



ENNHRI 2
General Assembly
Zagreb, 27-28 October 2016

ENNHRI General Assembly Seminar
Human Rights and Counter-Terrorism

28 October 2016

Room Ban Frankopan, Hotel Dubrovnik,
Zagreb, Croatia

Agenda

Time	Item and Speakers
09.00	Coffee and registration
09.15	Welcome: Lora Vidović, ENNHRI Chair, Ombudswoman of Croatia , will introduce the objectives and the context of the General Assembly Seminar on Human Rights and Counter-terrorism, as well as ENNHRI's work in this area.
09.30	Opening Panel: "Secrecy, Urgency, and States of Emergency: Engaging in the Human Rights Compliance of Counter-Terrorism Measures" Counter-terrorism measures are increasingly adopted across Europe. They are often adopted in extreme circumstances following an attack, both in the state(s) directly affected by the attack, and in other jurisdictions. The context of fear and pressure to ensure 'security', as well as some political or media messaging, can give rise to the expedited development of legislation or policies adopted through secretive procedures or within the framework of states of emergency. Working towards the human rights compliance of these measures can be particularly challenging, given the context and processes involved. This panel and plenary discussion will consider the increase in counter-terrorism measures in Europe, and how NHRIs can seek human rights compliance, given the challenges posed by these extraordinary circumstances. <u>Moderator</u> <ul style="list-style-type: none">• Julia Hall, Expert on Counter-Terrorism and Human Rights, Amnesty International <u>Speakers</u> <ul style="list-style-type: none">• Magali Lafourcade, Secretary General, Commission nationale consultative des droits de l'homme, French NHRI• Adam Bodnar, Commissioner for Human Rights, Polish NHRI• Linda Ravo, Fundamental Rights Unit, DG Justice, European Commission• Paul d'Auchamp, Acting Regional Representative, OHCHR Regional Office for Europe
11.00	Coffee break

11.15	Concurrent Small Groups
<p>Small Group A: New Legal Frameworks for a Changing Landscape</p> <p>Legislators across Europe have created new counter-terrorism measures to try to respond to a context of increased internationalism, migration and digitisation. The new security measures include mass surveillance, offences of funding or traveling for terrorist purposes and the possible deprivation of nationality. The new legal constructs often have human rights concerns, as well as unclear definitions and scope. Given the Protocol of the Council of Europe Convention and the new EU Directive, some are likely to be introduced in most European states. This Small Group will introduce some of the key aspects and challenges of the new legal frameworks and offences, and facilitate discussion on how NHRIs should address these phenomena.</p> <p><u>Moderator</u></p> <ul style="list-style-type: none"> • Róisín Pillay, Director of Europe Programme, International Commission of Jurists <p><u>Speakers</u></p> <ul style="list-style-type: none"> • Rebecca Hilsenrath, Equality and Human Rights Commission, Great Britain NHRI • Lilja Gretarsdottir, International Institutions and Civil Society, Council of Europe • Kersty McCourt, Senior Advocacy Advisor, Open Society Justice Initiative 	
<p>Small Group B: Discriminatory Impacts of some Counter-terrorism Measures</p> <p>Discrimination and social exclusion have often been identified to be the root causes of terrorism. At the same time, counter-terrorism measures might target certain groups or communities through practices such as ethnic profiling, mass house searches, arbitrary arrests and dismissals, or armed monitoring of specific communities, with the potential to lead to discrimination based on nationality, ethnicity, religion or belief. This small group will explore the potentially discriminatory impacts of counter-terrorism measures, and discuss how NHRIs can use their multi-faceted functions to address them.</p> <p><u>Moderator</u></p> <ul style="list-style-type: none"> • Adriana Van Dooijeweert, ECC Member, Netherlands Institute for Human Rights <p><u>Speakers</u></p> <ul style="list-style-type: none"> • Patrick Charlier, Unia, Belgian NHRI (video statement) • Anastasia Crickley, UN Committee on the Elimination of Racial Discrimination • Evelyn Collins, Chair, Equinet, European Network of Equality Bodies 	
<p>Small Group C: Promoting Human Rights in a Climate of Security and Fear</p> <p>Communicating on human rights is increasingly difficult in many European states, and particularly challenging following large-scale terrorist attacks, where individuals and entire societies can be traumatised. Even in states where no attacks have occurred, public messaging also suggests that fundamental freedoms must be compromised to ensure security. NHRIs have a responsibility to promote human rights for both the public and the state. This Small Group will discuss how NHRIs can fulfil this function effectively, given the challenging circumstances across Europe, and in times of (fear of) terror.</p> <p><u>Moderator</u></p> <ul style="list-style-type: none"> • Günther Kräuter, International Ombudsman Institute, Austrian Ombudsman Board <p><u>Speakers</u></p> <ul style="list-style-type: none"> • Les Allamby, Chief Commissioner, Northern Ireland Human Rights Commission • Valeriya Lutkovska, Commissioner for Human Rights, Ukraine • Saša Janković, Protector of Citizens, Serbian NHRI 	

12:30	Lunch
	<p>Walkabout Conclusions of Small Groups After lunch, all participants can take a walk around each small groups' conclusions, as the key conclusions from each small group will be displayed on flipcharts.</p>
13:45	<p>Plenary</p> <p>Report back from Small Groups</p> <ul style="list-style-type: none"> • Maria Gavouneli, ECC Member, Greek National Commission for Human Rights • Sirpa Rautio, ECC Member, Human Rights Centre, Finnish NHRI • Niko Tatulashvili, ECC Member, Office of Public Defender of Georgia
14:10	<p>Concluding Panel: the Role of NHRIs in addressing Human Rights Implications of Counter-terrorism Measures</p> <p>NHRIs have a pivotal role in addressing the human rights implications of counter-terrorism measures. Their multi-faceted and reinforcing functions, with privileged access to a variety of actors enable a holistic approach to both the promotion and protection of human rights. Furthermore, their broad mandate and bridging role between civil society and the state, as well as between the national and international spheres, make them particularly well placed to impact upon human rights compliance in this area. This panel and plenary discussion will draw on the discussions from throughout the day, as well as partners' work in this area, to explore how NHRIs could be most effective in this area, including through support and engagement with ENNHRI and its stakeholders.</p> <p><u>Moderator</u></p> <ul style="list-style-type: none"> • Matthieu Birker, Advisor on counter-terrorism issues, Office of the Council of Europe Commissioner for Human Rights <p><u>Speakers</u></p> <ul style="list-style-type: none"> • Omer Fisher, Acting Head, Human Rights Department, OSCE/ODIHR • Sarah Rinaldi, Deputy Head of Unit, DG DEVCO, Human Rights, Gender, Democratic Governance Unit, European Commission • Isabelle Tschan, Programme Specialist Human Rights, Rule of Law, Justice and Security, UNDP • Beate Rudolf, Chair, GANHRI; ECC Member; German Institute for Human Rights
15:40	<p>Conclusions and Next Steps: Debbie Kohner, ENNHRI Secretary General, will provide concluding comments, next steps, and close the General Assembly Seminar.</p>
16:00	Closing