



Supplementary Human Dimension Meeting

INTERNATIONAL CO-OPERATION TO ADDRESS VIOLATIONS OF HUMANITARIAN LAW AND INTERNATIONAL HUMAN RIGHTS LAW

**28-29 March 2022
Vienna**

FINAL REPORT



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1. EXECUTIVE SUMMARY

The first Supplementary Human Dimension Meeting (SHDM) of 2022, organized by the Polish OSCE Chair-in-Office with the support of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), was dedicated to “International co-operation to address violations of humanitarian law and international human rights law.” The meeting provided an opportunity for OSCE participating States (pSs), OSCE institutions and executive structures, international organizations, civil society and other stakeholders to exchange views and develop recommendations.

The sessions and ensuing discussions focused on the law and OSCE commitments that form the rules framework applicable during international armed conflict and obstacles to their implementation. In addition, participants in the meeting shared experiences on the investigation and documentation of international humanitarian law (IHL) and international human rights law (IHRL) violations and good practices in terms of cooperation between various stakeholders. The meeting also included discussions on digital technologies that support human rights defenders, as well as the digital threats that they face.

253 individuals registered to participate in the meeting. It brought together 196 attendees (75 men, 121 women), including 112 representatives of 48 pSs, 8 representatives of 4 international organizations, 54 representatives of 46 civil society organizations (CSOs), as well as 22 participants from OSCE institutions and field missions, National Human Rights Institutions and other participants.



Neuer Saal conference room, Hofburg, Vienna, during the SHDM Opening Session on 28 March 2022.

The 1st SHDM of 2022 was the first Human Dimension Meeting held in Vienna since 2019. In 2020-21 period SHDMs were held in an online format, due to the Covid-19 pandemic.

2. SYNOPSIS OF THE SESSIONS AND RECOMMENDATIONS

OPENING SESSION

Opening remarks:

Mr. Matteo Mecacci, Director, OSCE/ODIHR

H.E. Mr. Zbigniew Rau, Minister of Foreign Affairs of Poland, Chairperson of the OSCE Permanent Council (*recorded*)

Keynote addresses:

Mr. Michael O'Flaherty, Director, EU Agency for Fundamental Rights

Ms. Oleksandra Matviychuk, Head of the Board, Center for Civic Liberties, Civic Solidarity Platform Secretariat

In the opening session, speakers described the scope and applicability of OSCE commitments, IHL and IHRL in armed conflict, focusing on the human rights and humanitarian situation in Ukraine resulting from the Russian Federation's military attack. The OSCE Chair-in-Office and Minister of Foreign Affairs of Poland reaffirmed a commitment to focus on human dimension issues and to utilize OSCE human dimension events as a platform to address human rights challenges in the OSCE area. He emphasized the immense toll to civilians resulting from the war in Ukraine, urged the Russian Federation to withdraw its troops from the territory of Ukraine, and to respect international law and OSCE commitments.

The Director of ODIHR stressed that the OSCE must play a key role in ensuring respect for IHL and IHRL in the OSCE region, including through its expertise on monitoring and reporting, and highlighted the establishment by ODIHR of a special monitoring initiative relating to the conflict in Ukraine that focuses on the most urgent issues affecting the lives of civilians and of prisoners of war, its findings to be released in public reports. ODIHR also supports the implementation of the Moscow Mechanism, which was invoked by 45 participating States in relation to the events in Ukraine.

Moreover, Director Mecacci informed the participants that ODIHR has stepped up its efforts to combat trafficking in human beings resulting from the armed conflict in Ukraine, including guidance and trainings based on its National Referral Mechanisms (NRMs) Handbook and rapid assessment missions to neighbouring countries relating to NRMs. In addition, ODIHR is developing specialized tools for human rights defenders working in the high-risk environment created by the conflict, and providing guidance and training on freedom of movement in all phases of the conflict cycle.

The first keynote speaker, Mr. O'Flaherty, Director of the European Union's (EU) Agency for Fundamental Rights (FRA) lauded the remarkable solidarity towards people in flight from Ukraine shown by neighboring countries. This included management at the borders and mechanisms for the reception of vulnerable individuals. The speedy invocation of the EU Temporary Protection Directive was commended, affording eligible individuals the right of

residency, access to the labour market, housing, education, social welfare, health care and guardianship for unaccompanied children in the EU for one year.

At the same time, FRA Director emphasized that the risk of human trafficking remains very high, and that there have been reports of racism and discriminatory approaches against Roma. He also stressed that a more systematic approach is needed that reduces reliance upon voluntary organizations for humanitarian aid and assistance, as well as planning for long-term stays including family reunification, childcare, employment, and psychological assistance. Finally, he emphasized the critical importance of protecting media freedom and human rights defenders.

The second keynote speaker, Ms. Matviychuk, representing Center for Civil Liberties, a member of the Civic Solidarity Platform, emphasized the tremendous toll of the conflict in Ukraine and stressed that it presents a threat not only to Ukrainian sovereignty, but also to the very foundations of international law, collective security, and human rights. She argued that the present conflict in Ukraine demonstrates a failure of the OSCE to fulfil its mandate by preventing a large-scale war in its region. She noted that the human dimension is inextricable from collective peace and security, and that any State that systemically disregards human rights obligations and persecutes lawyers, journalists and human rights defenders constitutes a security threat for the entire region. She posed several questions to the audience about the future role of the OSCE and its contribution to the monitoring hostilities and documentation of violations during the conflict, including the documentation of violations against Russian citizens who object to the conflict. The speaker closed by calling on the OSCE pSs to take necessary steps to stop the conflict without requiring Ukraine to give up its democratic choice or sacrifice democratic values.

SESSION I: REQUIREMENTS AND APPLICATION OF INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONAL HUMAN RIGHTS LAW

Introducers:

Ms. Laura Guercio, Coordinator of the Universities Network for Children in Armed Conflict

Mr. Nils Muiznieks, Regional Director for Europe, Amnesty International

Ms. Rita Izsák-Ndiaye, OSCE Chair-in-Office Personal Representative on Children and Security

Moderator: Mr. Konstantine Vardzelashvili, Head, Democratization Department, OSCE/ODIHR

The first session focused on the fundamentals of IHL and IHRL, as well as the applicability of each during the current armed conflict in Ukraine. The presenters emphasized IHL and IHRL provisions relevant to the ongoing conflict and explained measures taken to document violations. In addition, the session highlighted the particular vulnerability of children in armed conflict, discussing the types of IHL and IHRL violations they are experiencing and advancing recommendations to address these violations.

The first introducer, Ms Guercio, Coordinator of the Universities Network for Children in Armed Conflict, discussed the basic principles of IHL, namely distinction, proportionality and humanity, and the obligation of parties to an armed conflict to take measures to avoid harming civilians as well as civilian infrastructure, including schools and hospitals, in accordance with these principles. In addition, the session focused on the complementarity of IHL and IHRL, the latter of which does not cease to apply during armed conflicts. Children and other vulnerable groups are accorded particular protections under both IHL and IHRL.

The second introducer, Mr. Muiznieks, Regional Director for Europe at Amnesty International, discussed how evidence is being collected and used for reporting and the development of recommendations to address violations of both IHL and IHRL in the context of the ongoing conflict in Ukraine. This includes Amnesty International's 'Crisis Evidence Lab', which collects and analyses audio-visual materials and, where possible, corroborates this with interviews from witnesses. The introducer pointed out that evidence collected during the conflict so far has shown clear indications of unlawful killing and kidnapping of civilians, the use of prohibited cluster munitions, unlawful targeting of schools, and other violations. The aim of documentation is to assist the International Criminal Court (ICC), the United Nations (UN) Commission of Inquiry, or potential future international tribunals to hold perpetrators accountable and to counteract misinformation.

The particular vulnerability of children in armed conflict was also emphasized during the session. The third introducer, Ms. Izsák-Ndiaye, Personal Representative of the OSCE Chair-in-Office on Children and Security, highlighted that IHL and IHRL protects children during armed conflict. She drew attention to the situation of children affected by the armed conflict in Ukraine, including those who have been killed or injured, those who face food and housing insecurity, and those who have lost access to healthcare or educational facilities. It was emphasized that the most vulnerable children, including undocumented, stateless, children who are ill, orphans, children with disabilities, and children from marginalized groups such as Roma are even more affected and have an increased risk of being exploited by traffickers.

Participants emphasized the IHL violations taking place during Russian Federation's military attack on Ukraine, with many speakers condemning the actions of Russian Federation in Ukraine and calling on the Russian military to withdraw. Numerous participants emphasized the need for accountability for IHL and IHRL violations taking place during the conflict. Several participants also highlighted the particular vulnerability of the Roma community in the context of the armed conflict. They called on governments to provide non-discriminatory assistance, referring to the admirable support provided by Non-Governmental Organizations (NGOs).

Recommendations for the OSCE pSs:

- To respect and ensure respect for IHL and IHRL law in all territories under their control.
- To establish and respect humanitarian corridors in order to enable civilians to reach safety during armed conflict, and to facilitate the provision of humanitarian aid to conflict-affected populations without discrimination.
- To ensure non-discriminatory access to international protection for persons fleeing from armed conflict, including persons without documentation and stateless persons.
- To ensure that the Roma community can equally access protection schemes, to address discrimination against Roma fleeing armed conflict and to respond to incidents of racist and discriminatory treatment.

- To protect children affected by armed conflict in accordance with the principle of the best interest of the child and non-discrimination, including unaccompanied children, and to provide long-term quality care, enrolment to education, psychological support, health care and protection, whether in their home country or in a country of displacement.
- To ensure that post-conflict, children are resettled or safely returned applying the best interest of the child principle, and to incorporate measures to ensure the protection and well-being of children in peace processes and post-conflict recovery programs.

Recommendations for the OSCE institutions and field operations:

- To provide recommendations on possible measures to promote and ensure the protection of children affected by armed conflict in cooperation with relevant UN mechanisms.
- To contribute to the documentation of violations of IHL and IHRL in the armed conflict in Ukraine.
- To collect good practices and help build the capacity of national authorities relating to the reception and protection of refugees and internally displaced persons, with particular regard to children.

SESSION II: INVESTIGATION AND DOCUMENTATION OF INTERNATIONAL HUMANITARIAN AND HUMAN RIGHTS LAW VIOLATIONS

Introducers:

Ms. Gloria Gaggioli, Director, Geneva Academy

Ms. Nerma Jelacic, Director for Management and External Relations, Commission for International Justice and Accountability (CIJA)

Ms. Tetiana Pechonchyk, Head of the Board, Human Rights Information Center Zmina

Moderator: Mr. Andrew Gardner, Deputy Head, Human Rights Department, OSCE/ODIHR

The second session focused on the specific modalities and scope of investigation and documentation of IHL and IHRL violations. The first introducer, Ms. Gaggioli, Director of the Geneva Academy, emphasized the broad scope of the legal obligation to investigate credible alleged violations of IHL, and that such investigations should go beyond war crimes to examine, for example, the issue of missing persons. She also emphasized that investigations should look at factors that are critical for establishing individual responsibility, including command responsibility.

The discussion also focused on the factors necessary for investigations to be effective, independent, impartial, prompt and transparent. However, in the context of armed conflict, many barriers render such investigations difficult, including the fact that they are often carried out by military authorities who may lack impartiality and independence. It was pointed out that

the collection of evidence such as witness statements can be dangerous and such statements difficult to verify. The lack of available forensic expertise and/or cooperation from relevant authorities as well as limited transparency of investigations justified with military necessity were also noted. The introducer highlighted investigation guidelines developed by the International Committee of the Red Cross (ICRC) to help States fulfil their legal obligation to investigate violations in accordance with IHL and IHRL requirements.

The second introducer, Ms. Jelacic, Director for Management and External Relations, at CIJA, presented the work of CIJA in its efforts to collect evidence in conflict zones. She noted that lessons from previous armed conflicts have been learnt by the international community and domestic authorities, such that the necessary infrastructure and political will are in place to ensure accountability for violations during this armed conflict. The work of Ukrainian prosecutors and CSOs in collecting evidence was commended, alongside with the establishment of joint investigation teams with Eurojust support, the ongoing ICC investigation, the swift activation of international mechanisms such as the UN Commission of Inquiry, and the order by the International Court of Justice that Russia immediately suspends its military operations in Ukraine. However, it was also stressed that adequate evidence collection safeguards and respect to the protection of victims and witnesses need to be ensured, with an eye to gathering evidence linking violations to individual perpetrators.

The third introducer, Ms. Pechonchyk, Head of the Board at Human Rights Information Center Zmina, pointed to measures still required to ensure accountability for violations, including ratification of the ICC statute and the alignment of Ukraine's legal framework to enable the effective investigation of crimes under IHL such as establishing war crimes and crimes against humanity as clearly defined offences under criminal law and enabling the use of open-source evidence in legal proceedings. She noted limitations on access to the territory by experts investigating into violations, the lack of skilled professionals such as judges and prosecutors and of appropriate witness protection programs as challenges that hinder the accountability of perpetrators for IHL violations. The introducer also considered the inadequacy of the legal frameworks for addressing the crime of aggression at domestic and international levels.

The discussion recognized that the Ukrainian domestic justice system will bear the greatest burden in terms of prosecution of cases of alleged violations of IHL and IHRL, and that the international community should therefore focus its efforts on increasing the capacity of national authorities and evidence collection in line with domestic procedural requirements. Some speakers called for the creation of a special tribunal to ensure accountability for war crimes and crimes against humanity in Ukraine, others for a tribunal to adjudicate on the crime of aggression.

Participants pointed out that the resolution of the conflict should be accompanied not only by criminal justice proceedings, but take recourse to transitional justice mechanisms with a focus on the alleviation of trauma and victims being heard. Speakers noted that many citizens of the Russian Federation oppose the current conflict in Ukraine, however are facing severe sanctions for voicing discontent, including detention and torture, and that they are lacking information from independent sources. Participants highlighted the need to communicate with Russian CSOs about the situation, to document crimes also inside the Russian Federation, and to monitor the information space there.

Several participants drew attention to the particular vulnerability of some communities, such as Roma affected by the Russian Federation's military attack on Ukraine, refugees and

internally displaced persons, and emphasized the need for strong cooperation between state institutions and civil society, as well as effective data collection. Some participants pointed to the need to investigate and prosecute war crimes that have occurred in other regions.

Recommendations for the OSCE pSs:

- To contribute to the documentation, independent and impartial investigation and the prosecution of violations of IHL and IHRL committed during the armed conflict in Ukraine, and in other armed conflicts.
- To ensure coordination between national and international actors to avoid duplication of monitoring, evidence gathering and investigation efforts.
- To strengthen the accountability for international crimes in the OSCE region, including by ratifying the Rome Statute, establishing specialised war crimes units, increasing use of universal jurisdiction and through the harmonisation of domestic legal provisions relating to the admissibility of evidence, including open-source evidence.
- To support capacity-building of prosecutors, judges and lawyers in Ukraine with regard to the investigation, prosecution and adjudication of war crimes and crimes against humanity, including instances of conflict-related sexual violence (CRSV), in line with international human rights standards such as fair trial rights.
- To consider the establishment of witness protection programs for witnesses of war crimes and crimes against humanity.
- To support CSOs, including through funding and capacity-building, in their work to document violations of IHL and IHRL, including through analysis of open-source data and use of the Berkeley Protocol¹, and ensure a safe and enabling environment for CSOs working on the documentation and investigation of violations.
- To support programs and processes focused not only on the documentation and investigation of crimes but also on the development of future transitional justice processes.

Recommendations for the OSCE institutions and field operations:

- Together with States and CSOs, to remain dedicated to ensuring violations of IHL are appropriately investigated, including all allegations of CRSV, to ensuring evidence is gathered and stored in accordance with best practices, and perpetrators are held to account.
- To support CSOs, including through training and technical support, on collecting and verifying documentation and other evidence, including for example training in use of the Berkeley Protocol, and in ensuring that all evidence gathering, such as taking witness statements, is conducted with appropriate safeguards in place and is carried out by individuals with adequate training to avoid re-traumatisation.

¹ *Berkeley Protocol on Digital Open Source Investigations: A Practical Guide on the Effective Use of Digital Open Source and Information in Investigating Violations of International Criminal, Human Rights and Humanitarian Law*, accessible at [OHCHR_BerkeleyProtocol.pdf](https://www.ohchr.org/en/docd/10250).

SESSION III: DIGITAL TECHNOLOGIES THAT SUPPORT HUMAN RIGHTS DEFENDERS

Introducers:

Mr. Hadi al Khatib, Executive Director, Mnemonic

Ms. Natalia Krapiva, Access Now

Mr. Samuel Dubberley, Managing Director of Digital Investigations Lab, Human Rights Watch (HRW)

Moderator: Ms. Andrea Huber, Head, Human Rights Department, OSCE/ODIHR

The third session focused on the opportunities, limitations, and risks of utilizing digital technologies in human rights defense work, with introducers from three organizations setting forth the type and scope of the tools they employ in this regard. Specifically, they shared the experiences of their organizations in utilizing digital technologies, such as the use of open source data, in documenting and exposing rights violations in various conflict settings, including in Syria, Ukraine, Myanmar, Sudan, Iraq, and Afghanistan, among others.

The first introducer, Mr. al Khatib, Executive Director at Mnemonic, described the work of the organization, which works in Syria on collecting verified facts and evidence and contributing to accountability efforts. He explained that Mnemonic's work has focused largely on open source materials given access restrictions in Syria, and ultimately led to the creation of the 'Syrian Archive', a compilation of millions of items collected, verified, and securely stored with the aim of providing evidence for future prosecutions. Verification and secure storage of relevant evidence – including that relating to chain of command and individual responsibility – are critical parts of this process and can easily be lost. Using their experience, Mnemonic and Syrian Archive have developed their own protocols, based on the Berkeley Protocol, and have utilized their expertise to help increase the capacity of other CSOs on collecting and storing evidence.

The second introducer, Ms. Krapiva, representing Access Now, which defends and extends the digital rights of users at risk around the world, through technical support, advocacy, and its 24/7 free Digital Support Helpline, among others. She described major challenges to use of digital technologies for human rights defenders, including internet shutdowns, surveillance, and hacking by authorities, which can take place during armed conflict, including in Ukraine, along with the destruction of communication infrastructure. Surveillance in conflict presents a particular threat as well, including the use of sophisticated surveillance software such as 'Pegasus'. She remarked that several tools are available and recommended to human rights defenders to enhance their digital protection, including using Virtual Private Networks to circumvent shutdowns and enhance privacy, employing secure browsing tools, messaging with end-to-end encrypted mobile apps, using up-to-date software, creating strong passwords, and minimizing data (to reduce the burden of securing it).

The third introducer of the session, Mr. Dubberley, Managing Director of Digital Investigations Lab at HRW, shared some experience from HRW and described available technologies for documenting and exposing human rights violations in conflict situations. He explained that HRW uses various strands of open source information, including commercially available

geospatial data, which can show evidence that contradicts the official narrative. He added that HRW also uses video and photographic material, flight- and boat-tracking, supply chains, free datasets such as poverty data from the United States, drone technology (to search for mass graves), and others. The introducer emphasized that HRW and other accountability organizations are often accused of disseminating “fake news,” and for this reason it is of paramount importance to have high organizational standards with respect to quality control, verification, and presentation of information. He also stressed that cooperation within the human rights community is critical, including the sharing of experience, lessons learnt, and tools.

During the discussion, several organizations shared their experience using particular tools, including bots, automatically generated templates for judicial proceedings, databases on human rights violations, and others. It was mentioned that these resources can be used for various objectives, including to link perpetrators operating in different conflicts, store and organize evidence, assist protestors, share information among different organizations to avoid duplicating efforts, and coordinate volunteers. Speakers pointed to the development and use of digital technologies for malignant purposes, including in armed conflict.

Several organizations offered support and willingness to cooperate with Ukrainian NGOs and the Ukrainian authorities in using digital tools to support human rights. Others noted the use of disinformation to manipulate public opinion and interfere with human rights work, including “troll farms” and the targeting of human rights defenders in specific regions.

Recommendations for the OSCE pSs:

- To take a collective approach through multilateral and multi-stakeholder engagement to defend internet freedom, with the aim of ensuring that the internet is open, interoperable, and available to human rights defenders throughout the OSCE region.
- To counteract the development and use of technologies for malignant purposes, including in armed conflict, such as mobile and internet interference, cyberattacks, disinformation campaigns, and targeting of human rights defenders and journalists through digital means.

Recommendations for the OSCE institutions and field operations:

- To provide capacity building support to CSOs in open source intelligence monitoring and reporting, including training in working together with national authorities to ensure admissibility of evidence gathered in potential future criminal proceedings, and in focusing efforts on gathering and securely storing evidence that links perpetrators to crimes.
- To help collect information about threats, including through digital technologies, received by human rights defenders participating in domestic and international forums aimed at strengthening human rights in the OSCE region.

CLOSING SESSION

Closing remarks:

Mr. Marcin Czapliński, Deputy Permanent Representative, 2022 Polish OSCE Chairmanship

Ms. Kateryna Ryabiko, First Deputy Director, OSCE/ODIHR

In the closing session, Mr. Czapliński emphasized the engagement of the participants of the discussion and noted an especially high level of participation by civil society, indicative of the importance of the topic. He reiterated that the current military action by the Russian Federation against Ukraine is a violation of international law and OSCE commitments that is creating ever greater humanitarian and refugee crisis. The CiO representative encouraged participants to consider the role of the OSCE in the face of the current situation and how to implement the recommendations developed during the SHDM.

ODIHR's First Deputy Director reminded the participants of the tremendous humanitarian cost of the conflict in Ukraine. She noted that the sessions highlighted why IHL exists – to limit humanitarian consequences of armed conflicts, including protecting the most vulnerable populations from barbarities of war. She briefly reminded participants of key takeaways from the sessions, including that OSCE pSs individually and collectively have a duty to do everything reasonable in their power to ensure compliance with these rules, including diplomatic efforts to achieve ceasefires, development of accountability mechanisms, and preventive efforts. She emphasized that documentation is critical for accountability, which can take place through means such as the OSCE Moscow Mechanism, but also through domestic and international prosecutions and with the help of open source intelligence materials, and that the voices of victims must be heard loud and clear in these processes. Ms. Ryabiko ended by emphasizing that although the SHDM focused on rules that aim to reduce suffering in conflicts, prevention of hostilities and open constructive dialogue are also of extreme importance.

ANNEX I: AGENDA



Supplementary Human Dimension Meeting

**on International co-operation to address violations of international humanitarian law
and international human rights law**

**28-29 March 2022
(Vienna)**

Day 1

13.00 – 14.00

OPENING SESSION

Opening remarks:

Mr. Matteo Meccaci, Director, OSCE/ODIHR

Mr. Zbigniew Rau, Minister of Foreign Affairs of
Poland, Chairperson of the OSCE Permanent Council
(recorded)

Keynote addresses:

Mr. Michael O'Flaherty, Director, EU Agency for
Fundamental Rights

Ms. Oleksandra Matviychuk, Head of the Board,
Center for Civic Liberties, Civic Solidarity Platform
Secretariat

Technical information: Ms. Kateryna Ryabiko, First Deputy
Director, OSCE/ODIHR

14.00 – 16.00

SESSION I: Requirements and application of international humanitarian law and international human rights law

Introducers:

Mr. Nils Muiznieks, Regional Director for Europe,
Amnesty International

Ms. Laura Guercio, Coordinator of the Universities
Network for Children in Armed Conflict

Ms. Rita Izsák-Ndiaye, OSCE Chair-in-Office
Personal Representative on Children and Security

Moderator: Mr. Konstantine Vardzelashvili, Head,
Democratization Department, OSCE/ODIHR

Day 2

10.30 – 12.30

SESSION II: Investigation and documentation of international humanitarian and human rights law violations

Introducers:

Ms. Gloria Gaggioli, Director, Geneva Academy

Ms. Nerma Jelacic, Director for Management and External Relations, Commission for International Justice and Accountability (CIJA)

Ms. Tetiana Pechonchyk, Head of the Board, Human Rights Information Center Zmina

Moderator: Mr. Andrew Gardner, Deputy Head, Human Rights Department, OSCE/ODIHR

14.30 – 16.30

SESSION III: Digital technologies that support human rights defenders

Introducers:

Mr. Hadi al Khatib, Executive Director, Mnemonic

Ms. Natalia Krapiva, Access Now

Mr. Samuel Dubberley (UK), Managing Director of Digital Investigations Lab, Human Rights Watch

Moderator: Ms. Andrea Huber, Head, Human Rights Department, OSCE/ODIHR

16.30 – 17.30

CLOSING SESSION

Rapports from the working sessions

Comments from the floor

Closing remarks:

Mr. Marcin Czapliński, Deputy Permanent Representative, 2022 Polish OSCE Chairmanship

Ms. Kateryna Ryabiko, First Deputy Director, OSCE/ODIHR

17.30

Closing of the meeting

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ANNEX II: BIOGRAPHICAL INFORMATION: Speakers, Introducers and Moderators

Opening remarks:

Mr. Matteo Mecacci is Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), since December 2020. Prior to that he spent 7 years as President of the International Campaign for Tibet. He headed the OSCE/ODIHR Election Observation Mission to Georgia in 2013 and was a Member of the Italian Parliament, Foreign Affairs Committee and of the OSCE Parliamentary Assembly from 2008– 2013. From 2000 to 2008 he was Representative to the United Nations in New York of “No Peace Without Justice” and the “Transnational Radical Party”. He holds a JD in International Law at the University of Florence.

H.E. Mr. Zbigniew Rau is Minister of Foreign Affairs of Poland and Chairperson of the OSCE Permanent Council. Professor Zbigniew Rau is a Polish lawyer, university lecturer and professor of law. In 1980, he joined the Independent Self-Governing Trade Union “Solidarity”, where he was an expert tasked with verifying appointments to the Inter-company Founding Committee of the “Solidarity” trade union of the Lodz region. He served as senator of the 6th term in 2005-2007, during which he was also a member of the Parliamentary Assembly of the Council of Europe. He served as governor of the Lodz Province in 2015-2019. In 2019, he was elected as a Member of Parliament of the 9th term. During his term from November 2019 to August 2020, he chaired the Sejm Foreign Affairs Committee, headed the Polish Delegation to the Parliamentary Assembly of the Council of Europe and led the Polish-British Parliamentary Group. He graduated from the Faculty of Law and Administration at the University of Lodz in 1977 and finished his PhD studies in 1982. In 1996, he obtained his post-doctoral degree in law and became professor in 2005. He heads the Department of Political and Legal Doctrines and the Alexis de Tocqueville Centre for Political and Legal Thought at the Lodz University. Professor Zbigniew Rau lectured at German, Dutch, British, US and Australian universities.

Keynote speakers:

Mr Michael O’Flaherty is Director of the European Union Agency for Fundamental Rights since 2015. He is a former Professor of Human Rights at the University of Nottingham and the National University of Ireland, Galway. From 2004 to 2012 he was a member of the United Nations Human Rights Committee, latterly as Vice-Chair. O’Flaherty has held a variety of other positions at the United Nations, both at headquarters and in the field, in which connection he witnessed, reported on, and sought to mitigate human rights abuses in such places as Bosnia and Herzegovina and Sierra Leone. He has also served as Chief Commissioner of the Northern Ireland Human Rights Commission, as Chairperson of the Irish Penal Reform Trust, and as Vice-Chair of the Universal Rights Group. A solicitor of the Irish Courts, O’Flaherty received the Higher Doctorate of Laws from the National University of Ireland and also holds degrees in international relations, philosophy, and theology.

Ms. Oleksandra Matviychuk is a human rights defender who works on issues in Ukraine and the OSCE region. At present she heads the human rights organization Center for Civil Liberties, and also coordinates the work of the initiative group Euromaidan SOS. Ms. Matviychuk has

experience in creating horizontal structures for massive involvement of people in human rights activities against attacks on rights and freedoms, as well as a multi-year practice of documenting violations during armed conflict. She is the author of a number of alternative reports to various UN bodies, the Council of Europe, the European Union, the OSCE and the International Criminal Court.

In 2016, Ms. Matviychuk received the Democracy Defender Award for "Exclusive Contribution to Promoting Democracy and Human Rights" from missions to the OSCE. In 2017, she became the first woman to participate in the Ukrainian Emerging Leaders Program at Stanford University.

Session I:

Ms. Laura Guercio, a lawyer by profession, is a Professor at the University of Perugia. Among her roles, Secretary-General of the Inter-Ministerial Committee for Human Rights at the Italian Ministry of Foreign Affairs; Italian Agent at the Management Board of the European Fundamental Rights Agency, and lawyer at the International Criminal Court. She is a member of the European Law Council. Since 2010, she has been a Senior Researcher in EU and international projects in the MENA, Eastern Europe, and Africa.

Guercio holds master's degrees in both law and political science. She earned a Doctorate in Political Science from the University of Genoa and Trinity College Dublin. She also holds a master's in "National, European, and International Jurisdictions."

Mr. Nils Muižnieks has served as the Director of the Europe Regional Office at Amnesty International since June 2020. Prior to that he was Council of Europe Commissioner for Human Rights from 2012-2018. From 2005-2012 he was Director of a social science research institute at the University of Latvia as well as member and chair of the Council of Europe's independent anti-racism monitoring body, the European Commission against Racism and Intolerance (ECRI). He was Minister of Social Integration, responsible for anti-discrimination, minority rights and coordinating social integration policy in the Latvian government from 2002-2004. From 1994-2002 he was director of the NGO Latvian Centre for Human Rights and Ethnic Studies. He has a PhD and MA in political science from the University of California at Berkeley and a BA in politics from Princeton University. He has published widely on human rights, racism, ethnic relations, and Russian foreign policy. He is based in Riga, Latvia.

Ms. Rita Izsák-Ndiaye, the Personal Representative of the OSCE Chairperson-in-Office on Children and Security also serves as the Rapporteur of the UN Committee on the Elimination of Racial Discrimination Committee, and as a Senior Human Rights Consultant at the Office of the UN Youth Envoy. She has 20 years of experience working with human rights in various civil society and multilateral organizations in different countries, including in Somalia and Bosnia and Herzegovina, as well as with the Government of Hungary in the fields of discrimination, racism, minority rights, social inclusion and on other related issues. She has held positions at the UN High Commissioner for Human Rights, at the OSCE, and the International Labour Organization, among others. She is the author of the first *Global Report on Protecting Young People in the Civic Space* which was published earlier this year.

Session II:

Ms. Gloria Gaggioli is Director of the Geneva Academy since August 2020 and an Associate/Swiss National Science Foundation (SNF) Professor at the Law Faculty of the University of Geneva. Also served as Legal Adviser in the legal division of the ICRC and is the author of the ICRC report *The Use of Force in Armed Conflicts: Interplay between the Conduct of Hostilities and Law Enforcement Paradigms*.

Ms. Nerma Jelacic is Director for Management and External Relations at the Commission for International Justice and Accountability (CIJA), overseeing relationships with policy, political and diplomatic actors as well as civil society and the media. She joined CIJA in 2014 from the International Criminal Tribunal for the former Yugoslavia, where she ran communications and outreach programmes for over six years.

With vast experience in transitional justice and efforts to redress violations of international law, Jelacic has been deployed as a consultant on transitional justice issues in a number of conflict-affected locations including Yemen, Syria, Iraq, Uganda, and Egypt.

Jelacic was the first director and co-founder of the Balkan Investigative Reporting Network, an award-winning media NGO specialising in investigation of war crimes, organised crime, and corruption. She also worked as a journalist in the 1990s, most notably for The Observer and The Financial Times.

Ms. Tetiana Pechonchyk is Head of the Human Rights Centre ZMINA (Ukraine) engaged in informational, educational, monitoring, analytical and advocacy activities in the field of human rights. In particular, ZMINA deals with protection of freedom of speech, assembly and associations, combating discrimination, torture prevention, protecting human rights defenders and civil activists in Ukraine, including in the occupied Crimea. She received a PhD in Kyiv National Taras Shevchenko University (2010) focusing on freedom of speech research in Ukrainian mass media, accomplished courses and programs by Harvard University (2006), Ukrainian School of Political Studies (2008), and Kyiv Mohyla School of Journalism (2011). Starting from 2012 Tetiana Pechonchyk is a member of the National Preventive Mechanism against torture and ill-treatment in Ukraine based on the “Ombudsman+” model. In March 2014, at the beginning of the occupation of Crimea together with Crimean and Russian human rights defenders she founded the Crimean Field Mission, the only international human rights initiative, which had been operating in Crimea on a permanent basis. In September 2018, ZMINA organised an international human rights mission to Crimea with the involvement of Human Rights Houses from Azerbaijan, Belarus and Ukraine. Since 2016, she has been a member of the Commission on Journalism Ethics of Ukraine. In December 2020 Ms. Pechonchyk received a Human Rights Tulip award from the Embassy of the Netherlands in Ukraine. In 2021 she was elected a board member of DEJURE Foundation, a think and act tank created to promote the rule of law and reforms in the sphere of justice in Ukraine.

Session III:

Mr. Hadi al Khatib is the Executive Director of the Germany based NGO Mnemonic and the founder of the Syrian Archive. He previously worked with Tactical Technology Collective to support journalists and human rights groups in digital security. He worked as an open source investigator with HRW and Bellingcat and as a consultant with the UN International, Impartial, and Independent Mechanism for Syria. Mr al Khatib is a fellow at Ashoka and the Centre for Internet and Human Rights.

Ms. Natalia Krapiva works to prevent and mitigate legal risks to the Digital Security Helpline and its beneficiaries. She also leads Access Now's efforts to strategically engage courts and legal processes to uphold digital rights. Prior to Access Now, Natalia worked as a prosecutor at Brooklyn District Attorney's Office. While in law school, Natalia worked at the UC Berkeley Human Rights Center's Investigations Lab, where she learned to use digital evidence for human rights documentation and accountability. As a law student, Natalia interned at the International Criminal Tribunal for the former Yugoslavia, Queens County District Attorney's Office, and the UN Office of the High Commissioner for Human Rights. Prior to law school, Natalia was a Legislative Analyst at Manhattan District Attorney's Office and a Legal Assistant at Mobilization for Justice.

Mr. Samuel Dubberley is Managing Director of HRW's Digital Investigations Lab. He was previously the head of Amnesty's Evidence Lab. He has been with Amnesty since 2016, when he joined to set up and manage the Digital Verification Corps (DVC) in the Crisis Response Team. The DVC is now a partnership between six global universities contributing directly to Amnesty's open source research. Sam has conducted and led on a wide range of open source research for Amnesty International, including the 2021 Webby Award-winning platform *Teargas: An Investigation*.

He is a fellow of the Human Rights Centre at the University of Essex, where he is also a research consultant for their Human Rights Big Data and Technology Project. He has published extensively on open source investigation and vicarious trauma.

He serves on the advisory boards of the Syrian Archive and the University of California Network for Human Rights and Digital Fact-Finding.

Closing Session:

Ms. Kateryna Ryabiko is First Deputy Director, OSCE Office for Democratic Institutions and Human Rights (ODIHR). Previously, she served with the US Agency for International Development, Freedom House, the National Democratic Institute for International Affairs and other public and private entities, leading projects and teams, as well as providing technical assistance and policy advice. On top of her strong project management skills in international settings, she possesses expertise in the fields of democracy, human rights and elections. Kateryna's work has been recognized by multiple awards, including for outstanding achievements in promoting democratic development and her leadership in guiding democracy assistance efforts. She holds an MPA from the State University of New York at Binghamton,

is a Stanford University Draper Hills Fellow for Democracy, Development and the Rule of Law, and graduated from the Stanford's University Leadership Academy for Development.

Mr. Marcin Czapliński is Deputy Permanent Representative, 2022 Polish OSCE Chairmanship. Mr. Czapliński has been a member of the Polish diplomatic service since 1993. His previous posts at the Polish Ministry for Foreign Affairs include: Deputy Director of the Department of European Policy, Head of Unit for South East Europe (SEE) and EU Enlargement, National Coordinator for Central European Initiative and Visegrad Cooperation, political officer at the Polish Embassy in Zagreb, Croatia and desk officer for the countries of the former Yugoslavia. He also served as Head of the SEE Unit at the OSCE Secretariat in Vienna and as a Senior Political Adviser and Head of Area Team at the Office of OSCE High Commissioner on National Minorities in the Hague. Mr. Czapliński holds a master degree in international relations and law, as well as a Ph.D. from the Faculty of Law at Tilburg University. He has lectured on South-Eastern Europe, the OSCE, conflict prevention, security policy and minority rights at a number of professional institutions across Europe.