

**Presentation at the 10th anniversary conference of the
European Network of National Human Rights Institutions (ENNHRI)**

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Dear friends!

Thank you for inviting me to your party and let me convey my best birthday wishes! It is a great pleasure to be among so many old friends. The European Network of National Human Rights Institutions (ENNHRI) has come a long way. I remember meeting with Alan Miller and the European group way back in 2012 and attending the first annual assembly. You have grown and progressed much since those early days.

Amnesty International has a significant presence in the region with our regional office, as well as 28 national entities. We have had excellent cooperation with many NHRIs. For example, recently with the Lithuanian Ombudsman we did some good work together at the Belarusian border. However, there have been instances in which NHRIs have undermined our work or even tried to discredit us. Your voice carries much weight and can be used for the benefit of or to the detriment of human rights. You have access and powers that we do not have, so we need you to be strong and independent. I would also submit that you need civil society as one of your core constituencies.

We need each other to combat the many negative trends in human rights, we need to stand together against the forces of war, those who challenge multilateralism and human rights values, those who deny equality, and those who seek to suppress activism.

I would like to briefly mention some of the trends we have identified and how we are working to address them. Regarding Ukraine, I must start by saying that the country is not part of the territory covered by the Europe regional office.

However, we have done much work monitoring the situation of Ukrainian refugees and subgroups among them, including Roma as well as Chechens facing extradition to Russia. We have been active in advocating for accountability for human rights violations not only in Strasbourg and Brussels, but further afield. For example, our colleagues in South Africa filed an amicus brief to compel the South African authorities to arrest Vladimir Putin for war crimes were he to come to the BRICS summit.

We have sought to combat human rights backsliding and growing restrictions on civic space in a number of different dimensions. We have prioritized defending and promoting the right to protest, the right to compassion, the right to criticize, and the right to not have Big Brother looking over our shoulder or into our telephone.

Amnesty recently launched a global campaign called Protect the Protest. We have done mapping of trends in 21 European countries and can confirm the findings presented by Michel Forst, UN Special Rapporteur on the Rights of Environmental Defenders, this morning. Environmental activists are targets of many restrictive laws and practices, as well as some very nasty narratives. However, the restrictions go beyond environmental protest and include outright bans on some forms of protest, detention and arbitrary arrests of protesters, huge fines for organizers, and unlawful dismissals from work. Reclaiming the narrative is essential, as protesters are being portrayed as dangerous trouble-makers. One of our sections came up with the slogan “Today’s protests are tomorrow’s rights!”

In recent years, we have spent much energy defending the right to compassion – the work of NGOs and activists in carrying out search and rescue of migrants and refugees at sea, as well as providing humanitarian assistance to those who make it to Europe. This work is being increasingly criminalized in many European countries. A turning point was the adoption of the “Stop Soros” legislation in Hungary in 2018. In 2020 Amnesty issued a regional report covering criminalization of solidarity in Croatia, France, Greece, Malta, Spain, Switzerland and the UK. In the interim, there have been new cases in Cyprus, Italy, Poland and Latvia. The key here is the motivation behind this action, which is not money or the desire to exploit migrants and refugees, but humanitarian compassion. Criminalizing this work has a broader chilling effect on civil society and activism.

We are growing increasingly concerned about government and business action aimed at restricting the right to criticize. A dangerous development is the widespread use of strategic litigation against public participation or SLAPP suits to

silence critics, force them to divert resources to defend themselves, and deter them from criticism and activism. Such suits often target environmental activists, but also human rights defenders, journalists and others. Last year we flagged this problem in Austria, Bosnia and Herzegovina, Greece, but especially in Croatia, Serbia and Slovenia. We have joined others in the CASE coalition to advocate at both the EU and Council of Europe for new legislation to use a broad definition of the targets of SLAPPs, to provide for early dismissal in courts of abusive lawsuits, to reverse the burden of proof, to provide for sanctions against abusers, and to ensure legal and financial support for victims.

Finally, we have focussed on defending the right not to have Big Brother looking over our shoulder. Many companies in Europe are actively developing or trading highly invasive or indiscriminate surveillance tools. Amnesty has a wonderful outfit called Amnesty Tech which focusses on combating the abuse of spyware and other forms of dangerous surveillance. It has conducted two large investigations lately – Pegasus in 2021 and Predator just recently. There are many European countries implicated, including Azerbaijan, France, Greece, Hungary, Poland, Spain and others. We are advocating for states to revoke the marketing and export licences of such companies, the need to conduct independent investigations, to ban spyware until a human rights regulatory framework is in place, and to require companies to do human rights due diligence.

The overall trends are quite worrying, especially as they sometimes reinforce each other. Thus, climate change is leading to increased migration, which has been accompanied by the criminalization of solidarity. At the same time, climate change has sparked many protests, which the authorities have sought to deter and repress using various means. NGOs need national human rights institutions to stand with us against these and other negative human rights trends. We all have a lot of work to do together.