

The Open Society European Policy Institute

Outcomes and Activities Update¹

December 2015 – February 2016

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Highlights

- Infringement proceedings against Italy over Roma discrimination in housing and against Hungary over discrimination in education are in the final stages of discussion in the Commission.
- The European Parliament adopted a [resolution](#) on the implementation of the Association Agreements with Georgia, Moldova and Ukraine, which includes elements raised by OSF experts, particularly for reforms in the judiciary, the rule of law and the fight against corruption and organised crime.
- The European Court of Human Rights has condemned Italy for the extrajudicial transfer (extraordinary rendition) of Mr (Imam) Abu Omar to Egypt in the framework of the CIA CT programmes. The case follows similar judgements against Poland and Macedonia.
- The EU renewed existing restrictive measures against Zimbabwe and the Republic of Guinea by one year; and deployed an Election Observation Mission in Uganda which highlighted technical shortcomings in the election process.

¹ This is the second quarterly 'activities and outcomes report' as defined by OSEPI's 2015-16 strategy update for the 1-year period of Heather Grabbe's sabbatical. One more report will follow the same format: for March to May 2016. The fourth and final report will cover June to August 2016, but will also review the whole year. The final report will be completed by the end of August 2016.

1. Economic Governance and Advancement

i. Anti-Corruption (sub-theme) – CONCEPT: Advancing Financial Transparency Regulations to Reduce Revenue Leakages and Corruption

Negotiations on legislation on transparency requirements for corporate actors through **Country-by-country reporting (CBCR)** continued but the eventual legislative vehicle to use and the key public disclosure element that would take EU rules beyond OECD remain undecided. Anca joined the civil society coalition to develop public joint advocacy to inform the legislative talks on tax evasion.

2. Human Rights and Democratic Practice, and Migration

i. Civic Engagement and Inclusive Participation in Democratic Governance (sub-theme) – CONCEPT: EU Governance and Institutional Reform

OSEPI engaged with the European Parliament (Greens/EFA Group) consultation in January focused on transparency and democracy in EU governance, and fed into MEP Sven Giegold's upcoming report on Transparency, accountability and integrity in the EU institutions.

ii. CONCEPT: Human Rights and Democracy in EU Foreign Policies and Funding

Advocacy on the new EU Global Strategy: The EU is drafting a new strategy for its Foreign and Security Policy. OSEPI's objective is to place norms and rights as the building blocks of any policy aimed at stability, security and prosperity, and to reinforce the legitimacy of EU action to protect them. We brought together over 30 experts (including from Egypt, Kenya and Azerbaijan), officials, parliamentarians and diplomats in an expert seminar - *Rethinking Human Rights in EU External Policies* - to inform the strategy. OSEPI prepared input, participated in parallel seminars and will feed into a parliament report on the Strategy.

Advocacy on Closing Civic Space: OSEPI (with Kersty/OSJI) continued to advocate for a more strategic and consistent response from the EU on the closing space for civil society. This resulted in specific action points on closing civil society space in the EU's 2015-2019 Action Plan on Human Rights and a decision by the EU to focus its annual human rights forum on civic space. The Forum brought together over 200 civil society leaders, policy makers, and the EU High Representative Mogherini.

EU Enlargement: Srdjan is working to establish a coalition of EU enlargement advocates in Europe. First steps have included membership with the Balkans in Europe Policy Advisory Group, facilitating grantee advocacy from the Western Balkans to improve the negotiation mechanisms in the rule of law field (Ch. 23 and 24), and improved collaboration with OSIFE and the Western Balkans national foundations.

EU-Africa: Marta and Bram worked closely with the EEAS Africa Managing Director Vervaeke on the Great Lakes region to provide OSF and civil society analysis of the EU's position towards the **2016 DRC elections**. AfRO's Pascal Kambale and Marta are developing options for DRC advocacy for the electoral period. Marta convened policymakers around analysis by EurAc² on **Security Sector Reform in the DRC**.

Implementation of select reform commitments under Association Agreements (AA) Georgia, Moldova, Ukraine: Iskra, with the Eurasia Program, launched a regional project that capitalises on OSF national foundations' work in monitoring reforms in their countries. OSEPI shared with the EU an expert assessment of the progress made by the countries on political and rule of law commitments under their AAs. National foundations worked with experts to draft monitoring reports, while OSEPI produced a cross-country comparative study. OSEPI facilitated advocacy visits to Brussels for the national experts.

Iskra, the EU's regional Parliamentary Assembly (EURONEST) and the European Parliament's foreign affairs committee co-organised a one-day conference where ten experts from Georgia, Moldova and

² The European network for Central Africa.

Ukraine, presented their findings in a plenary discussion and specialised roundtable sessions. The event drew a large audience from EU officials, MEPs, diplomats and representatives from the three countries.

As an immediate outcome of OSF advocacy efforts, the European Parliament adopted a [resolution](#) on the implementation of the AAs with Georgia, Moldova and Ukraine, including elements raised by the experts for reforms needed in the judiciary, the rule of law and the fight against corruption and organised crime.

iii. Security and Rights (sub-theme) SHARED FRAMEWORK: Lethal Drones and Targeted Killings

Armed Drones and Targeted Killing: Srdjan ensured that a parliamentary hearing on drones, the fight against terrorism and the impact on human rights will take place on 20 April. This will be a first step towards eventual adoption by the EU Council of the EU Code of Conduct for the use of lethal drones and a subsequent Council Common Position. OSEPI hosted three coalition-building events on lethal drones.

EU member states on drones: In cooperation with our partners in The Netherlands (Pax for Peace) OSEPI organised advocacy towards the Netherlands in January. OSEPI is supporting Dutch plans to raise the issue in the COHOM³ or COARM⁴ working groups of the Council at the end of its presidency.

3. Justice Reform and the Rule of Law

i. CONCEPT: Fundamental Rights, Rule of Law and Equality within the EU

Migration and the rule of law in Europe: The Dutch Presidency asked OSEPI to moderate a seminar on “*EU Fundamental Values, Immigration and integration*” in early February. The seminar prepared the annual thematic ‘rule of law’ dialogue among member states (to take place in March) an exercise where states perform a peer-review on their human rights policy.

OSEPI organised and led the engagement between the Human Rights and Democracy Network of NGOs in Brussels with **the First Vice President Frans Timmermans** on 17 February to discuss migration and integration. Timmermans agreed there is opportunity for exploring legal migration/ways, to explore ideas to change the negative rhetoric around migration and he said that the Commission will launch infringement procedures against states for the non-implementation of the Reception Conditions Directive.

OSEPI participated in a meeting with Commissioner Jourová on **children in migration** where Costanza facilitated the presence of OSF grantees from Sicily and other NGOs in Brussels to influence the policy debate. OSEPI obtained and fed-back into draft Commission policies on the issue.

4. Equality and Anti-discrimination

i. CONCEPT: Equality, Non-Discrimination and Social Inclusion of Marginalized Groups

Violeta coordinated input from OSF and a number of civil society organizations for **the June 2016 Roma Communication on the EU Framework on the National Roma Integration Strategies**. OSEPI also provided analysis and recommendations in the areas of health, education and anti-discrimination.

In January, the Commission asked OSEPI for **advice on how to revive its work on equality data**. As a result of the Nov. 2014 OSEPI report on equality data, both the Commission and the Fundamental Rights Agency engaged in a push towards member states for coherent data collection to fight discrimination.

ii. CONCEPT: New routes to policy change

Two **Bridges Project** workshops focused on counter-terrorism and migration. The project aims to enable policy-makers to support the open society more effectively, by providing them with insights and tools from social and behavioural sciences. The first was on ‘models of the mind and de-radicalisation’, examining how

³ Working Party on Human Rights.

⁴ Working Party on Conventional Arms Export.

policy-makers' assumptions about the mind drive de-radicalisation efforts. The second workshop focused on the tools of framing and conviction narratives to craft a more positive public debate about migration.

OSEPI organised a follow-up **training session for Socialist MEPs on how to counter xenophobic populism in the parliament**. Further meetings of OSEPI and ENAR⁵ took place with MEPs to advocate the re-drafting of the parliament's rules of procedure to prohibit and sanction hate speech.

The parliament's Anti-racism and diversity inter-group (ARDI) was officially launched in January. OSEPI, advocated for the establishment of this inter-group and has provided support for its coordinator.

iii. **Equality and Anti-Discrimination Anti-Xenophobia (sub-theme). CONCEPT: Anti-Gypsyism**

On 2 February, the EU Commission informed OSEPI that the College of Commissioners would discuss the adoption of long awaited **infringement proceedings against Italy** over Roma discrimination in housing; and against **Hungary** in education in breach of the Racial Equality Directive. OSEPI formed a coalition with ERRC⁶, Amnesty and July 21 to ensure that the relevant Commissioners will support the proceedings.

OSEPI placed **remembrance of Roma slavery in Romania** on the agenda of the EU institutions by co-organizing a round table event "*1856 - 2016: The situation of Romanian Roma, 160 years from the abolition of slavery*" in the European Parliament with MEP Damian Drăghici on 16 February.

5. Additional Collaborations

In collaboration with the President's office, Marta and Bram organised and attended a three-day expert meeting at the Pocantico Center in New York on **Bridging the Gap in Security Assistance: addressing the governance of military and security actors**. The meeting convened five philanthropies at presidential level (OSF, Ford, RBF, McArthur, Oak) with civil society, academic and institutional experts, to explore where and how private philanthropy can add value to ongoing initiatives focused on civil-military relations or on improving the governance of the security sector.

Marta is collaborating with WIIS, GMF, EIP, and EPLO to establish a 'Group of Friends' that would regularly brief the **EU Special Advisor on Gender Policies**, Mara Marinaki.

OSEPI hosted an advocacy and outreach meeting for the public policy clinic of **NY University and HEC Paris** with the purpose to provide **research for public interest advocacy**. Two reports were published with OSEPI's support in this period: Demos published a **paper** on e-democracy in the EU and the Centre for European Reform published a **policy brief** on the balance between privacy and security in the fight against terrorism and organised crime.

6. Internal Organisational Plans

OSEPI closed 2015 with a **reception** on 7 December to introduce OSEPI's work and new colleagues to key activists, NGOs and policy-makers. We held a **two-day staff retreat** in early February to launch our 2017 strategy. **OSEPI/OSF exchange**: Pearly and Cynthia participated in the global finance retreat; Srdjan in the MENASWA retreat; and Violeta in the RIO retreat. OSEPI hosted Daphne Panayotatos from the Strategy Unit during a two-week exchange in December. Marta and Bram developed a project to set up a **Security Governance Learning Lab** to develop a shared understanding across AfRO and African foundations and identify potential entry points for AfRO engagement in this field. OSEPI continued to deepen its partnership with **OSIFE**. Emma attended OSIFE's retreat to discuss its strategy for 2017-2020. Discussions have included plans for the 2016 OSEPI-OSIFE Policy Conference. Last but not least, senior analyst **Costanza Hermanin** has been nominated chief of staff for the Italian Under-Secretary for Justice and will take up her new role on 1 March. We wish her all the best in this new role.

⁵ European Network Against Racism.

⁶ European Roma Rights Centre.