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LIMITE

COHOM

WORKING PAPER

INFORMATION

From:	Estonian Presidency
To:	Delegations
Subject:	COHOM Informal, 19-20 October 2017, Tartu - revised programme

Please find attached the revised programme for the informal meeting of the Working Party on Human Rights on 19-20 October 2017, in Tartu, Estonia.



Estonian Presidency
of the Council of the
European Union



Working Party on Human Rights 19-20 October 2017, Tartu PROGRAMME

October, 18 October

Arrival of the delegates at Tartu

19:30-21:00

Informal dinner at The Widget Factory/Aparaaditehas

Address: Kastani 42, Tartu

Delegates are invited to an informal dinner - please note that delegates will be responsible for their own dinner bills.

21.00

Walk back to the hotel

Thursday, 19 October

08:30-09:00

Registration and welcome coffee at V SPA Hotel and Conference Center

Address: Riia 2, Tartu 51013

09:00-09:15

Opening remarks by:

Ms Ciara O'Brien

COHOM Chair, **European Union External Action Service**

Ms Karmen Laus

Director of International Organizations Bureau, **Estonian Ministry of Foreign Affairs**

09:15-11:15

Working Session I – Freedom of Expression Online

The aim of this panel is to discuss the promotion and protection of the right to freedom of expression online through the prism of **Action 11 of the EU Action Plan on Human Rights and Democracy (2015-2019)**. COHOM has a central role in the EU's policy framework regarding freedom of opinion and expression online, and in the implementation and evaluation of **EU Human Rights Guidelines of Freedom of Expression online and**



offline (2014). This informal session provides us with an opportunity to discuss the implementation of the EU Human Rights Guidelines of FoE in cyberspace, encourage exchange of good practices and to reflect on the lessons learnt. The exchange of expertise and experience between COHOM and other organisations, which are active in the field of the promotion and protection of freedom of opinion and expression online, allows us to explore options for potential synergies and avoid any duplication of activities, instruments and mechanisms, thus increasing our effectiveness. Thus, **this panel will set out to:**

1. Discuss the **challenges faced, lessons learnt, and share good practices in the implementation of the EU's FoE guidelines**. The discussion will focus on the **ways in which the EU and MS could mainstream more effectively the promotion and protection of freedom of opinion and expression online** in the EU's external activities to foster a more effective operationalisation of the Guidelines.
2. Consider **how the EU and MS could most effectively respond to violations of freedom of opinion and expression online in third countries** and best address these issues in our engagement with the respective governments.
3. Explore the **linkages between the EU's FoE guidelines and other international organisations and expert groups' guidelines and recommendations**. In particular, we could explore different international efforts (Council of Europe, OSCE, Article 19 and Global Partners Digital) from the perspective of coherence and synergy in the protection and promotion of freedom of expression online. The EU's cooperation with other international organisations and civil society organisations is crucial for the effective promotion of the EU's FoE policy at the international fora.

Speakers:

Ms Karmen Turk

Expert and Co-Chair in the Committee of Experts on Internet Intermediaries, **Council of Europe**

Mr Frane Maroevic

Director of the Office of the OSCE Representative on Freedom of the Media, **Organization for Security and Co-operation in Europe**

Ms Susan Coughtrie

Senior Programme Officer, **Article 19**





Mr Matthew Shears
Lead Strategist, **Global Partners Digital**

11.15-11:45 **Family photo**
Coffee break

11:45-13:00 **Working Session II – UN Human Rights Council Reform**

Ahead of the proposed discussion in COHOM on 8 November, the opportunity of the informal COHOM will be taken to have a short state of play discussion on the various ongoing initiatives with regard to HRC reform. On foot of a short update by the COHOM Chair, MS will be invited to exchange on the various proposals to help orient the future COHOM discussions on this issue.

13:00-14:00 Buffet lunch

14:00-16:00 **Working Session III – Fight Against Impunity**

The aim of this panel is to discuss how the EU and Member States can stay actively engaged in the prevention of and fight against impunity and in strengthening accountability. The commitment to the fight against impunity is enshrined in the EU policy framework. The EU has a strong policy in support of the International Criminal Court based on the Council Decision (2011) and Action Plan on its implementation. The **Strategic Framework on Human Rights and Democracy** (adopted by the Council in June 2012) reaffirms strong political commitment from the EU to prevent violations of human rights throughout the world and, where violations occur, to ensure that victims have access to justice and redress and that those responsible are held to account. Furthermore, it states that the EU will continue to promote observance of international humanitarian law and will fight vigorously against impunity for serious crimes of concern to the international community, including sexual and gender-based violence, not least through its commitment to the International Criminal Court. In its **Action Plan on Human Rights and Democracy 2015–2019** under **action 22** the EU has set out concrete activities on ending impunity, strengthening accountability, and promoting and supporting transitional justice.

One of the most relevant mechanisms in the fight against impunity is the **International Criminal Court (ICC)**. This year marks 15 years since the entry into force of the **Rome Statute** establishing the ICC, and next year we will celebrate the 20th anniversary of the adoption of the Statute. To date, 124 countries have become party to the Rome Statute. All EU Member States have ratified the Rome Statute and, along with the EU, are



committed to promoting its universal implementation. This is done through the various EU foreign policy instruments, such as regular human rights dialogues, systematic demarche campaigns, informal outreach, statements by the High Representative, Council Conclusions and the work of the EU Special Representatives. It also includes holding local or regional seminars, systematic inclusion of an ICC clause into agreements with third countries, or through financial support to civil society organizations lobbying for the universality of the Rome Statute, and EU action in multilateral fora. The EU, through the **Council Working Group devoted to the ICC (COJUR-ICC)**, which was set up in 2002, closely follows issues related to the work of the Court.

Questions for discussion:

1. How can the **EU increase its effectiveness** in upholding **accountability** for mass atrocities? How could the EU and MS **mainstream the prevention of mass atrocities and impunity** in their foreign policy and better target their efforts? How can the current mechanisms be made more efficient and effective?
2. How could **effective cooperation and coordination** with **international and regional actors** be facilitated to **close the global impunity gap**? How could we link and coordinate activities, resources and expertise with other international and regional actors?
3. How could the EU and MS **empower civil society in the prevention of and fight against impunity**?

Speakers:

Mr Peter Pedak

COJUR-ICC Chair, **The Estonian Ministry of Foreign Affairs**

Dr Olympia Bekou

Head of the International Criminal Justice Unit of the **University of Nottingham Human Rights Law Centre**

Ms Santa Falasca

Head of the **International Center for Transitional Justice Brussels Office**

16:00-16:15

Coffee break





- 16:15-16:30** **Transfer to the A. le Coq Beer Museum**
Address: Laulupeo pst 15, Tartu
- 16:30-18:30** **Guided tour at the A. le Coq Beer Museum**
- 19:00-21:00** **Dinner at Truffee restaurant**
Address: Raekoja plats 16, Tartu
- 21:00-22:00** **Guided walk in Tartu City Centre**
- 22:00** **Departure to the Hotel**



Friday, 20 October

08:30-09:00 Coffee break

09:00-12:00 **Working Session IV – Indigenous Peoples**

According to UN estimates, there are more than 370 million indigenous people in the world, living in more than 90 countries. They speak 7,000 languages and represent 5,000 different cultures. However, these indigenous people make up less than 5% of the world's population and account for 15% of the extreme poor. In many countries, fundamental rights, including economic, social and cultural rights, of the indigenous peoples are not taken into account in decision-making. The lack of awareness, recognition and action to promote and protect their human rights perpetuates their exclusion and discrimination they experience. This was recognised in the **Joint Staff Working Document of the European Commission “Implementing EU External Policy on Indigenous Peoples”** (2016), which states: “In many countries, indigenous peoples are often amongst the poorest, most discriminated and marginalised groups in society and often victims of serious human rights violations and abuses”.

The EU has contributed to the promotion and protection of the rights of indigenous peoples by the use of various means within its external human rights policy. The **EU Council Conclusions on Indigenous Peoples**, adopted in May 2017, reaffirmed the EU's commitment to the promotion and protection of the rights of indigenous peoples. It underlines the importance of addressing **discrimination and inequalities based on indigenous origin or identity**. It also stresses the importance of actions taken to **address the threats to and violence against indigenous peoples and individuals as well as to human rights defenders**, in the context of land and natural resources in the protection of the environment, biodiversity and the climate. The conclusions highlight the crucial importance of further enhancing **opportunities for dialogue with indigenous peoples** at all levels of EU cooperation.

In the **first segment of this working session**, COHOM will discuss the questions in relation to participation of indigenous peoples and their representatives on issues affecting them. Delegates are invited to share information about their national activities and initiatives to support the promotion and protection of the rights of indigenous peoples. In the



second segment, COHOM will get an overview of the European Commission activities in support of the indigenous peoples. In particular, the European Commission has supported a project through the European Instrument for Democracy and Human Rights (EIDHR) called the **Indigenous Navigator** initiative. The Indigenous Navigator seeks to reinforce the capacity of indigenous peoples to engage with policy and decision makers at different levels and to reinforce their contributions to the design, implementation and monitoring of public policies affecting them. Furthermore, COHOM will get an overview of the **UN Voluntary Fund for Indigenous Peoples** activities, which assists representatives of indigenous communities and organizations to participate in the deliberations affecting them.

Questions for discussion:

1. How can the rights of indigenous peoples be **mainstreamed** and **strengthened** in EU policies and programmes in external action in line with the UNDRIP?
2. How could the EU and MS facilitate **the full and effective representation** of Indigenous Peoples at the **national, regional and international level, including the UN Human Rights system**?
3. How can the EU and MS increase efforts to protect **indigenous peoples and individuals and human rights defenders**, who are working to uphold economic, social and cultural rights, especially those working on indigenous peoples, in the context of land and resource grabs, and climate change?

9.00-10:30

Working Session IV – Indigenous Peoples

Speakers:

Ms Joan Carling

Co-convenor, **Indigenous Peoples Major Group on Sustainable Development**

Mr Pavel Sulyandziga

Member, **UN Working Group on Human Rights and Transnational Corporations and Other Business Enterprises**





Mr Alexey Tsykarev
Expert Member, **UN Expert Mechanism on the Rights of Indigenous Peoples**

10:30-11:00 Coffee break

11.00-12:00 **Working Session 3 – continued**

Speakers:

Ms Sylvie Prouveur
Directorate-General for International Cooperation and Development,
European Commission

Ms Birgitte Feiring
Chief Adviser, **Danish Institute for Human Rights**

Ms Anne Nourgam
Board member, **UN Voluntary Fund for Indigenous Peoples**

12:00-12:30 ***End of programme and departure to the Estonian National Museum***
Address: Muuseumi tee 2, Tartu

12:30-14:00 Buffet lunch at the Estonian National Museum

14:00-15:00 **Guided tour at the Estonian National Museum**

16:00 **Departure of the bus to the VSPA Hotel and Conference Center**
Possible also to call a taxi from the Estonian National Museum information desk to depart earlier

