

## Reflection on the Annual Activities 2018

### WORKING GROUP 1

Reflections on the activities of Working Group One ( Democracy , Human Rights, Good Governance and Stability) between December 2017 to November 2018 when the group was coordinated by Haykuhi Harutyunyan from the Protection of Rights without Borders NGO in Armenia and by Krzysztof Bobinski from the Unia & Polska Foundation in Poland.

#### Delays bedevilled the start of our activities

The activities of the group were overshadowed in the first half of the year by the lengthy negotiations with DG Near over the European Commission's grant for the 2018 to 2020 period for the Civil Society Forum. These were only finally completed in the late spring. This uncertainty as to the financial future of the CSF meant that in effect activities were delayed and the Forum only began to operate properly in May of 2018.

Thus while the selection committees and the call for the annual regranting scheme were accomplished with the support of the secretariat on time, the regranting scheme only got under way in May. A further cause for delay was the insistence by the European Commission that it should validate the projects made by the selection committee and this only happened in May while the original timetable for the projects foresaw work on the starting on April 1- in effect a two month delay.

The annual meeting of WG1 which was to have taken place in June was also delayed because of the problems with the funding till early September.

#### Alignment with the 2020 deliverables

This was the first year during which the CSF sought to align its activities with the 2020 deliverables programme authored by the European Union for the Eastern Partnership. This taken together with the insistence by the European Commission that the Forum provide expert advice from its ranks for the Platforms and Panels which inform the 2020 deliverable programme proved challenging for the Working Group. The secretariat however stepped in and put together a list of experts who volunteered to take part in the 2020 Platform and Panel meetings attended by representatives of the Commission, member states, partner states and other stakeholders including the CSF. The role of the experts who present their own views but also presented the point of view of the Forum could become an important part of monitoring and shaping the future of the 2020 programme and adapting its aims to match changing circumstances in the EaP.

#### Change is of the essence

It seems however the European Commission has yet to understand how important it is to adapt Eastern Partnership policy to changing circumstances and to see civil society representatives as an important element of this constant review of the 2020 programme. We appreciate a statement at the annual Euronest meeting by Lawrence Meredith, director for Neighbourhood East at the DG for Neighbourhood and Enlargement Negotiations who said that more and more he was coming to the conclusion that justice reform and the rule of law were a key element of the fight against corruption and a crucial element of the activities in the Eastern Partnership. The WG 1 coordinators agree!



### **The campaign for a good human rights commissioner in Strasbourg**

The activities of WG1 started with a brisk and successful campaign to involve civil society in the choice by the Parliamentary Assembly of the Council of Europe (PACE) of a new human rights spokesman and we successfully got the lead candidates to answer questions on their intentions if elected and published their answers on the internet. Also we followed and protested about the abduction in Georgia and subsequent sentencing of Afgan Mukhtarli, the Azerbaijani journalist, by an Azeri court to a six year prison term on evidently spurious charges of illegally crossing the Azeri border.



### **The struggle to stop Fikret Huseynli's extradition**

In March and April we were also active in mobilising international support to stop the Ukrainian authorities from extraditing Fikret Huseynli, a Dutch national of Azeri origin from being extradited from Kyiv to Azerbaijan, at the request of the Azeri government. A major part of this effort centred on encouraging the Dutch authorities to defend their citizen from what amounted to a kidnaping similar in some respects to the fate of Afgan Mukhtarli. The campaign was successful and resulted in Mr Huseynli, a political exile, in returning safely to his home in Holland. This case also underscored the dangers which the misuse of Interpol 'red notices' under which Interpol member states can ask for criminals or suspected criminals to be extradited. This system has been misused by countries such as Russia or Azerbaijan and should be one of the subjects of interests for the Civil Society Forum as it poses a threat to our members who are political exiles.

### **Campaign to get Emin Aslan released**

In June we also campaigned for the release from detention in Azerbaijan of Emin Aslan, a young lawyer, who was arrested in Baku on his return from a scholarship in Syracuse University in the United States. Mr Aslan was released after a month in detention amidst protest from students and faculty at the University, law associations abroad and representatives of the US government. This incident showed the need for the legal community in Europe and the US to work together to ensure that lawyers and especially defence lawyers in places like Azerbaijan should be supported when they come under pressure from the authorities.

### **Working to push back the shrinking space for NGO with the Council of Europe**

We also continued our support, as decided at the Tallinn Assembly in 2017, for the efforts of the INGO, a Council of Europe institution, to establish a system within the CoE to monitor the 'shrinking space' for NGOs in the Council of Europe countries. This monitoring system (modeled on the CoE's platform for the protection of journalists) has yet to be established but the contact has resulted in the EaP – CSF joining the CoE INGO. The first months of the year also an effort to bring back into the group organisations which had once been members and this produced a handful of 'returnee' organisations.



## Peaceful change in Armenia

In May the events in Armenia which led to the overthrow of the government in Yerevan focussed our attention. At first with concern that the demonstrations would be met with force by the government and then when the government resigned at the massive challenge of establishing of a new democratic regime in the country. In any event these developments marked a success also for civil society and showed that autocratic regimes are finite but also that they can be removed by peaceful means.



## Working Group 1 had its annual meeting in September

On 11-12 September, Eastern Partnership Civil Society Forum (EaP CSF) [Working Group 1 “Democracy, human rights, good governance and stability”](#) held their annual meeting in Brussels to discuss recent changes to the EaP architecture – as well as the upcoming Internal Reform, affecting the future of the Forum.

It discussed latest developments in the wider EaP region, as well as the EU itself. The discussions started in a large, plenary-style setting before continuing in smaller groups, divided according to expertise and focusing on specific issues. These included a wide-range of topics: enabling civil society environment, Open Government Partnership (OGP), security, media and propaganda, justice, rule of law and corruption, as well as gender. The members could choose one of the following training sessions: Advocacy and lobbying with Tinatin Tsertsvadze (International Partnership for Human Rights – IPHR), Monitoring the implementation of the AA with the EU with Iulian Groza (European Institute for Politics and Reforms Moldova – IPRE) or Effective messaging with Jeff Lovitt (New Diplomacy).

On the side of the meeting, EaP CSF organised a [joint panel discussion on Armenia, entitled “Securing the revolution – the role of civil society and reform challenges in Armenia”, which took place on 10 September at the European Endowment for Democracy \(EED\)](#) office in Brussels. Several Armenian WG1 members participated in a number of advocacy meetings with the EC, EEAS and other EU stakeholders, and briefed Council Working Party on Eastern Europe and Central Asia (COEST) and Council Working Party on Human Rights (COHOM) at the Czech Permanent Representation to the EU, in a session opened by Czech Permanent Representative to Political and Security Committee (PSC), HE Ambassador Tomas Szunyog.



For more information: <http://eap-csf.eu/eap-csf-working-group-1-democracy-human-rights-good-governance-and-stability-holds-their-annual-meeting-in-brussels-raising-points-on-internal-reform/>



### Little activity at the grass roots

At the same time it has to be said that the Working Group has seen little grass roots activity conducted under its aegis during the year. This is a major weakness of the group which seems to come to life only at the annual assembly and then at the annual working group meeting. Letters and calls for support are on the whole met with a deafening silence and only the call for regranting projects and attendance by experts at Platform and Panel meetings evoke a response.

### Link regranting to the membership of the group

This year three re-granting projects got under way. These were:

1. A new security agenda for the EaP – the regional approach
2. Civil Society for the combating of corruption and promotion of Open Government in the EaP
3. Increasing capacity for efficient gender policies in the EaP.

More info here <https://eap-csf.eu/working-group-1-re-granting-2018-projects/>

Given the relative lack of activity among the rank and file organisations in the Working Group over the year (apart from attending the Assembly and the annual WG1 meeting ) it might be worth considering linking these re-granting projects with those members of the working group who are not directly involved. Thus the leaders of the projects could be asked to send regular reports on how the project is going to individual members of the working group and even where possible holding meetings or skype calls to discuss progress maybe within the relevant subgroup.

### Involve the experts in the work of the group

A similar procedure could be implemented around the experts who attend Panel and Platform meetings. They are already obliged to produce reports on what they said and what they heard at the meeting but they could also participate in skype calls with members of the relevant sub group after the meeting. This would bring the group's rank and file more into to policy shaping process on the side of the CSF.

### Platforms and Panels become important



Indeed the platform meetings (where representatives of member and partner states attend) and panel meetings (which are working meetings attended by lower level officials) as well as seminars appear to have become the most important activity the Working Group was involved in 2018. Thanks to the hard and patient work of the secretariat, a steady flow of our experts were sent to attend these meetings over the year. This is the result of one of the changes which have been suggested to us by DG Near. This was that we should concentrate on providing expert advice to the on going Eastern Partnership policy debate between the



member states, the commission and the partner states. As a result our secretariat issued a call for experts from the partnership countries and put together a list of people who are willing and able to represent us at these meetings.

Over the year there was one Platform meeting devoted to a review of the rule of law situation in the EaP and nine Panel meetings on rule of law (one on the fight against corruption and another on the independence of the prosecution services), on public administration reform (on transparency and accountability of officialdom, decentralisation, on the flow of funds from donors to Civil Society (which met in Baku) and a Panel and a Seminar on Common Defence and Security Policy (CSDP) and civil protection.

At the last panel meeting on Rule of Law before our Assembly, our delegates found a greater willingness on the part of the organisers to listen to our views in particular from DG Justice. Many of the participants came up and thanked our colleagues for their interventions. These compliments also came from World Bank and Council of Europe representatives. This suggests that we are making headway in our efforts to be heard and augurs well for our future cooperation.

### **Different approaches**

The rule of law Panel last April in Brussels revealed a difference of opinion between our side and that of the Commission on how the discussion on the subject under review should be structured. Suffice to say that our report on the event noted that:

*”There was almost no time for us to speak and the chair was very keen to stick to the quite technical details of the agenda and not allow us to stray from the agreed subject matter. The EU officials wanted to avoid controversy and areas which might embarrass EaP country representatives. Even though the peaceful and orderly demonstrations in Yerevan were happening as we deliberated the chair cut off discussion of them”.*

Meanwhile the Commission’s account merely stated that:

*“the Civil Society Forum made critical statements with the situation in Azerbaijan and Armenia and underlined shortcomings in the implementation of reforms in particular in the field of justice”.*

### **Our input into the CSDP panel meetings was consulted with experts and WG1 members**

At the same time our internal preparations for the CSDP panel in November gave rise to a process of consultation between members of the security sub group of WG 1 and the chosen experts. This which gave birth to a position paper which was presented at the panel meeting. Indeed it seems that this should be a model for future cooperation between experts, who often are not members of the CSF, and working group members when preparing considered proposals to the participants of the platforms, panels and seminars.



### **But do we have any influence?**

Of course we also have to consider to what extent our suggestions are included in EaP policy shaping. It is significant that our representatives are rarely given a speaking slot at these meetings – they have to ask to speak in the general discussion. Also we have failed miserably in getting the European Commission to take on board our suggestions that assessments of the rule of law in particular EaP countries should include the situation of lawyers who are ready and willing to defend political prisoners for example.

### **We must stick together**

It is also clear that the experts who attend these meetings should work closely with working group members on putting together our proposals for consideration by the other participants in the EaP. Otherwise our participation through the agency of experts in the ongoing EaP meetings will lead to the alienation of the working group members from the entire process.

Krzysztof Bobinski, Haykuhi Harutyunyan

Working Group 1 co-coordinators

Warsaw and Yerevan, November 2018