations in bringing certain cases to the attention of the EU.

In addition, the issue of a lack of accountability of officials violating human rights was raised. Suggestions of potential measures that could be taken by the EU included a ban for these officials on entering the EU as well as freezing the assets of the respective individuals. Representatives of the EEAS explained that this is an existing instrument which can be used in the neighbourhood only as a last resort measure when everything else fails. Nevertheless, if the EU receives information of such violations, it can consider intervening. However, the representatives also stressed that accountability is first and foremost a national responsibility. For example, in the new agreement with the EU, Armenia made several commitments on accountability and the respect for human rights, and the EU is expecting that Armenia will fulfil its commitments in this regard.

Moreover, participants raised the fact that donors tend not to prioritize LGBTI issues, but continuously fund only ‘traditionally accepted’ human rights issues. Representatives of the EEAS explained that since the adoption of the guidelines on LGBTI rights in 2013, the issue has

been increasingly promoted and raised on the political level. In addition, EU delegations recognize this as a burning challenge which must be addressed, therefore, the EU engages systematically in dialogue. However, raising LGBTI rights can be difficult for the delegations in certain states. Especially, when wanting to engage in meaningful dialogue with government representatives, LGBTI rights are frequently labelled as ‘western’ and dismissed based on cultural differences. It was flagged that in the last draft agreement between the EU and Azerbaijan, nothing is written about the rights and the obligation to protect the LGBTI community in the country.

Generally, the EU receives many applications with projects focusing on the rights of the LGBTI community. For the last global call, for example, 900 applications were received, but only 25 could be selected. In order to be able to provide funds to more organizations, a new approach was introduced. This new method allows for sub-granting, enabling the organization which receives the grant to transfer a part of the funds to smaller organizations. Another option is the before mentioned Crisis Facility, which can be used in extremely challenging situations to support projects advancing LGBTI rights.

In the context of grant opportunities, it was highlighted that many international donors to NGOs are seen as retreating from Central Asia. A strong plea was made to the EU not to do so. In addition, the European Endowment for Democracy (EED) was mentioned. The EED is a grant-giving organization, funded partially by member states and partially by the European Commission, and it supports local actors working for democratic change in the European Neighbourhood and beyond. Initially, the EED’s mandate included only neighbouring states, but now it can also engage with neighbours of neighbours.3

Other HRDs requested information on the efficiency of spending of EU grants in Central Asia, considering the shortcomings regarding the implementation of structural reforms. HRDs pointed out that the money allocated by the EU to undertake transformative structural reforms in the region has failed to contribute to the designated objective. Participants asked to raise concerns about the deteriorating situation of freedom of peaceful assembly in Central Asia when relevant high level government representatives visit Brussels. In addition, the issue of systemic violations of human rights perpetrated by senior representatives of state authorities was raised, as were problems of access to justice for minorities. HRDs informed that they are regularly being investigated and attacked through the media based on the nature of their work. Defenders also urged EU representatives to raise individual cases of imprisoned HRDs with state authorities in upcoming meetings.

Finally, HRDs stressed that not only is their individual protection important, but also the protection of their relatives. In this context, participants inquired whether there is any mechanism in place that would help averting the risks and threats their family members are facing.

3 European Endowment for Democracy (EED) https://www.democracyendowment.eu/
Following the panel discussion, HRDs from the South Caucasus and Central Asia separately attended Inter-Service Group meetings of the Secretariat of the European Parliament (EP), where they could convey their advocacy messages to EP representatives, drawing on the discussions and scenarios from day one.

Some participants from the South Caucasus also had a discussion with Florian Carmona, Unit Eastern Partnership and Russia, as well as with Karl Minaire, Unit Democracy and Elections Actions and a representative of the Foreign Affairs Committee. Participants from Central Asia met with Niccolò Rinaldi, Vice-Chair, Group of the Alliance of Liberals and Democrats for Europe (ALDE), Carolina Falk, Administrator, Secretariat of the Human Rights Sub-committee and Fernando Garces, Administrator, Policy Department Unit as well as with Michal Malovec from the Secretariat of the Foreign Affairs Committee.

Please see below the list of challenges and messages flagged by HRDs from the South Caucasus (Armenia, Azerbaijan, Georgia):

**Challenges**

1. Unpredictable neighbours and worsening of the geopolitical situation;
2. Accountability of security services;
3. Spread of fake news;
4. Centralization of executive powers (e.g. after changes of the constitution);
5. Independence of judiciary;
6. Certain projects funded by European Bank for Reconstruction and Development (EBRD) are undermining local communities and the environment;
7. Lack of legislative reforms (laws on hate speech, anti-discrimination, gender equality).

**Messages to EU and ODIHR**

1. More support from international actors is needed;
2. Priorities of the EU do not meet the needs of CSOs;
3. Raise the issue of political prisoners;
4. Put accountability questions of private sector actors on the agenda (e.g. environmental concerns about extraction of primary resources);
5. Use human rights violations as leverage in negotiations of agreements, e.g. “No respect for human rights, no agreement”;
6. Strengthen EU monitoring tools and involve CSOs more in monitoring processes;
7. Putting sexual orientation and gender identity on the agenda.

Please see below the list of challenges and messages raised by HRDs from Central Asia:

**Challenges**

1. Judicial reforms are not effective;
2. High levels of corruption;
3. Violations of the right to a fair trial (e.g.

**Messages to EU and ODIHR**

1. Support NGOs in monitoring public spending and financial structures of certain activities (e.g. financing of uranium mining);
trials behind closed doors, political prisoners);
4. Radicalization of society;
5. Shrinking space for CSOs, with governments discrediting NGOs and individual HRDs;
6. Creation of GONGOs;
7. Government controlled mass media;
8. Youth radicalization;
9. Restrictions on freedom of religion;
10. A lack of a humanization of criminal codes;
11. Projects led by the EU consortium are not cooperating with local civil society;
12. Legislative basis for the work of NGOs is worsening;
13. Barriers for registering NGOs;

2. Update EU strategy on Central Asia;
3. Promote and adopt a resolution on HRDs;
4. Raise the issue of shrinking space for civil society;
5. Raise individual cases of imprisoned HRDs and journalists;
6. Build further capacity of HRDs and avoid situations where HRDs are being forced to leave their country;
7. Exercise pressure on states to amend laws on public assemblies in line with international standards;
8. Monitor the implementation of recommendations (e.g. forced labour);
9. Encourage states to engage with companies on the basis of social and corporate responsibility;
10. Consult HRDs when planning projects or other interventions.

The final part of the second day was dedicated to bilateral meetings organized between HRDs and the following MEPs:

1. MEP Lazlo Tokes met defenders from Armenia;
2. MEP Jaromir Stetina met defenders from Armenia, Azerbaijan and Georgia;
3. A member of the office of MEP Lukas Mandl met defenders from Armenia, Georgia, Azerbaijan and Kazakhstan;
4. MEP Cristian Dan Preda met defenders from Kyrgyzstan and Tajikistan.
Agenda

Monday, 19 March 2018

08:15  Registration and accreditation of participants at the EU Parliament premises
Venue: "Event Participants and Guests' left side of the ASP Simone Veil entrance

09:00-09:15 Opening remarks
Ms. Jennifer Croft, Deputy Head of Human Rights Department, ODIHR
Ms. Inga Rosinska, Head of Unit Human Rights Actions, Directorate-General External Policies
Venue PHS 04B001

09.15-09.45 Introduction to the workshop
- Introduce event’s aim, introducing the facilitators
- Quick getting to know each other and the facilitators
- Ground rules for work
- The workshop methodology

09:45-10:25 Political, Security, Economic and Socio-cultural Factors influencing Human Rights Defenders’ (HRDs’) work
- Political: Pavel Chacuk, ODIHR Facilitator
- Security (including digital): Keith Hiatt, Vice-President, Benetech
- Economic: David Mark, ODIHR Human Rights Advisor
- Socio Cultural: Regina Joseph, ODIHR Facilitator

10:25-11:15 Political, Security, Economic and Socio-Cultural Drivers as Engines of Future Change

11:15-11:30 Coffee break

11:30-12:30 Political, Security, Economic and Socio-Cultural Drivers as Engines of Future Change, continued

12:30-13:30 Scenario Development

13:30-14:30 Lunch break

14:30-16:00 Future narratives: identifying the most probable scenario

16:00-16:30 Coffee break

16:30-17:15 Scenario presentation

17:15-18:45 Strategies: What should be the key strategic directions in the context of the most probable scenario?
19.00 – 21.00 Networking dinner

Venue: Les Filles, ASP Ground floor

Tuesday, 20 March 2018

9:15-10:45 Panel discussion with European Commission / EEAS key actors
Moderator: Ms. Jennifer Croft, Deputy Head of Human Rights Department, ODIHR
Panellists:
Mr Philippe van Amersfoort, Deputy Head, Central Asia Division, European External Action Service (EEAS)
Mr Jussi Närvi, Team leader Armenia, Azerbaijan and Belarus, Eastern Partnership Bilateral Division, European External Action Service (EEAS)
Ms Lenka Vitkova, European Commission, DG DEVCO, Unit B.1 Gender Equality, Human Rights and Democratic Governance (EC)
Mr Guus van Zwoll, Head of Secretariat, Protect Defenders EU
Mr. Raphaël Warolin, EEAS Unit Global 1 - Human Rights
Ms Christine Mardirossian, European Commission, DG DEVCO, Unit B.1 Gender Equality, Human Rights and Democratic Governance (EC)

Venue: PHS 04B001

Q&A and discussion

11:00-12:00 Participation at Inter-Service Group meetings of the European Parliament Secretariat
Venue: SQM, room 03Y965 for the Inter-Service Group EST (HRDs Caucasus)
Venue: SQM, room tbc for the Inter-Service Group Asia (HRDs Central Asia)

12:45-14:00 Lunch
Venue: JAN Brasserie, 2nd floor

14.30-15.30 Guided tour of the House of European History
With: Alberto Fuertes Ferragut, Curator

Venue: HEH

From 15:30 Bilateral meetings TBD (with MEPs / representatives of EU institutions)