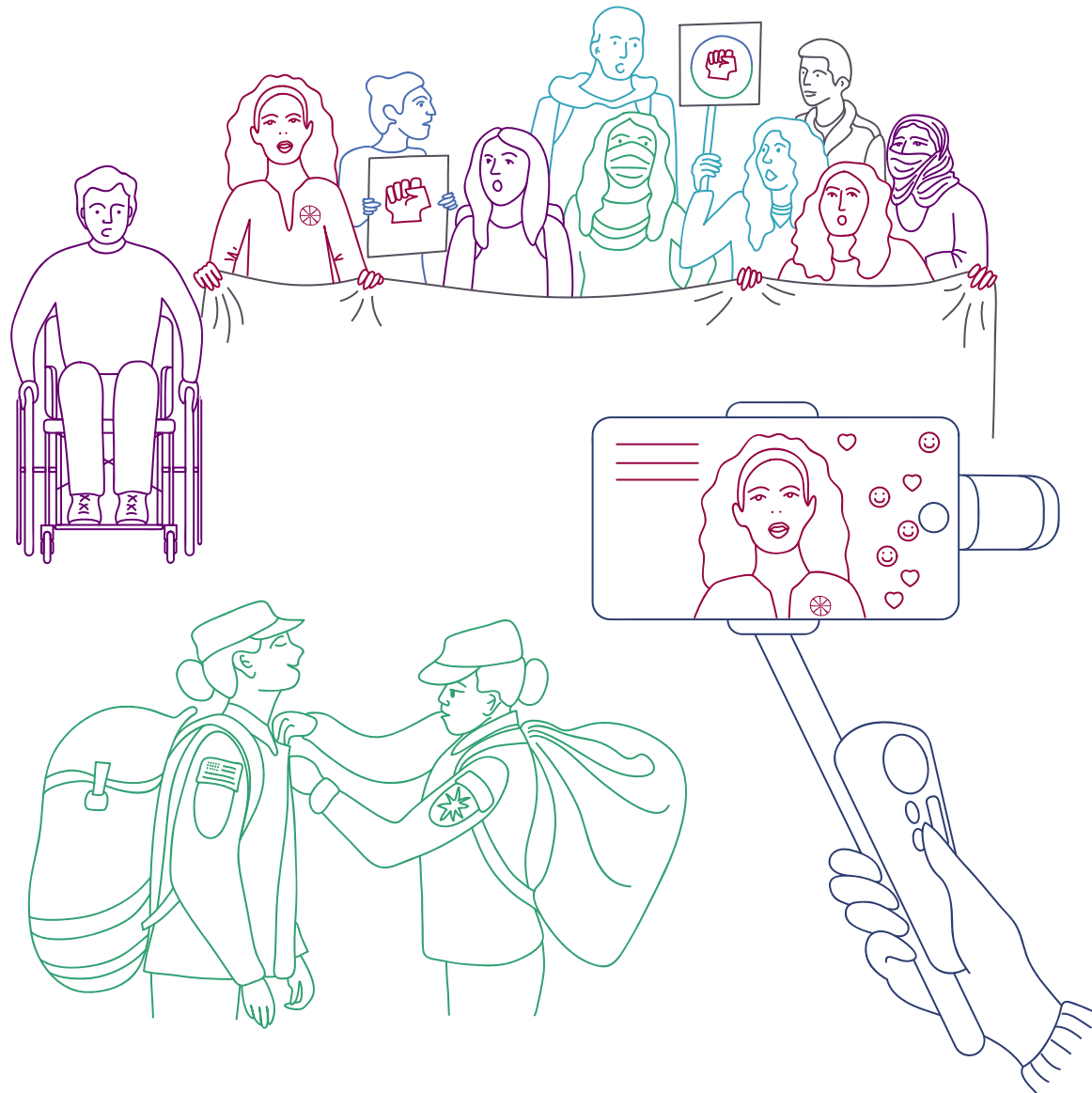


## PART 2

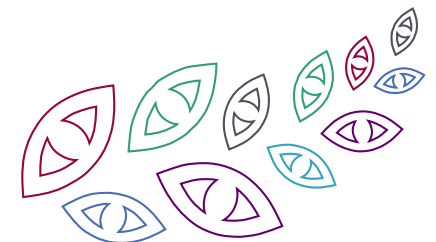
# Safeguarding human rights and security through strong civil society



The far-reaching aspirations for democratic change embodied in the OSCE commitments and the OSCE's human dimension of security have been sustained for 30 years by civil society organizations that remain active in their efforts to promote inclusive societies across the 57 participating States.

ODIHR brings governments and civil society organizations together to work towards full respect for human rights, fundamental freedoms and democracy. By equipping civil society to play a productive part of democratic decision-making processes and providing opportunities for authorities to engage around human rights issues, the Office works to strengthen the security of the entire region.

The impact stories here emphasize ODIHR's work providing human rights defenders with tools to safely fulfil their monitoring roles, promoting young people, including Roma and Sinti, as future leaders, and, in co-operation with civil society, building greater awareness of the human rights of people moving across borders and to the women and men working in the armed forces.



## 2.1 Strengthening the protection of human rights defenders in Mongolia and Georgia

**Throughout 2020, ODIHR as part of its human rights mandate, helped to strengthen the protection of human rights defenders in Mongolia and Georgia by working with both the national authorities and NHRIs.**

Activities included targeted training and dialogue promotion with state and civil society representatives. ODIHR followed up with the authorities, NHRIs and civil society to discuss the findings of its assessment visits to both countries, which focused specifically on the situation of human rights defenders. In both participating States, ODIHR identified a range of positive measures contributing to the protection of human rights defenders. At the same time, there are clear challenges to full and effective protection faced by defenders as a result of their work, whether from threats, physical and verbal attacks, harassment or other forms of pressure. Addressing these gaps requires a comprehensive approach, including legal and policy measures.

By organizing two roundtable discussions in Mongolia, including an [online meeting](#) in November 2020, ODIHR



Georgian protests in front of the Parliament of Georgia, June 24, 2020

provided a platform to exchange views on and advance discussions about the country's Draft Law on Human Rights Defenders – a groundbreaking initiative mentioned specifically by the Chairman of the Parliament. Once adopted, the law will be vital in championing the role and work of human rights defenders, as well as recognizing risks they face as a result of their human rights work. On 18 December, the Draft Law was discussed

**Our organization welcomes ODIHR's assessment of HRDs' status in Mongolia and its very valuable recommendations for improvement. The discussions of the report and its recommendations over two whole days, with government, law enforcement, decision-makers and HRDs speaking in one forum, will hopefully yield positive results for their acceptance and implementation by government authorities, as well as CSOs. We very much hope that the law regulating the legal status of HRDs will be approved, despite adjustments necessitated by COVID-19.**

— *Sukhgerel Dugersuren, Director, Oyu-Tolgoi Watch, Mongolia, a member of the network of Mongolian NGOs, Human Rights NGO Forum*

at the Parliamentary Standing Committee on Legal Affairs and was supported for recommendation to the Parliament for further consideration in its plenary session.

In Georgia, staff at the Public Defender's Office (the NHRl) who attended ODIHR's capacity-building workshops on monitoring the situation of human rights defenders in both 2019 and 2020, initiated and developed a manual about the protection of human rights defenders. The manual reflects previous ODIHR recommendations, and defines the methodology and tools for the Public Defender's Office future work in this area.

To strengthen the protection of human rights defenders in OSCE participating States, ODIHR is engaged in continuous dialogue with state authorities, NHRIs and human rights defenders. The Office also regularly monitors the situation of defenders, offers capacity building, and provides legislative advice. This allows ODIHR to contribute to legal and policy developments, leading to a more enabling civil society environment.

In response to the COVID-19 pandemic, ODIHR temporarily adapted its tools and methodologies in 2020 to an online format in order to continue its work on protecting human rights defenders. In 2021, ODIHR will carry out a second cycle of country-specific monitoring of the situation of human rights defenders in selected OSCE participating States.

## 2.2 Fostering young talent and leadership in Roma communities

**ODIHR's Nicolae Gheorghe Roma Leadership Academy is designed to strengthen participants' knowledge about democratic governance.** It also facilitates a deeper understanding of the roles and opportunities for young Roma in elected and appointed positions, as well as in civil society. In this way, the academy helps to strengthen democratic institutions throughout the OSCE region by building the capacity of young Roma leaders. The academy challenges participants to maximize their leverage in influencing policy and decision-making mechanisms and processes benefitting Roma, at the local, national and international levels.

The second annual Roma Leadership Academy in 2020, through its unique curriculum and interactive methodology that ensures maximum engagement, directly supported the young Roma participants to grow the skills and confidence needed to play an active role in democratic governance in their countries.

The 2020 participants, who came from Bulgaria, Czech Republic, France, Germany, Hungary, Italy, North Macedonia, Romania, Serbia, Slovakia and Spain, all shared common challenges for Roma and Sinti in elected and appointed office, as well as in civil society organizations. The academy upgraded their skills in areas such as strategic communication, drafting and delivering speeches and conducting negotiations. ODIHR also helped set up an alumni network for former participants in the academy, which seeks to organize transnational, co-operative action with and for Roma and Sinti.



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**This training taught me one thing: the value of diversity in democratic decision-making. The training challenged my assumptions, thoughts, views and emotions on a variety of cutting-edge topics. The range of instructors from academia, civil society and international organizations and participants from across Europe also made the training unique. It uncovered patterns of discrimination that Roma and Sinti face in different places and policy fields.**

— *Ismael Cortés Gómez, Member of Parliament, Spanish National Congress*



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**Roma and Sinti leadership is needed more than ever in these challenging times. The acute struggle and need for urgent action to safeguard human rights, alongside Roma communities, comes together with the fundamental necessity of strengthening the positions of political leaders within the communities themselves. Sharing experiences and knowledge with peers and mentors has helped me to increase my expertise, capabilities and leadership potential.**

— *Roxanna-Lorraine Witt, Executive Director of Save Space e.V and Co-Founder of RomaSintiWireOnline*

## 2.3 Building human rights monitoring capacity among Roma and Sinti

### **Racism and discrimination against the Roma and Sinti continue to occur in many forms across the OSCE area.**

Since the outbreak of the COVID-19 pandemic, there has been a sharp surge in racism, adding to the vulnerability that Roma already faced long before this health crisis. ODIHR has several mandated tasks stemming from [“the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area”](#) to combat racism and discrimination, including activities to address media bias and help to build strong Roma and Sinti civil society.

In 2020, ODIHR further developed the capacity-building initiatives it started in 2019 in Ukraine, aimed at strengthening the human rights monitoring capacity of Roma human rights defenders, by expanding them to another six participating States (Bulgaria, Czech Republic,

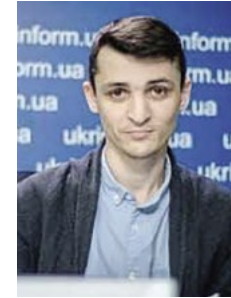
Hungary, North Macedonia, Romania and Slovakia). The training also aimed at assessing the human rights situation of Roma in the respective countries by supporting human rights monitoring activities. At the same time, the Office has worked to raise awareness among relevant authorities, civil society and other stakeholders about the human rights situation of Roma. An introductory human rights monitoring training session, as well as pairing Roma human rights defenders with more experienced defenders from ODIHR’s network, provided Roma communities the tools and support they needed to start systematic monitoring of the human rights situation. ODIHR provided concrete assistance in undertaking human rights monitoring, including training on how to collect information correctly and effectively follow up with stakeholders, including victims, witnesses and the authorities.



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**In Hungary as in other countries, there is a gap in human rights monitoring, including in relation to the human rights situation of Roma. ODIHR’s programme gave me the opportunity to increase my knowledge and skills in human rights monitoring and broaden my perspective on issues Roma communities are currently facing. Additionally, it allowed me to exchange information, best practices and network with Roma human rights defenders from other countries, and created a framework for potential communication and advocacy with relevant public authorities, by providing systematic information and recommendations.**

— *Judit Ignacz, Roma human rights defender, Hungary*



**The protection of the human rights of Roma in Ukraine requires concerted public effort. Civil society could play an important role in providing assistance to victims of human rights violations, raising awareness and engaging in communication and advocacy with public authorities to improve legal and institutional mechanisms for human rights protection. After working with ODIHR, I have increased my understanding of systematic human rights monitoring, and can put it into practice in my community. We are also working to strengthen dialogue with the government to identify and promote better ways to protect human rights, including of Roma.**

— Volodymyr Yakovenko, human rights defender, Ukraine

This programme for Roma human rights defenders increased participants' knowledge and skills to successfully monitor human rights, with a methodological focus on safety and security. The participants all went on to undertake systematic human rights monitoring and reporting, as well as engaging in dialogue and advocacy with relevant public authorities and institutions. This is the first step towards strengthening mechanisms for human rights protection, as well as access to justice for victims of human rights violations.

Regular and systematic human rights monitoring, specifically of the situation of Roma, is needed. Throughout the year, governments and local authorities introduced a wide range of restrictive measures to contain the spread of infection. However, many of these measures were forced upon Roma communities

in ways they considered to be unilateral, biased and discriminatory. In this context, cases of unjustified police interventions and disproportionate use of force were observed in several participating States. ODIHR's training activities gave Roma civil society tools to monitor these types of events.

Human rights defenders and organizations working with Roma communities face complex challenges, including restrictive legislation, as well as inadequate funding. Collecting and reporting information on human rights violations helps to increase public awareness of the extent of this problem. Human rights defenders can use the data they collect to inform the appropriate authorities, leading to better redress mechanisms and victim protection, as well as more effective sanctioning of perpetrators.

## 2.4 Nurturing youth change makers for stronger democracies

**The key role young people can play in helping OSCE participating States fulfil their democracy and human rights obligations cannot be underestimated.** Young people are one force behind the effective and inclusive functioning of democratic institutions. The COVID-19 pandemic has made clear the importance of giving young people the space to bring innovative solutions to a wide range of democratic processes and increase their participation in decision-making.

Despite the limitations imposed by the pandemic and its negative socio-economic impact on youth, an ILO Global Survey on Youth and COVID-19 found many young people are turning the crisis into an opportunity for collective action. They are supporting local communities, contributing as health workers and scientists, researchers and innovators, they

are running online awareness campaigns and they are volunteering to help the community – both local and global.

Democratic institutions, at times, are slow to react to the needs of a new generation, so youth-led platforms are creating channels for their voices to be heard. This is vital in order to safeguard democratic values and rebuild trust in democratic processes and institutions, which has declined in the last decade. In 2020, ODIHR worked with participating States to support inter-generational dialogue to leverage existing institutional assistance for young people's contributions to political and public life.

ODIHR's work to increase young people's participation, which is based on an extensive set of OSCE commitments, makes an important contribution to advancing meaningful youth engagement across

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Young leaders and this emerging generation know what they want, they have the tools and resources necessary and they know how to make the change they want to see. ODIHR and the OSCE have a once-in-a-lifetime opportunity to be transformative and contribute to the global youth scene by adding the missing piece of meaningful transnational participation and co-operation between emerging leaders. In this way the ODIHR can help re-imagine a new multilateralism.

— Luis Alvarado Martinez, VP for Global Affairs at the ICL Foundation and former President of the European Youth F

the region. In 2020, ODIHR, adapting to the rise of digital access to institutions and decision-making processes, provided a platform for young people to help shape future policy-making in the OSCE. At an event on strengthening youth engagement in democratic processes, organized in collaboration with the Council of Europe, the Embassy of Georgia in Poland, PricewaterhouseCoopers Central and Eastern Europe and the European Academy of Diplomacy, an "Agenda for Youth and Democracy" was created. This document gathers together young people's visions and initiatives for the future and directly addresses them to public authorities, international organizations and civil society.

Multiple surveys have found that youth engagement is increasingly channeled through non-conventional means. Young people are more likely to use digital tools

to make their voices heard, including signing petitions, expressing opinions on social media and participating in online activities. Taking note of young people's preferences as well as the needs arising from the COVID-19 pandemic, ODIHR transformed its capacity-building activities in 2020. The Office involved more than 400 young people in virtual events that covered political participation, digitization, youth-led movements and environmental reform. Moreover, to strengthen OSCE commitments in the field of democratic governance, ODIHR went online with its flagship Young Policy Advisers Course for young civil and public servants.

ODIHR believes that bringing together young people, parliamentarians, international organizations, private sector and other youth stakeholders has a potential for enduring impact. This approach

capitalizes on the so-called “demographic dividend”, where investing in young people now has a positive impact on society as a whole when these young people take up positions in democratic institutions and other organizations working for the public good. ODIHR thus offers young people an entry point to contribute to future policy-making in the OSCE.

ODIHR is planning to further strengthen its work on youth, supporting participating States to make their institutions accountable by including youth voices more formally. Continuous efforts to bridge the gap between institutions and young people is essential for the future of democracy in the OSCE region. Recognizing and uplifting young people’s leadership and political participation, including their innovative forms of participation, is a key solution to the democratic weaknesses both created and revealed by COVID-19.

Youth have been an active part of online discussions during the COVID-19 pandemic.

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**Participating in ODIHR’s 2020 summer school was one of the most informative, enlightening, and exciting experiences for me. I met bright individuals from various parts of the world and discussed academic papers with great enthusiasm and depth. I was particularly fascinated by the expertise of the keynote speakers in topics ranging from political participation to research methodology. The knowledge, advice and comments I have received on my paper were very valuable for my future research and of great use for improving my paper.**

— Nini Petriashvili Graduate of Political Science MA Program, CEU and winner of the EEP best paper award at the 2020 ECRP/ODIHR Summer School



## 2.5 Protecting Human Rights of Armed Forces Personnel

**Throughout 2020, ODIHR worked to address sexual violence, harassment and abuse against military personnel, in particular women service personnel as part of its mandate to strengthen the human dimension of security.** ODIHR's [previous work](#) provides a number of good practices aimed at addressing harassment, violence and abuse, including anonymous satisfaction surveys, the collection of sex-disaggregated data, and the establishment of complaints mechanisms and systems for independent oversight. However, not all states have such measures in place, and there have been limited spaces in which different stakeholders could discuss mechanisms to address violence and abuse within the armed forces.

In 2020, the use of the military to supplement the civilian response to COVID-19 in several countries across the OSCE added psychological stress to many personnel. The pandemic also resulted in more stringent lockdown measures at military bases and further limitations to the ability to see family members in

some places. These are risk factors for increased levels of violence and abuse of personnel. Research from across the OSCE has shown that gender-based violence increases during conflicts and emergencies, and the COVID-19 pandemic has shown this to be true during health emergencies as well, even in the military.

The Office organized an OSCE-wide dialogue to discuss strategies and measures to prevent and address harassment, violence and abuse within the armed forces. Due to the pandemic, the meeting took place on a dedicated platform set up to allow discussion across multiple time-zones. It enabled a mix of professionals, including from the armed forces, ministries of defence, ombuds institutions, military unions, soldier associations and other civil society to share good practices and exchange views about the suitability of, or obstacles to, such practices in different national contexts.

ODIHR added an important voice to the debate by organizing a discussion on men's roles in gender-based violence prevention. It provided an opportunity to learn about experiences from military and academic institutions on the role of men in promoting gender equality and addressing sexual and gender-based violence, as well as enabling a live conversation on this often-overlooked side of the gender equality equation. One hundred and thirty-one participants represented security services from throughout the OSCE, including different armed forces representatives, civil society and OSCE missions and delegations.

Participants improved their knowledge about gender-based stereotypes, reporting and handling of cases, and different training and education initiatives, resulting in practical recommendations for military structures. Military trade union representatives reported now using information learned during discussions organized by ODIHR in their dialogue with employers. They have also been able to make use of good practices

elsewhere in the OSCE to better defend and advocate for the rights of service personnel in their own countries. Other participants told ODIHR they are now more actively engaged in monitoring incidents of violence and harassment, and are better able to support service personnel who have reported harassment, violence or abuse.

Tolerating any form of sexual and gender-based violence in the armed forces is inherently contrary to the duty to protect and defend, but many political and military leaders do not proactively address it. The dialogue organized by ODIHR therefore focused on the bystander approach and participants' own potential to take action to prevent gender-based violence, as well as on the importance of language choices to address sexual and gender-based violence. Many expressed their commitment to a more proactive approach to address violence against women in their own work places.



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**The event has reaffirmed my belief that there's still a lot to do, although we're progressing (very slowly). I found the point about the importance of correcting colleagues when they make derogatory comments particularly useful. Also, recognition of the impact of the language we use is so valuable for our armed forces. I will strive to initiate a study of language in our forces from this new perspective.**

*— Member of armed forces (feedback through anonymous survey)*

As a result of these initiatives, ODIHR is working on a guidance tool to provide further assistance to ministries of defence, armed forces general staff and other key policymakers in developing strong, trauma-informed and human rights-compliant policies and procedures to respond effectively to reports of sexual assault and gendered violence in the military.



ODIHR works to improve conditions for women in the armed forces across the OSCE.

## 2.6 Addressing the human rights challenges of data-driven border management technologies

**In a globalized world, ever more people are crossing international borders to develop and maintain personal contacts, to pursue educational and professional opportunities, and to migrate or to seek refuge from persecution.** New technologies, which rely on the gathering, processing, and sharing of data, are increasingly used by states to manage migration flows and to address transnational security threats, including terrorism. However, such technologies may have a negative effect on human rights, especially for vulnerable groups, such as migrants and asylum seekers. In 2020, ODIHR pooled its expertise on counter-terrorism and human rights with freedom of movement and migration, to launch an innovative new series of activities in this area.

While states have a legitimate interest in controlling their borders and those crossing them, border security measures, including for countering terrorism, must not come at the expense of human rights and fundamental freedoms. Undermining human rights does not create more but less security, also in the area of border management. Responses to the

COVID-19 pandemic have shown that perceptions of health risks can often further stigmatize migrants, compounding the risks of discriminatory profiling and other human rights violations to which they were already frequently subjected.

UN Security Council resolutions and OSCE commitments stipulate that all counter-terrorism activities must comply with international law, which naturally includes international human rights and refugee law. Participating States have reiterated that migration management should not be linked to counter-terrorism measures based on assumptions about individuals or groups. Furthermore, participating States have consistently reaffirmed their commitment to promote freedom of movement across borders. In order to discuss this important issue in more detail, ODIHR organized a series of roundtables in 2020 on border management and human rights. The programme focused on human rights-related risks of new technologies for gathering and processing travelers' data and for screening and risk assessment at borders, including to detect and prevent terrorism.

The expert discussions examined Advanced Passenger Information (API) and Passenger Name Records (PNR) systems, biometric data, algorithmic profiling and decision-making systems, as well as terrorism watchlists and databases. The use of these technologies presents particular human rights challenges and can put numerous human rights at risk. Facial recognition systems, for example, may have a discriminatory impact on women, religious minorities and people of colour, and routine gathering of large amounts of personal data of people crossing borders represent significant interferences with the right to privacy, among others. Unlawful profiling or wrongful inclusion on watchlists can lead to restrictions on freedom of movement or even detention.

This series of expert seminars was the first of its kind in the OSCE. In September 2020, ODIHR also organized a side event on the topic at the margins of the OSCE-wide Counter-Terrorism Conference. At subsequent OSCE events, the Office presented key findings of the expert consultations to raise awareness of the human rights-related risks that new border technologies can create.

The series of webinars, together with related follow-up activities, fed into discussions with participating States and intensified co-operation within the OSCE on the human rights implications of such technologies. They also complemented international-level efforts on this topic spearheaded by the UN Special Rapporteur on counter-terrorism, the UN Special Rapporteur on the right to privacy and the UN Special Rapporteur on contemporary forms of racism, xenophobia and related intolerance.

Greater attention to the ways in which counterterrorism technologies are developed and used is essential to reach a comprehensive understanding of their human rights impact and to effectively protect the rights of everyone who regularly crosses borders, including migrants. ODIHR has a substantial role to play in encouraging participating States to analyze and address the issues raised by the use of new technologies. Through its extensive networks stretching across the OSCE region, the Office can also help increase co-operation between international organizations, governments, civil society and private companies in this

**Critical dialogue on the far-reaching ramifications of new technologies at the border like the one facilitated by ODIHR are paramount to move the conversation towards a human rights-approach. Such dialogue is desperately needed in a world where innovation routinely takes precedence over human dignity. Individual experiences at the border need to be central to both international discussions and policy development.**

— Petra Molnar, independent human rights expert

field. A forthcoming policy brief providing human rights analysis and recommendations in this area will continue to highlight ODIHR's engagement to promote a human rights-based approach to migration and counter-terrorism.



Facial recognition data used to control borders raises human rights concerns.