



CIVIL SOCIETY'S ROLE IN THE IMPLEMENTATION OF THE HELSINKI PRINCIPLES. EXPANDING CIVIL SOCIETY'S ENGAGEMENT WITH THE OSCE.

Report on the proceedings of the expert seminar in the framework of the Helsinki+50 project organised by the Civic Solidarity Platform

29 September 2024, Warsaw

The seminar was held in the framework of the “Helsinki+50 initiative towards the 50th anniversary of the Helsinki Final Act: Reflection process on the future of the OSCE in the times of crises” project, implemented by the Civic Solidarity Platform with support from the Ministry of Foreign Affairs of Finland and the Ministry of Foreign Affairs of Germany.

The seminar was held on 29 September 2024 in Warsaw. It brought together 20 experts from the following organisations, many of whom combine analytical and academic expertise with practical human rights experience and activist background as well strong knowledge of the work of the OSCE and other inter-governmental organisations: Araminta (Germany), Austausch (Germany), Bulgarian Helsinki Committee (Bulgaria), Center for Civil Liberties (Ukraine), Center for Solidarity International (Lithuania), European Exchange (Germany), Freedom Files (Poland), Helsinki Committee for Human Rights in Serbia (Serbia), Helsinki Foundation for Human Rights (Poland), Historians without Borders (Finland), Human Rights Defence Centre “Memorial” (Russia/international), Human Rights Watch (U.S.A./international), International Strategic Action Network for Security – iSANS (Poland), Kazakhstan International Bureau for Human Rights and Rule of Law (Kazakhstan), Moscow Helsinki Group (Russia), Netherlands Helsinki Committee (the Netherlands), Norwegian Helsinki Committee (Norway), Ukrainian Helsinki Human Rights Union (Ukraine) and an EU Independent Expert (Brussels).

The seminar programme included several sessions: introduction of the Helsinki+50 project, seminar goals, and introduction of the participants (opening session); civil society's role in the implementation of the Helsinki principles and challenges civil society faces in these efforts (session 1); civil society engagement in OSCE work: a review of avenues of civil society participation in OSCE work and ideas for improving the interaction and its contribution (session 2); the role of the OSCE in addressing shrinking space for civil society across the OSCE region: what has been done and what needs to be done (session 3); brainstorming on forward-looking proposals (session 4). Sessions 2, 3 and 4 started with introductory remarks by experts based on the papers they wrote for the seminar (see in the annex), followed by a discussion.

The report applies Chatham House rules, meaning that neither the identity nor the affiliation of the participants in the discussions are revealed in referring to statements made at the seminar, except the experts who produced papers for the seminar and delivered introductory remarks.

The first session of the seminar was dedicated to the role of civil society in the implementation of the Helsinki principles in cooperation with OSCE bodies and institutions and on the ground as well as on challenges civil society faces in these efforts. In his introductory remarks based on a discussion paper, submitted prior to the seminar, expert Dmitry Makarov, Co-Chair of the Moscow Helsinki Group, focused on the issue of civil society engagement. He argued that the history of the OSCE and a part of its ethos are closely linked to civil society engagement as joint efforts of the Helsinki human rights committees from various regions as well as government actors (such as the US Helsinki Commission) shaped the initial stages of the Helsinki process after the signing of the Final Act in 1975. Meanwhile, today it is obvious that although a significant number of opportunities for NGOs to participate in various OSCE meetings remains, there is no obvious mechanism to affect OSCE policies and decision-making. Individual parts of the OSCE may initiate contacts with NGOs and determine the level of NGO involvement in various activities, but there is no coherent and comprehensive policy on citizen engagement. There is also an obvious gap between participation in OSCE meetings or various modes of expert involvement, on the one hand, and influence on both operational and political level of the organisation, on the other hand. Referring to the metaphorical “ladder” of various models of participation and engagement proposed by Sherry Arnstein, the expert noted that in the OSCE, processes of participation of citizens are limited to the lower steps of (1) manipulation, (2) therapy (3) informing and, at best, (4) consultation and (5) placation, where a limited degree of influence is granted. Participation remains largely or entirely symbolic. Upper stages of participation, namely (6) partnership, (7) delegated power or (8) citizen control are completely out of reach.

In seeking a meaningful engagement with and influence on OSCE structures, we stumble on the reality that declarations about engagement, participation and impact inevitably remain merely declarations while they are not backed by relevant policies and procedures, funding and budgeting, professional incentives, and training and skill development for CSOs. There needs to be a change in all four of those fields if we are truly interested in promoting the Helsinki principles and not just declaring them. This could be a joint effort by career diplomats, international civil servants, CSO experts and activists partnering together.

Reflecting on what can the OSCE and its institutions do to promote meaningful participation, Dmitry structured his vision building on “six building blocks of engagement” by Tina Nabatchi and Matt Leighninger, including “disseminating information”, “gathering input and data”, “discussing and connecting”, “enabling participation in the decision-making”, “enabling community decision-making”, and “encouraging public work”, translating them into OSCE functioning context. He noted that one path to change existing perceptions lies through mass educational and awareness raising initiatives focused not only on transfer of skills and knowledge but on building a constituency of supporters and forming a larger awareness of why the OSCE is important, what values it is based on and what benefits it brings to the societies of participating States.

Turning to a question “what can CSOs do?”, Dmitry proposed the following recommendations as a possible focus and potential common priorities:

1. Focus on support, protection, and an enabling environment for human rights defenders, journalists, and lawyers as natural allies in the promotion of the Helsinki principles.
2. Focus on increasing the number of supporters and followers of human rights groups.

3. Focus on the economic sustainability and financial independence of the human rights sector.
4. Focus on ambitious coalition and network building and organising.

In his remarks, Dmitry asked the audience, instead of focusing on criticizing OSCE, to think about what do we want it to be. He suggested that we need OSCE as a forum for negotiation across the dividing lines.

Another problem he proposed to discuss was the divisions within the human rights movement, which does not see itself as a common movement. “Do we want a human rights movement that is limited to expert discussions, production of recommendations to international bodies, and strategic litigation at some international courts?”, Dmitry asked, “or do we want a human rights movement which is truly a movement, which reinvigorates new participants, which drives civic engagement and civic participation, that is ambitious in spreading out its ideas beyond the closed discussions in expert circles like ours?”

The discussion is necessary of what do we bring to the table and how long are we willing to invest our time and wait to be heard by public servants and policy-makers. In order to not give up on the Helsinki principles, of which the human dimension of security is the core element, we need to radically open up to civil society which has moved beyond the historical processes which inspired the Helsinki movement, which has other issues at hands and has other aspirations as well. Radical re-evaluation, new engagement strategies, building radical alliances, including with the people that we don't think of first, are necessary to engage with people and groups who share our ideas.

In the discussion that followed, one of the key issues raised was the effectiveness of the OSCE and a necessity of its reform. The understandable pessimism was quickly overcome by the participants' arguments about the importance of civil society in promoting the Helsinki principles. On the one hand, the participants came to the conclusion that they should not focus all their efforts only on the OSCE, but should use other opportunities for civil society to interact with intergovernmental organisations, which, as was noted, are not so many. In this regard, participants observed that the Helsinki process is much larger than the OSCE, which in itself is not as important as the Helsinki principles as such. So, it is necessary to distinguish between “saving” the Helsinki spirit, the Helsinki principles, and the Helsinki process from “saving” the OSCE as an organisation. And if the OSCE is not effective anymore in promoting these principles, maybe we should think about other ways to promote those principles and put them to practice.

On the other hand, the participants unanimously agreed that it is important not to completely abandon working with the OSCE due to its ineffectiveness, but, on the contrary, to continue directing efforts to preserve existing opportunities and expand them. Moreover, it was alleged, that OSCE policy has been much more welcoming than the one of the Council of Europe, when it comes to civil society participation, although not so much in respect of CS influence on decision-making. Besides, OSCE could become a more effective “meeting point” for all of those working on the promotion of Helsinki values. Off-line meetings are important if we want to develop further.

It was noted that EU agreements with third states help keeping and shaping civil society in many countries. In EU bilateral agreements, civil society's role is very much enhanced, and it is expected

that governments should include CSOs in their decision making, bearing in mind the fundamental values of democracy and human rights, including the Helsinki Final Act principles. Moreover, the EU is putting pressure on other states to comply with it and also putting a lot of financial resources behind that. It is important to note a problem that persons responsible for bilateral agreements and those responsible for the work with the OSCE are different persons within EU institutions. They are not connected and most probably are not aware of the work they are doing in their respective fields. It is important to connect them to use EU's financial and political "muscles" for the benefit of our efforts to make the OSCE effective.

Another question discussed was the question of the essence of the human rights movement itself today, including a threat for it to be stuck to the old ways of the Helsinki movement. It should be re-thought in accordance with the current challenges.

The importance of working at the national level was also noted in the context of working with the Helsinki values, but the primary challenge is to develop an understanding of what can be done to build trust in the human rights movement on the part of the population, who sometimes do not understand what the human rights movement does and whose interests it represents. To do this, it is necessary first of all to reflect carefully about what people are concerned about, communicate better with people, and be partners of broader movements. In particular, it is worth thinking about putting issues of social justice and climate change on the agenda of human rights organizations.

Speaking of interaction at the horizontal level, in order to build up networks and to push forward our ideas, it is necessary to establish interaction among broad segments of civil society. There are lots of civil society actors that can have a stake in implementing the Helsinki principles while civil society is a very broad concept itself. It includes churches, trade unions, the media, etc. All these actors have different problems and different challenges before them. While problems that we tend to discuss and address are rather narrow, we need to be aware that challenges which other segments of civil society have, include funding, platforms in which they express themselves, and dialogue with decision makers on both national level and international level. Taking into consideration challenges of different civil society actors and needs of ordinary people will contribute building trust in civil society.

Another problematic aspect of civil society interaction with the OSCE is that CSOs which have been systematically working with the OSCE have developed into quite an "elite" community, represented mostly by organisations and people who know each other for decades and who feel very comfortable to speak with each other. In this regard, participants of the seminar expressed an idea to consider some sort of quotas for civil society events, according to which one third of participants should be coming from new groups, including grassroots initiatives. Naturally, not all well-established civil society actors would be willing to change their role from experts to facilitators of broad civic participation. Therefore, there is a question on how do we divide roles, if we, in principle, acknowledge the value and the practical importance of building a stronger impact and influence through this larger masses of civic engagement.

It was also suggested to look beyond the OSCE region in promoting the Helsinki values and build partnerships with civil society in other countries and regions. As was noted by participants, OSCE is the only organisation in the Northern hemisphere that has actually expanded lately by embracing Mongolia. All the others have shrunk or stopped the expansion. This, among other factors, is

important due to the change of the political landscape in the OSCE region, since some states that we are used to calling “democratic” are not so democratic our days. For example, the Austrian extreme right wing party has very high chances to win the elections, and its leaders say that they see Orbán as their role model. This is just one example of the growth of influence of non-democratic political forces on both extreme right and extreme left sides of the political spectrum across the OSCE region.

Another reason to expand our outreach in promoting Helsinki principles to a border set of potential allies is that we need to deal with the problem of Russia, challenges in Central Asia, as well as with the prospects of negative developments in the U.S. What makes the OSCE so unique is that it brings together all those different actors. And that is something that we would lose if we change focus of our engagement from the OSCE to the Council of Europe, and even more so if we focus entirely on working with the EU.

The second session was devoted to a review of existing tools and ways for civil society participation in the OSCE work and ideas for improving the interaction and contribution at different levels. In her remarks based on a discussion paper she wrote for the seminar, Olga Zakharova, the International Strategic Action Network for Security – iSANS Strategic Director, made an attempt at a critical review of what has been achieved and lost in this field throughout the past decade and a half. She noted that with the large-scale war of aggression by Russia against Ukraine, the new war in Nagorno Karabakh, migration crises of various nature, and the deepening ideological rifts between OSCE participating States, the OSCE has now decreasing capacities for external engagement. However, civil society contribution to the comprehensive security of the region and the realisation of the Helsinki principles is vital and its potential for the OSCE work remains largely untapped.

Quite a few avenues of interaction between CSOs and OSCE bodies exist, and the problem is not the lack of the avenues but a lack of political will, preventing the development of more meaningful and impactful engagement. Moreover, the abuse of the consensus rule by Russia and its allies and pressure by autocratic governments in respect of the functioning of field operations add to the problem. Illustrating this issue, Olga reminded that a Special Monitoring Mission to Ukraine was shut down because of the Kremlin’s veto, the OSCE office in Minsk was shut down by the Lukashenka regime, and the Centre in Turkmenistan has become nothing but a toothless servile establishment, talking only to the Turkmenistan government and GONGOs and legitimising the authoritarian government.

Reviewing informal good practices based on political will of states as well as more formalized tools of civil society – OSCE interaction, Olga noted that one of the ways of expanding civil society engagement in the OSCE framework without hitting the consensus wall includes active civil society interaction with informal working bodies (IWBs) of participating States. It takes time and sometimes continuous efforts to persuade States to establish such groups, but they are beneficial, as they allow for a focused work on problematic issues and active interaction of States with civil society. Similarly, informal “stakeholders meetings” of CSOs with a group of delegations of supporting states, organised annually by the Civic Solidarity Platform before the Covid pandemic, proved to be a very useful instrument.

Some of the IWBs are more formalized and established in accordance with OSCE procedures, such as the Human Dimension Committee (HDC). The good practice of the HDC allows for the widening of civil society presence in Hofburg and the presentation of civil society views directly to delegations of all participating States. This good practice should be further expanded. Another good practice is holding the Chairpersonship consultations with civil society on relevant topics considered a priority by the CiO and CSOs. They used to happen before the assumption of the Chairpersonship and throughout the year but have not been happening in the last two years. At the same time, this practice has been recently reinvigorated by the incoming Finnish Chairpersonship.

Establishing of a mandate of the Special Representative of the CiO on Civil Society in the last two years and the appointment by Malta of a high-level politician, former president of the country, to this position is an important step forward and an example of taking on board civil society recommendations put forward repeatedly for many years. However, the mandate needs shaping of more concrete content and developed tools.

The culmination of interaction throughout the year is supposed to be the Civil Society Parallel Conference held on the eve of the OSCE Ministerial Council meeting. Each time, the Civic Solidarity Platform as the organiser of the Parallel Conference, works hard to prepare a set of documents, including a declaration, with analysis of key problems and a set of recommendations. While handing over of the documents to OSCE leadership and delivery of their remarks in response has become a tradition and highlights the importance of the conference, it remains largely a symbolic act, since substantive reaction to the analysis and recommendations by civil society and a follow up by key actors remain very limited if not absent.

While a number of diplomats from participating States attend the Parallel Conference as observers, their interaction during the conference and on its margins with civil society could be significantly improved. The same applies to the days during the Ministerial Council meeting when a number of civil society representatives stay as observers. The more problematic the situation in the OSCE region becomes and the bigger the internal crisis in the OSCE grows, the tighter becomes the schedule of diplomats ahead of and during the Ministerial, the less there is space for meetings and consultations with civil society representatives, and the more symbolic they become.

In the past few years, the holding of the HDIM has been blocked by Russia, and to overcome the veto, a Chairpersonship conference on the human dimension has been held since 2022, replacing the HDIM. We may only welcome such a profound expression of political will by the Chairpersonships, ODIHR, and many participating States. However, while the format of the annual human dimension conferences allows for more side events by CSOs and more time for civil society interaction with delegations, many of these engagements have mostly a symbolic nature, with very limited substantive reaction to civil society proposals and no follow-up.

The way forward in the present challenging conditions, Olga alleged, might be only a stronger political will that would give enough courage to Chairpersonships, other OSCE bodies, and participating States to take steps that do not require consensus decisions by all participating States. The biggest burden here goes to participating States who should be leading by example and showing the initiative in various areas of concern, including expansion of civil society engagement in OSCE work. Another important hidden possibility is that although presently most interactions with CSOs are naturally focusing on the third dimension, the need for interaction with CSOs in the

first and the second dimensions has become vital, starting with the Russian invasion of Ukraine in 2014 and especially after the full-fledged aggression in 2022. Such interaction could focus on areas where civil society has strong expertise, such as working on the conflict cycle, monitoring of and reacting to hybrid threats, addressing the climate crisis, and countering transborder corruption.

In her remarks, Olga repeated that the problem is not a lack of entry points into the OSCE system, but the degradation of diplomacy in the sense of being bold and making decisions, in terms of creative thinking, using institutional memory, and mobilising political will. Building on the previous session discussion, she noted that it is vitally important not to give up on what we have but are not satisfied with, namely not to cede it to the bad guys, because if we leave the void, it will be quickly fulfilled by something and someone else. In other words, if we stop trying to make the existing instruments more meaningful and effective, that would mean we will leave them to the dictatorships, and we will see even the worst world than we see right now. Leading European countries, Canada and the U.S. do not want to have the Shanghai organisation instead of the OSCE in Europe. This means we in civil society should start talking with them on a more political level about these things, because the void is filled with undemocratic and aggressive regimes with policies that do not conform with the national interest of democracies.

Olga suggested to produce guidelines for OSCE bodies and participating States on engaging with civil society. It should be taken into consideration that the even existing guidelines on freedom of association and on security of human rights defenders are not working. It is important to make them work through campaigning and being more vocal.

The question “how to influence a political will” was in the core of discussion. Local constituencies were mentioned as a source of political will. Those can be affected through a limited number of targeted campaigns around highly selected topics, delivering crucial messages. It was underlined that the OSCE is invisible in capitals in Western countries. Making it more visible should be part of strategy. Politicians and parliamentarians should be informed of the work OSCE does.

Another thought on the problem of political will was in the context of theory of change. There are two “sides” which can undergo changes. The OSCE side can be changed if civil society people become “part of the system”, including by advancing themselves to some positions in the ministries, or by working with future diplomats. The question here is how can we invest in the future and make future diplomates interested.

Another option is to change the Helsinki movement. The question here is what actually needs to be changed to build muscles and exercise more power. We are already as convincing as we can be and as professional as we can be. The window of opportunity is thus in engaging much more people to work with OSCE bodies and institutions in order to have more influence.

Bearing in mind that political will can be effectively influenced by other political actors, states which demonstrated commitment to cooperation with civil society can be requested to use their diplomacy to organise informal communication platforms in the OSCE similar to those functioning within the framework of the UN or the Council of Europe such as hosting regular civil society briefings with groups of states, or assisting CSOs in their efforts to reach out to other states potentially interested in cooperation with civil society. For example, in the UN, Luxembourg was

quite active in organising events with civil society advocating for the extension of the mandate of a Special Rapporteur where they tried to reach out to delegations of states from the global south.

International financial institutions which have certain compliance procedures and standards about civil society and human rights in the states where they fund projects was mentioned as a possible model to look at.

A security area was identified as a point of engagement of politicians and general public. In particular, the idea of pulling the first basket with the third one was discussed. General public is very concerned about peace and security. At the same time, members of the public do not usually understand the link between security and human rights and don't know much about the OSCE, which is, paradoxically, the biggest security organisation in the world.

It was noted that there is a systemic resistance by the first dimension actors against any NGO involvement. It can potentially be overcome by lobbying through Secretary General's office. Advocacy could be based on the fact that streamlining civil society participation in all OSCE dimensions is written in OSCE fundamental documents in a form of a commitment.

Certain possibilities could be used even if they are not 100% effective. Existing OSCE guidelines, with all their inefficiency, are still needed, at least because they can be referred to, and the arguments which are well formulated there, can be used in relations with the authorities.

The opinion was voiced that monitoring of human rights violations and documenting them is the core when it comes to the Helsinki movement. This work could be effectively used in new circumstances as well. Monitoring results can be used by local NGOs to pressure the OSCE Chairpersonship to draw attention to particular situations and to enter in dialogue with national authorities, using OSCE commitments as a reference.

The need for a strategic approach in terms of choosing issues and areas to build advocacy around was stressed. Strategic approach requires being realistic about what can we achieve from different institutions and mechanisms in the OSCE.

Thinking through recommendations to OSCE bodies, institutions and participating States on the issue of more effective engagement with civil society, it is important to start with assessment of our previous experiences. Do we need to build new tools for civil society participation or restore some of the former avenues? Were they indeed useful and do we need to spend our resources on their rebuilding? The necessity to be strategic in terms of where we have to engage to achieve the best result was mentioned by many participants.

Results achieved lately were mentioned. Last year, after many years of advocacy efforts, civil society was able to obtain the establishment of apposition of a Special Representative on civil society of the Chairpersonship level. This is a success, especially bearing in mind the evolution of OSCE institutions in a wrong direction. Although the mandate is still "empty", this step is important because, with proper efforts from CSOs, it can contribute to the securing of institutional memory.

More work on institutionalisation of informal meetings and consultations with OSCE Chairpersonships, institutions, informal working bodies, and delegations of States is necessary.

The importance of following and understanding internal OSCE politics, being updated on the current debate and the angles from which various OSCE actors approach key – and often divisive – issues, and the necessity to find a common language to discuss these issues and build cooperation with these actors were mentioned among other steps to be taken to ensure a stronger role of civil society in the OSCE.

Against the background of crisis of the OSCE and other international organisations, certain optimism was expressed by participants who noted that the present crisis is not the first one for the OSCE, which did not offer anything for CSOs for 15 years after its creation, and had serious problems during the Balkan crisis. CSOs had very little leverage to improve this situation back then. It was suggested that civil society needs to adapt its modes of operation to the new reality. This presupposes identification of venues for active participation and further expansion of these possibilities while looking for new possibilities to open.

The third session covered the role of the OSCE in addressing shrinking space for civil society across the OSCE region. In a presentation based on his paper written for the seminar, Konstantin Baranov, Program Director of the Center for Solidarity International, discussed why the OSCE should be involved in efforts to protect civil society space and what has been and could be done by various OSCE stakeholders in this regard. He claimed that there are at least two main reasons for this. First of all, the OSCE acquis includes a number of specific commitments related to free and unobstructed work of civil society, including some unique ones, having no analogues in other intergovernmental frameworks, such as special guarantees on freedom of movement for NGO representatives / human rights defenders involved in cross-border monitoring of human dimension conditions in the participating states. Secondly, recognition of civil society actors as natural allies in upholding the Helsinki principles implies a necessity to protect them from harassment and reprisals and create favourable conditions for their work. In this logic, reprisals against civil society actors for their cooperation with OSCE mechanisms and institutions should be regarded as an attack on the OSCE itself and its concept of comprehensive security. This is the standard acknowledged on the UN level and, recently, by the Council of Europe.

Konstantin noted that in the context of rapidly deteriorating situation of civic space in many participating States, severely limited resources and the lack of political leverage that OSCE currently has, it cannot effectively react to all the threats to civil society in the region and has to prioritise. He argued that the main focus of OSCE efforts should be on those civil society actors which are directly involved in or contribute to OSCE's programs and activities, those working in the areas affected by conflicts, those who are involved in cross-border monitoring of human rights, and any individuals or groups that face reprisals for their interaction with OSCE bodies and institutions.

Konstantin listed a number of types of actions that have been or could be taken by OSCE structures to prevent or react to attacks on civil society space, classifying them by actor (Chairpersonship, participating States, Secretary General, ODIHR, Parliamentary Assembly, field presences). He noted that although NGOs and civil society networks have advocated for the creation of a range of new instruments and mechanisms within the OSCE for the protection of civil society space, it is better to focus on pushing for a better implementation / use of the tools that are already in place.

Advocating for creating a limited number of new instruments is also possible. One such instrument can be a mechanism of reaction to reprisals against NGOs and activists for their cooperation with the organisation, similar to mechanisms developed in the United Nations and the Council of Europe.

Concerned participating States should establish an informal OSCE Group of Friends of Civil Society, similar to the existing OSCE Group of Friends on the Safety of Journalists, to develop joint strategies on reversing the backlash against civil society and to expand civil society space in the OSCE region.

There is also a need for a clearer “division of labour” between various OSCE bodies and institutions in reacting to threats to civil society space. This problem could be potentially solved by developing an organisation-wide strategy/action plan on the protection of civil society space with clearly assigned responsibilities. Chairpersonship, including the Special Representative on Civil Society, and ODIHR could take a lead in developing such a strategy, in cooperation with civil society.

There is a number of avenues potentially available to attain progress in ensuring a more effective OSCE work on protection of civil society space. Among them is including this goal in Chairpersonship priorities, invoking the Moscow and the Vienna mechanisms specifically in respect of situations when civil society is under an attack in a particular country, issuing joint statements, using country visits by Secretary General for raising questions related to persecution of civic activists with the authorities, adoption of resolutions by the Parliamentary Assembly, and ensuring a more active role of field presences.

ODIHR is most natural interlocutor on this subject, as it can make statements, develop guidelines, promote them, monitor the situation, issue reports, and conduct assessment of draft laws. This can be complemented by regular monitoring of politically motivated trials by OSCE staff. Unfortunately, ODIHR for several years has not had a publicly known ‘focal point’ on HRDs (a dedicated contact address and a staff member whose responsibilities include receiving information about threats to HRDs and facilitating reactions to them by the Office), which used to be in existence since ca. 2006.

Much of the discussion was devoted to the problem of the implementation of what is declared at the OSCE level and how it can be influenced. It was noted that within the system of various OSCE bodies theoretically dealing with the issue, the recently created mandate of the Special Representative on civil society could become a focal point if the right person is appointed and the necessary budget is allocated.

As for the standards, they are already there. It would be useful, however, for ODIHR, with support of OSCE Chairpersonship, to update the existing 2014 guidelines on security of human rights defenders and the 2015 guidelines on freedom of association, because since they were adopted, a considerable ECtHR case-law has been developed and some important Venice Commission opinions have been adopted in these fields. Updated guidelines should include standards on regulation of civic space at the national level with the aim to resist/prevent adoption of “foreign agents” and similar repressive legislation. Civil society could initiate a discussion in this regard and include members of the expert panel on freedom of peaceful assembly and freedom of association in this discussion.

OSCE Parliamentary Assembly was mentioned in several interventions. Its role in addressing shrinking space for civil society across the OSCE region has not been that big so far, beyond the inclusion of general principles of civil society engagement in OSCE activities in the annual OSCE PA resolutions. It would be good to study what parliamentarians can do on this issue, given the quickly deteriorating situation with civil society space in many participating States. There is no need in yet another PA resolution. However, it would be useful for the PA to organize special events on the issue of shrinking space for civil society and persecution of civic activists and use outcomes of these events as a basis for MPs to “bring home” discussions on civil society space initiated at the PA and influence policies of their governments and legislation in their national parliaments.

Several years ago, the Assembly established a position of its Special Representative on civil society. This move was welcomed by civil society as it was the first such mandate in the OSCE system. However, the mandate appears to lack sufficient clarity, and its impact has been limited. Moreover, for the last year, this position has been vacant. Importantly, recently, a mandate of the Special Representative of the CiO on civil society has been established, drawing a lot of attention under the Maltese Chairpersonship and generating high expectations from the incoming Finnish Chairpersonship. This raises a question of the need to avoid duplication of the two mandates on civil society and see how synergies between them could be developed. Therefore, OSCE PA should consider developing a clearer mandate of its Special Representative on civil society in order to maximise its impact and ensure coordination and synergy of her/his work with the work of the Special Representative of the CiO on civil society. Among other tasks, the OSCE PA Special Representative could initiate special events on the subject at the Assembly, promote inter-parliamentary dialogue as a means to advocate for legislation and policies protecting civil society space and security of human rights defenders at the national level, and work closely with the Special Representative of the CiO on civil society and OSCE executive structures on issues related to civil society space to improve the visibility and impact of OSCE action in this field. OSCE PA should politically support the mandate of the Special Representative, provide it with necessary resources from OSCE PA International Secretariat, and appoint an authoritative parliamentarian to this position.

In addition, OSCE PA should look into how its Special Representative on political prisoners could contribute to addressing the situation of imprisoned human rights defenders and other civil society activists in various participating States, such as, for example, by specifically highlighting their situation in his/her reports and advocating for their release.

The final session was aimed at brainstorming on proposals with regard to the ways of using the results of the Helsinki+50 reflection process

The form and the key messages of the outcome document of the Helsinki+50 reflection process were touched upon. It was suggested that recommendations in the outcome document of the reflection process should target three audiences – OSCE bodies and institutions, participating States, and civil society. With regard to messages, it was noted that they should be carefully formulated to underline why the current status quo is so harmful not only for civil society but to the overall implementation of the Helsinki principles, and not to allow states to say “this is a political issue, we will not do it”. The use of positive examples and best practices in the text could be beneficial to gain support of States.

It was also noted that public attention to recommendations in the outcome document of the reflection process should be stimulated through the use of the media, including social media. Not only recommendations could be included in the document, but also possible results of the work of the current and the next Chairpersonship expected by civil society. While the outcome document will by definition be rather concise and include only a selected number of key recommendations on each subject covered, it should also include annexes with more detailed recommendations contained in reports from the expert seminars.

The following recommendations were suggested:

To OSCE bodies and institutions, regarding enhancing civil society participation in OSCE work and protection of civil society space across the OSCE region:

- at various OSCE bodies and institutions and delegations of participating States, analyse the existing and potential avenues of civil society engagement in the implementation of the Helsinki principles and in OSCE work and consider strengthening those mechanisms and developing new ones that would include not only symbolic recognition of importance of the work of civil society organisations, receiving information from them and making use of their input and data, but would be based on treating them as partners in deliberations and the development of programmes and activities, organising joint discussions with them, enabling CSO participation in decision-making and drafting of documents, delegating them a role in programmes assessment and evaluation, etc.;
- at Chairpersonships, resume holding regular Chairpersonship consultations with civil society on relevant topics considered a priority by the Chairpersonship and CSOs before the assumption of the Chairpersonship and throughout the year;
- at Chairpersonship, institutions and delegations of participating States, provide substantive reaction and a follow up to analysis and recommendations by civil society in the outcome documents of annual Parallel Conferences;
- at Chairpersonships, extend annually the recently established mandate of the Special Representative on Civil Society of the CiO, appoint a high-level politician to this position, consider tasking the mandate holder with acting as a focal point between various OSCE bodies and institutions on matters of civil society participation in OSCE work and protection of CS space across the OSCE region, fill the mandate with concrete content and tools, allocate necessary financial and administrative resources;
- at various OSCE bodies and institutions and delegations of participating States, put the problem of shrinking civil society space and persecution of human rights defenders and other civil society members much higher on the OSCE agenda. Acknowledge that recognition of CS actors as natural allies in upholding the Helsinki principles implies a necessity to protect them from harassment and reprisals and create favourable conditions for their work. Regard reprisals against CS actors for cooperation with the OSCE as an attack on the OSCE itself and its concept of comprehensive security – a standard already acknowledged on the UN level and, recently, by the Council of Europe;
- develop and put to work a system of reacting to repressive laws and policies restricting civil society space and cases of attacks on and harassment of human rights defenders and other CS activists and CSOs, involving relevant OSCE bodies and institutions, including the

Chairpersonship, Special Representative of the CiO on Civil Society, Secretary General, ODIHR, Parliamentary Assembly, field presences, etc.;

- this system should be developed with an understanding that there is a need for a clearer “division of labour” between various OSCE bodies and institutions in reacting to threats to civil society space. This problem could be potentially solved by developing an OSCE-wide strategy/action plan on the protection of CS space with clearly assigned responsibilities. Chairpersonship, including the Special Representative on Civil Society, and ODIHR could take a lead in developing such a strategy, in cooperation with civil society;
- when developing this system, consider applying various tools, such as including this goal in Chairpersonship priorities, invoking the Moscow and the Vienna mechanisms specifically in respect of situations when civil society is under an attack in a particular country, issuing joint statements, using country visits by Secretary General for raising questions related to persecution of civic activists with the authorities, adoption of resolutions by the Parliamentary Assembly, and ensuring a more active role of field presences;
- adopt and implement a special mechanism of quick reaction to reprisals against CSOs and activists for their cooperation with the OSCE, similar to mechanisms developed in the United Nations and the Council of Europe;
- focus OSCE protective efforts on those CS actors which are directly involved in or contribute to OSCE’s programs and activities, those working in the areas affected by conflicts, those who are involved in cross-border monitoring of human rights, and any individuals or groups that face reprisals for their interaction with OSCE bodies and institutions;
- at ODIHR, consider activating its work on securing civil society space and protecting CS activists and using an array of tools for this purpose, such as developing a system of indicators on the freedom of association and security of human rights defenders, holding systematic monitoring and documentation of the situation in OSCE participating States, producing and issuing annual and special reports, conducting assessment of draft laws, regular monitoring of politically motivated trials by OSCE staff, making public statements, more actively using the 2014 ODIHR Guidelines on Security of Human Rights Defenders and 2015 ODIHR/Venice Commission Guidelines on Freedom of Association, updating these guidelines, developing new guidelines and promoting them;
- at ODIHR, consider updating the existing 2014 ODIHR guidelines on security of human rights defenders and the existing 2015 ODIHR and Venice Commission guidelines on freedom of association to incorporate recent ECtHR case-law and Venice Commission opinions and include standards on regulation of civic space at the national level with the aim to resist/prevent adoption of “foreign agents” and similar repressive legislation;
- at ODIHR, reinstate a dedicated ‘focal point on human rights defenders’ and publicly disseminate the information about it and its contacts;
- at OSCE PA, organise special events on the issue of shrinking space for civil society and persecution of civic activists and encourage PA members to “bring home” these discussions and initiate legislation in national parliaments enabling civil society work;

- at OSCE PA, develop a clearer mandate for its Special Representative on civil society in order to maximise its impact and ensure coordination and synergy of the Representative’s with the work of the Special Representative of the CiO on civil society. Among other tasks, the OSCE PA Special Representative could initiate special events on the subject at the Assembly, promote inter-parliamentary dialogue as a means to advocate for legislation and policies protecting civil society space and security of human rights defenders at the national level, and work closely with the Special Representative of the CiO on civil society and OSCE executive structures on issues related to civil society space to improve the visibility and impact of OSCE action in this field. OSCE PA should politically support the mandate of the Special Representative, provide it with necessary resources from OSCE PA International Secretariat, and appoint an authoritative parliamentarian to this position;
- at OSCE PA, look into how its Special Representative on political prisoners could contribute to addressing the situation of imprisoned human rights defenders and other civil society activists in various participating States, such as, for example, by specifically highlighting their situation in his/her reports and advocating for their release.

To OSCE participating States, regarding enhancing civil society participation in OSCE work and protection of civil society space across the OSCE region:

- establish an informal “group of friends of civil society” comprised of supportive participating States which would focus on developing joint strategies on reversing the backlash against civil society, expanding civil society space in the OSCE region and enhancing CS participation in OSCE work; hold its regular consultations and meetings, consider joint initiatives and develop modalities of its engagement with civil society;
- reactivate informal annual “stakeholders meetings” of a group of delegations of supporting States with CSOs;
- use diplomacy to organise informal communication platforms in the OSCE similar to those functioning within the framework of the UN or the Council of Europe such as hosting regular civil society briefings with groups of states, or assisting CSOs in their efforts to reach out to other states potentially interested in cooperation with civil society;
- change the character of meetings with CSO representatives on the margins of human dimension events, Parallel Conferences and Ministerial Council meetings, overcoming their symbolic nature by sharing your own perspective on issues on the table, providing substantive reaction and follow-up to civil society information, analysis and proposals, turning the meetings into a joint process of reflection and planning.

To civil society, regarding developing its more effective engagement in OSCE work:

- do not abandon civil society’s work with the OSCE due to its ineffectiveness and the current institutional crisis, but direct efforts to preserve the existing opportunities for civil society engagement in OSCE work and make them more effective;
- assess the need of rebuilding the previously existing avenues for participation of civil society in OSCE work; consider responding to questions such as “do we need to build new tools for civil society participation or restore some of the former avenues?”, “were they

indeed useful and do we need to spend our resources on their rebuilding?”. Be strategic in choosing where civil society has to engage to achieve the best results;

- evaluate effectiveness of existing and potential mechanisms of civil society engagement in OSCE work from the perspective of the ability of influence of civil society on operational and political level of the organisation, using various methodological instruments, such as “the “ladder” of various models of participation and engagement, including (1) manipulation, (2) therapy (3) informing, (4) consultation, (5) placation, (6) partnership, (7) delegated power and (8) citizen control;
- follow and understand internal OSCE politics, stay updated on the current debates and the angles from which various OSCE actors approach key and often divisive issues, try to find common language to discuss these issues and build cooperation with various actors;
- focus on active interaction with informal working bodies of participating States as an effective way of expanding civil society engagement in the OSCE work allowing to overcome the problem of the abuse of consensus;
- advocate more actively for the establishment of an informal “group of friends of civil society” comprised of delegations of supportive participating States;
- reactivate regular informal “stakeholders meetings” of CSOs with a group of delegations of supporting States;
- advocate for holding regular Chairpersonship consultations with civil society on relevant topics considered a priority by the Chairpersonship and CSOs before the assumption of the Chairpersonship and throughout the year;
- develop recommendations on the content of the mandate of the CiO Special Representative on Civil Society;
- more actively participate in the activities and meetings in the first and second dimensions; focusing on the work on conflicts, hybrid threats, climate crisis, countering transborder corruption, etc.;
- work to overcome scepticism about this from participating States and OSCE bodies;
- work to expand the circle of CSOs and activists engaging with the OSCE and make efforts to hold offline meetings of civil society representatives working to promote the Helsinki principles on a more regular basis;
- develop guidelines for OSCE bodies, institutions and participating States on engagement with civil society;
- look into a possibility to use EU bilateral agreements for the benefit of civil society efforts in promoting the Helsinki principles;

To civil society, regarding more effective advancement of the Helsinki principles by civil society beyond the OSCE:

- do not focus all efforts only on the OSCE but use other opportunities for civil society to interact with international organisations. With an understanding that the Helsinki process is much larger than the OSCE, distinguish between “saving” the Helsinki spirit, Helsinki principles, and the Helsinki process from “saving” the OSCE as an organisation. If the

OSCE is not effective anymore in promoting these principles, consider thinking about other ways to promote those principles and put them to practice;

- plan and implement broad educational and awareness raising initiatives focused not only on transfer of skills and knowledge but on building a constituency of supporters of the Helsinki principles and forming a larger awareness of why the OSCE is important, what values it is based on, what are the links between security and human rights, and what benefits the Helsinki principles bring to the societies of participating States; targets in such work should include national politicians, parliamentarians, journalists, and civil society;
- build trust in the human rights movement on the part of the general public and reach out for broader layers of civil society;
- reach local constituencies through targeted campaigns on carefully selected topics; to do this effectively, reflect about what people are concerned about, communicate better with members of the public, and be partners of broader movements; consider including issues of social justice and climate change in the agenda of human rights organisations;
- focus on support, protection, and creating an enabling environment for human rights defenders, journalists, and lawyers as natural allies in the promotion of the Helsinki principles;
- focus on increasing the number of supporters and followers of human rights groups;
- focus on the economic sustainability and financial independence of the human rights sector;
- focus on ambitious coalition and network building and organising;
- re-conceptualize a vision of the contemporary human rights movement to address current and emerging challenges, which is truly a movement, which reinvigorates new participants, which drives civic engagement and civic participation, that is ambitious in spreading out its ideas beyond the closed discussions in expert circles;
- look beyond the OSCE region and build partnership with civil society in other countries and regions.

Among the thematic areas for the next seminars in the framework of the reflection process, the participants named the climate crisis, OSCE's work on conflicts, addressing the institutional crisis of the OSCE, and more effective implementation of OSCE commitments through the use of various tools, including better utilisation of civil society contribution, enhanced monitoring of the implementation of commitments, and a stronger follow-up to MC decisions, reports of OSCE bodies and missions, statements by OSCE bodies and officials, etc.