



REPORT ON THE THIRD BUDAPEST HUMAN RIGHTS FORUM

BUDAPEST, 18-19 OCTOBER 2010

MINISTRY OF FOREIGN AFFAIRS OF HUNGARY

I. INTRODUCTION

The Third Budapest Human Rights Forum organized by the Ministry of Foreign Affairs of the Republic of Hungary was held in Budapest on 18-19 October 2010.

Six current important human rights questions were addressed as follows:

- Global architecture for the prevention of genocide and mass atrocities;
- Minorities and the challenges for human rights protection worldwide;
- Access to Water: source of conflicts;
- 2011 Review of the Human Rights Council: questions and challenges I.” HRC status, membership, composition, pledges;
- 2011 Review of the Human Rights Council: questions and challenges II.” The Institutional Building package, thematic and country mandates, other mechanisms;
- Optional Protocol to the Convention of the Rights of the Child: the challenges of the establishment of a complaint procedure mechanism.

Dr. István Lakatos, Human Rights Ambassador of the Ministry of Foreign Affairs of Hungary acted as the Chairman of the conference.

Dr. Ágnes Hevesi, Senior Advisor of the Ministry of Foreign Affairs of Hungary acted as the Rapporteur of the conference.

II. OPENING OF THE MEETING

The meeting was opened by **H.E. Mr Zsolt Németh State Secretary, Ministry of Foreign Affairs of the Republic of Hungary.**

State Secretary Zsolt Németh welcomed the participants and introduced the programme of the Third Budapest Human Rights Forum. He confirmed the commitment of the Hungarian Government to the protection and promotion of human rights manifesting in various forms. The practice of organizing a series of conferences on current human rights issues by the Ministry of Foreign Affairs had become an important part of the Hungarian human rights policy. It was a basic principle in organizing the Forum to allow for the participation of non-governmental as well as governmental stakeholders, representatives of international organizations and the academy, which is indispensable for a truly meaningful dialogue.

He made reference to the major change that the world had undergone over the past years fundamentally affecting or altering every segment of life. Such unprecedented change

compelled nations to remodel paradigms. However, protection of human rights and fundamental freedoms shall not be compromised in any way whatsoever. State Secretary Zsolt Németh confirmed that the Government of Hungary was acting in that spirit.

III. KEYNOTE ADDRESS

Mr. Edward McMillan-Scott, Vice-President of the European Parliament (United Kingdom, Liberal Democrat) in his keynote statement stressed that the protection and promotion of democracy and human rights had been a long-standing priority of the European Parliament and were first among the priorities of the EU's foreign policy. He referred to the consistent approach of the European Parliament to the fight against genocide and mass atrocities. He saluted the commitment of Hungary to establish the Budapest Centre for the International Prevention of Genocide and Mass Atrocities. He underlined the imperative that the age of impunity shall be over and ending impunity was the greatest step in combating genocide. He suggested that Europe should set up an International Impunity Register and set its own standards of universal jurisdiction.

IV. PANEL DISCUSSIONS

The **first panel** was dedicated to an analytical and stock-taking debate concerning the construction of the global architecture for the prevention of genocide and mass atrocities. The aim of the discussion was to evaluate the additional value of the Budapest International Centre for the Prevention of Genocide and Mass Atrocities. The previous year the Minister of Foreign Affairs of Hungary had announced the results of the feasibility study conducted by a specialized task force in order to evaluate the possibility of the launching of an International Centre dedicated to the prevention of genocide and mass atrocities. The Hungarian Government undertook to support and promote the project. The first and second panels aimed to discuss the possible causes which can lead to serious mass atrocities, including genocide.

Professor Mr Károly Bárd, Pro-rector of the Central European University acting as the moderator of the first panel discussion introduced the background that led to the decision regarding the prospective establishment of the Budapest Genocide Centre.

Dr. jur. h.c. Mr Hans-Peter Kaul, Vice-President of the International Criminal Court acknowledged the Hungarian initiative concerning the prospective establishment of the International Centre for the Prevention of Genocide and Mass Atrocities. He conveyed the positive interest and the sympathy of the International Criminal Court for the important initiative that the Government of Hungary had undertaken to make a significant contribution to the prevention of genocide and mass atrocities. As regards the current status of the global architecture with regard to the prevention of genocide, Mr. Kaul examined that matter from the perspective of the International Criminal Court. The emphasis of the work of the International Criminal Court which had 113 States Parties was on the investigation, prosecution and punishment of those crimes. ICC was intended by the founders not only to prevent impunity, but also to deter crimes of genocide. Mr. Kaul underlined that the Rome Statute established individual criminal responsibility of perpetrators of genocide. As far as the potential added value of the Budapest Centre was concerned, he referred to the existing gap between early warning and swift and decisive action with regard to potential genocidal

situation. He confirmed that the best solution was to prevent developments that would necessitate the ICC's investigative and prosecution capacity.

Ms. Gillian Kitley, Senior Officer of the Office of the Special Adviser on the Prevention of Genocide spoke on behalf of Mr. Deng, Special Advisor to the United Nations Secretary-General on the Prevention of Genocide and Mass Atrocities. She referred to that office as relatively young in the global architecture. The office was established as a result of collective fault in Rwanda and Srebrenica. Their responsibility concerned collection of information and analysis thereof. Thus the office conducted in-depth analysis and developed an analysis framework which was available on their website. The outcome of their work was complex assessment based on using information of field operations. The office also developed an analysis framework to other associated war crimes. The office provided risk analysis to the Secretary-General. It was also commissioned to several projects concerning inflammatory hate speech, developing case studies to be published the following year and raising awareness, developing a training programme on existing early warning. She stressed that engaging States in general prevention was not easy because of the associated sensitivity. She emphasized the importance of working relationship with regional organizations. She concluded that the current gaps in the global architecture concerned not early warning or early action, there were still gaps in acquisition of early warning information, especially from local population and civil society on the ground. Institutionalizing early warning could contribute to prevention. She hoped that the Budapest Centre would become one of their best partners.

Professor Mr Gregory Stanton, Institute for Conflict Analysis and Resolution, George Mason University, Arlington, Virginia USA and President of Genocide Watch referred to two paradigmatic revolutions that had occurred over the previous twenty years. According to the notion of "The Responsibility to Protect" elaborated by Mr. Francis Deng, states exist to protect the rights of their people. If they do not fulfil this primary duty, the international community, acting through the UN, regional organizations, or even through coalitions, has a responsibility to protect the rights of those citizens. Thus responsibility does not end at the borders of nation states. The second paradigmatic revolution was the application of social science analysis to the phenomenon of genocide. Risk factors can be predicted with enough precision that policy makers can take steps to avert genocides. He stressed that the International Centre for the Prevention of Genocide should develop special relationships with the UN Special Adviser for the Prevention of Genocide, with NATO, the OECD, the African Union, ECOWAS, the Organization of American States and other regional organizations. The default position of governments in foreign policy is non-action even when genocide is clearly underway like Rwanda and Darfur.

He proposed another paradigm revolution: The Precautionary Principle. If early warning signs are strong enough, the international community has a responsibility to take forceful action. The UN Security Council, the International Criminal Court, regional organizations like NATO, the African Union, or ECOWAS have the authority to impose such sanctions or issue warrants. Finally he examined how the conclusions by the Budapest Centre can reach government decision-makers so they can affect world policy. He suggested that the Budapest Centre must be funded by the European Union, supported by a wealthy and influential Finance Committee, staffed by the best genocide scholars in the world. NATO and foreign policy planners should be integrated into the Centre's programs. The Centre should work with Islamic, Jewish, Buddhist, Hindu and other religious institutions to develop programs for promoting anti-genocidal cultures and should develop links with other university

programmes. He strongly advocated that the Budapest Centre should become a world centre for scholarship, policy analysis and advocacy.

Mr. Enzo Maria Le Fevre Cervini, Special Adviser of the Hungarian MFA introduced the important normative and operational evolution that had been experienced in the field of genocide prevention in the last few years. The United Nations improved its own internal mechanisms to respond to crisis that could have led to genocide threats. The civil society and several governments contributed to initiatives and global campaigns to stop occurring massive atrocities. Institutionalization of a preventive framework in the field of genocide and mass crimes that could lead to an effective progress of peace still remained necessary despite progress of international law due to the establishment of the International Criminal Court. He emphasized that preventive actions had to be based on knowledge and capacity to both analyzing, confronting, elaborating and projecting actions that could prevent mass atrocities.

He explained that the idea behind the creation of the Budapest Foundation for the International Prevention of Genocide and Mass Atrocities was that it could represent the establishment of a new international mechanism able to bridge the gap between early warning and early action. Three major assessments indicated the need concluded by the Feasibility Study to establish a Centre for the prevention of genocide in Budapest. The major assessment was that only 140 countries are signatories or State parties of the Convention for the Prevention and Punishment of the Crime of Genocide, consequently more than 50 are not. The second assessment was that State members of the Convention and the major regional organizations were lacking dedicated instruments to prevent genocide. The third assessment was that the capacity in preventing genocide was still limited due to the double function of “raising the flag” and “assessing” whether genocide was really occurring. Therefore the Centre should apply an integrated warning-response support system formulating policy recommendations and generate political consensus for early action at international and regional level. He furthermore gave information about the Foundation and outlined the envisaged way of operation of the Centre.

The panel discussion was followed by interactive debate.

The signature ceremony of the **Deed of Foundation for the International Prevention of Genocide and Mass Atrocities** took place within the framework of the III. Budapest Human Rights Forum. The Deed of Foundation was signed by the two founding universities: the **Central European University** and the **Károli Gáspár University of the Hungarian Reformed Church**.

In his statement **H.E. Mr János Martonyi, Minister of Foreign Affairs of the Republic of Hungary** referred to the evolution of the architecture of the international prevention of genocide. The Hungarian Government was pleased to contribute to that process by laying the foundations of a new Centre in Budapest. That project also represented a remarkable cooperation between two prominent Hungarian academic institutions with different backgrounds. He also referred to Mr. Javier Solana, former EU High Representative for Foreign Affairs as one of the initiators and moral supporters of the project emanating from the particular emphasis that Europe placed on the prevention of genocide at both regional and global levels. That aspect was well-reflected in the programme of the present EU Presidency Trio, which Hungary is a part of. Emphasis on prevention was part of Hungarian foreign policy based on values. The Budapest Centre would also contribute to reinforce effective multilateralism and global responsibility. Hungary wishes to fully serve the better realization

of those concepts if Hungary's bid to become a non-permanent member of the UN Security Council in 2012-2013 succeeds.

Foreign Minister János Martonyi emphasized that the Foundation as an independent body should establish special links with UN institutions and agencies. It should also have close relationship with the decision-making mechanisms of the European Union and its institutions as well as with other regional organisations. Cooperation with international and local NGOs is also desirable. Foreign Minister János Martonyi expressed his hope that Governments from all regions would consider the initiative important enough to support.

On the occasion of the signing ceremony statements were also made by **Mr. John Shattuck, President and Rector of the Central European University** and **Professor Mr Péter Balla, Acting Rector of the Károli Gáspár University of the Hungarian Reformed Church** representing the two founding universities of the Foundation.

In her video message sent to the Forum **Ms. Navanethem Pillay, High Commissioner for Human Rights of the United Nations** welcomed the signature of the Deed of Foundation and expressed the support of the OHCHR to the Hungarian initiative to establish the Budapest International Centre for the Prevention of Genocide and Mass Atrocities.

The **second panel** of the Forum was dedicated to the subject of "Minorities and the challenges for human rights protection worldwide; the role of the European model in minority protection; the possible contribution of the Budapest Centre". The panellists were invited to analyze the diverse minority picture in Europe and the possible advantages deriving from the establishment of the Centre.

Professor Mr Gábor Kardos, Faculty of Law of Eötvös Loránd University acted as moderator of the second panel.

Mr. Gabriel N. Toggenburg, Programme Manager of the European Union Agency for Fundamental Rights, Vienna welcomed the creation of the International Centre for the Prevention of Genocide and Mass Atrocities. He recalled that the European Union was based on a shared history also defined by genocide and horrendous mass atrocities. Those crimes were often committed against persons belonging to minorities. An estimated 40 million EU citizens speak one of over 60 regional or minority languages; there are approximately 175 nationalities living in Europe and over 20 million immigrants are living in the EU. Diversity in the EU stems from the existence of traditional minorities as well as from migration.

The European Union has increasingly dedicated attention to this topic. The Lisbon Treaty puts new emphasis on the protection of minorities and the promotion of equality. According to Article 2 of the new EU Treaty, "the rights of persons belonging to minorities" form part of the constitutional values that "are common to the Member States" and that the "Union is founded on". The now legally binding Charter of Fundamental Rights explicitly forbids any discrimination on the grounds of "membership of a national minority" and obliges the Union to "respect cultural, religious and linguistic diversity". Moreover he referred to Article 10 of the Treaty on the Functioning of the Union which puts the EU under a new and explicit obligation. It provides a clear normative backbone against which mainstreaming of equality can take place across a variety of policy areas. Such an approach was argued for by the Spanish, Belgian and Hungarian Trio-Presidency in the context of the Roma. He also addressed the importance of equality. In the framework of their large scale survey "EU-MIDIS" they had interviewed 23 500 individuals from 45 ethnic minority and immigrant

groups in the 27 EU Member States.¹The Roma appeared as the group most discriminated against. Their research had indicated that rights awareness was lacking in Europe. EUMIDIS survey assisted in realizing that 82% of those who were discriminated against in the 12 months prior to the survey did not report the experience anywhere. Consequently, new effort was needed for raising awareness for fundamental rights. Therefore they look forward to a fruitful cooperation between the Budapest Centre and the Fundamental Rights Agency (FRA) offering use of data and information collected by FRA, sharing reports before official publication. FRA also envisaged stakeholders' consultations.

Mr. Graham Fox, Advisor for the UN Independent Expert on Minority Rights, United Nations Office of the High Commissioner for Human Rights shared certain work, initiatives and perspectives of the United Nations Independent Expert on minority issues, Ms. Gay McDougall. The mandate of the Independent Expert on minority issues was created in 2005 and was given the task by the Human Rights Council of promoting implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in all regions of the world, through activities which include country visits and other direct engagement with States as well as thematic work. The Independent Expert visited ten countries and undertook thematic work concerning poverty and the MDGs, discriminatory denial of citizenship, the right to education and minorities and effective political participation.

He underlined the link between minority rights and stability and conflict prevention and resolution, but also pointed out that not enough had been done to convert that understanding of the crucial role of minority rights into concrete action by States and the international community. As conflict situations escalate, the human costs on the ground and the political and financial costs to the international community escalate exponentially. That remains one of the greatest challenges. The Independent Expert would present a report to UN General Assembly in New York that week pointing out the necessity of greater attention to minority issues and minority rights violations at an early stage would ultimately save countless lives and promote stability and development globally. Over 55 per cent of violent conflicts of a significant intensity between 2007 and 2009 had violations of minority rights or tensions between communities at their core. Minorities are often the targets of violence due to poverty, exclusion from political decision-making processes, remoteness of communities poorly served by State infrastructure, or occupation of their land for strategic purposes or natural resource exploitation. Violence is often accompanied by impunity. Adequate early warning systems are vital since minority rights violations are at the root of a significant number of internal conflicts. Substantial steps were taken to reposition international engagement with conflict situations from the point of reaction to a point of identification of early warnings.

The Budapest Centre could have a useful role in helping to improve early warning capabilities and in turning early warning into early preventive action. Effective participation of minorities in the political life could contribute to avoiding violent conflicts. Preservation of culturally distinctive identities within societies is essential. Discrimination in access to resources is driver of conflict. States should implement comprehensive anti-discrimination legislation and prohibit discrimination by State and private actors. They should monitor the participation of minorities in economic and political life and implement capacity building programmes and other affirmative action measures. The Budapest Centre could help to identify emerging

¹ FRA, "European Union Minorities and Discrimination Survey" (EUMIDIS, 2009); the main report as well as all "Data in focus reports" available at http://www.fra.europa.eu/fraWebsite/eu-midis/index_en.htm.

tensions and deteriorating situations at an early stage and help to deliver the tools, resources and good practices.

Mr. Mark Lattimer, Executive Director of Minority Rights Group International also confirmed that minorities are genocide's most frequent targets. He referred to Minority Rights Group International 'Peoples under Threat index' which has pioneered the use of statistical analysis to identify situations around the world where communities are at risk of mass killing. The Peoples under Threat index is created from a basket of ten indicators, all known antecedents to mass violence. On numerous occasions in the last five years, countries that have risen sharply up the table have later proved to be the scene of gross human rights violations.

Mr. Lattimer emphasized that the new Genocide Prevention Centre should seek to identify potential genocide and mass atrocities as early as 2-4 years ahead when States still have sufficient time for effective international work on prevention. He also suggested expanding the mandate of the centre to cover not only genocide but also mass atrocities which characterized previous stages of many conflicts. He thus urged that the mandate of the Budapest Centre should cover not just genocide but the potential events before the evolution of genocide. The centre will have an important educational role with States, decision makers, media and human rights activists to place the issue at the centre of attention. He also underlined the need that the Budapest Centre should draw expertise not only from Europe, but from other areas that had been affected by mass crimes against civilians. He put special emphasis on the exchange and sharing of experience in genocide prevention among experts from various regions of the world. He said the European model of minority protection often dominated the debate, although the means and level of commitment to minority protection is evidenced in different ways in the Middle East or Africa. Those different views and expertise should be reflected in the work of the centre.

Dr. hab. Professor Mr Krzysztof Drzewicki, University of Gdańsk in his presentation provided a list of themes for possible research and actions on projects and programmes in the field of minority rights. Adequate assessment of the present status of international law in the field of national minorities requires to be seen in the light of the principle whereby the rights of persons belonging to national minorities constitute a part of human rights. Professor Drzewicki pointed out that there was a normative deficit of rules concerning minority rights. Such deficit was slightly reduced at the universal level by the adoption of Article 27 of ICCPR and 1992 UN GA Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. More progress was made at the regional level by the OSCE commitments and by the Council of Europe's Framework Convention for the Protection of National Minorities. Developing jurisprudence remains a task ahead, notably in insufficiently regulated areas or in case of normative gaps or inconsistencies. Despite improvement in implementation in Europe, research is indispensable on the increasing number of cases of deterioration or even regression in protecting minority rights. He underlined that standard-setting and implementation of minority rights of Roma communities should not marginalize attention devoted to other minority groups.

As regards the tendency to establish migrant groups as so-called new minorities, he warned that merging legal status of such groups within minority rights could contribute to blurring essential differences and may result in deteriorating the protection of traditional minority groups. With regard to experience accumulated by the OSCE High Commissioner on National Minorities and other international bodies, conflict-prevention strategy concerning national

minority issues proved to be one the most successful approaches to stability and peace in Europe, locally, nationally and regionally. As regards the policy of EU, the Lisbon Treaty brought about essential changes to the traditional general approach based on equality and non-discrimination. It introduced the first explicit statement on the rights of persons belonging to minorities. Furthermore, the Lisbon Treaty made the Charter of Fundamental Rights a binding instrument. Although it certainly upgraded legal protection of minority issues, comprehensive minority programme of action was still missing in the European Union. He suggested that the Budapest Centre may consider enhancing its research on the new prospects for promoting and protecting minority rights in the European Union.

The panel discussion was followed by interactive debate.

The **third panel** of the Forum addressed the subject of “Access to Water: source of conflicts?” The difference among countries as regards access to water may lead to armed conflicts or even to genocide. The panel discussion focused on the question of what the international community could do in that regard, and how the future Budapest Centre could contribute to the prevention of those kinds of conflicts.

Mr. Enzo Maria Le Fevre Cervini, Special Adviser of the Hungarian MFA acted as Moderator of the third panel.

Mr. Chris Chapman, Head of Conflict Prevention Programs, Minority Rights Group International analyzed local-level conflicts over water-rich land. Minority Rights Group is engaged in programmes in Kenya, Sudan and Uganda and carries out capacity-building for local civil society groups to manage conflicts. He explained that conflicts over land were often conflicts over access to water or water-rich land. Due to poverty and marginalization fertile ground is a cause of conflict. Government liability is rooted in neglect and discrimination. Many conflicts remain at local level which is convenient for the governments. Nevertheless in fragile states, there is a risk of destabilization nationally and ultimately a risk of escalation. MRG advocates a two-pronged approach: conflict management skills help CSOs to promote peace processes between ethnic groups, while advocacy strategies address government neglect and discrimination. He underlined the necessity that local actors should be at the forefront of action, especially in conflicts between neighbours over primary resources. He referred to several examples of neighbouring ethnic groups reaching agreements over access without outside assistance.

Reliance on traditional community leadership and civil society organizations combined with traditional conflict resolution mechanisms as well as human rights/minority rights based approach are key elements to resolution. There is a general tendency of governments to impede local initiatives by imposition of inappropriate livelihood, failure to seek harmony between formal and traditional conflict resolution methods, discrimination between ethnic groups and an overly security-based approach. He nevertheless expressed conviction that there was a role for external actors in capacity-building for community leadership and CSOs as well as advocacy with governments. He concluded by reference to the African Charter on Human and Peoples Rights and rulings by the African Commission suggesting that “peoples” could be applied not only to recognised nation-states but to ethnic communities, as well.

Ms. Valerie Ndaruzaniye, President of the Global Water Institute (GWI) represented a non-profit organization headquartered in Brussels assisting post-conflict countries in

environmental security and societal stability by providing training and assistance in the reintegration of demobilized forces and other marginalized groups using water-related programmes. GWI gives priority to African countries since climate change had the greatest adverse impact on water resources located around the Mediterranean and sub-Saharan Africa, and conflicts happening in sub-Saharan Africa were alarming. In her presentation she focused on challenges surrounding water in Africa. As no community would prevail without water of sufficient quantity and quality, there was a need for revamping African environmental security strategy aligning water resource management, focusing on assisting the neediest population with potential economic development possibilities. Water scarcity can impact human security thus leading to instability, migration, and increased resource competition, while water access promotes child and women's health, education and economic development.

African women spend about 60 billion hours each year on water collection. She provided several figures and results of researches presenting the seriousness and the complexity of the matter. Under current consumption trends without adequate strategies related to water and population growth, by 2025, two-third of the global population would live in worse conditions and more conflicts would erupt. Upon case studies it could be concluded that the deterioration of the environment leading to meagre food production was at the source of most African conflicts and regional insecurity. Therefore she urged that strategies should focus on improving governance, fair sharing and just distribution of national economies including water and mediation. Environmental security is a key element to sustainable economic development and stability.

Professor Mr Gábor Búr, Eötvös Loránd University described the matter of access to water in his presentation as a time bomb awaiting Africa. Professor Búr identified the top 10 challenges of the humanity for the forthcoming 50 years as follows: energy, water, food, environment, poverty, terrorism and war, disease, education, democracy, population. The world's population is growing by about 80 million people a year, implying increased freshwater demand of about 64 billion cubic metres a year. More than 60% of the world's population growth between 2008 and 2100 will be in sub-Saharan Africa (32%) and South Asia (30%). These regions are expected to account for half of world population in 2100. Unlike other continents, Africa does not have a large mountain range that produces snowmelt, rivers and precipitation. Many people in Africa spend more time and money on acquiring water than on any other resource. He provided a historical overview and pointed out that there had never been a single war fought over water in Africa.

He underlined that water was the only scarce resource for which there was no substitute, international law thereon was poorly developed, and the need for water was constant and immediate. As a consequence, "water" and "war" are two topics that should be assessed together. Water is supposed to become a contributing factor to regional instability as demands for water approach the limits of the available supplies. Many conflicts are caused or inflamed by water scarcity. Reference was made to the conflicts in Chad, Darfur, Sudan, Ethiopia, Somalia, Yemen, Iraq, Pakistan, Afghanistan as the areas concerned lied in arid lands where water scarcity was leading to failed crops, dying livestock, extreme poverty, and desperation.

The panel discussion was followed by interactive debate.

On the second day of the Forum two panel discussions were dedicated to the matter of “2011 Review of the Human Rights Council: questions and challenges”. The review of the Human Rights Council surrounded by profound interest and attention by the international community will take place during the Hungarian EU Presidency. Regional groups have substantially different points of view on this subject. The two subsequent panel discussions aimed at presenting these different points of view, and attempted to draw common conclusions, which could also serve as a basis for the HRC working group on HRC review.

The **fourth panel** concerned the matters of status, membership, composition, pledges.

Associate Professor Mr Boldizsár Nagy, International Law Department, Faculty of Law of the Eötvös Loránd University acted as moderator of the panel discussion.

Mr. Bacre Waly Ndiaye, Director of the Human Rights Council and Special Procedures Division of the Office of the High Commissioner for Human Rights in his keynote speech addressed how the overhaul of the intergovernmental human rights machinery was set in motion, identified the major achievements of the Human Rights Council and concluded with a few ideas aiming at strengthening the Council through its review process. He recalled the founding resolution endowing the Council with a strong mandate to promote and protect human rights according to the principles of impartiality, independence, objectivity and non-politicization. It envisaged new criteria for membership and empowered the Council to meet as needed beyond regular sessions. The resolution also bestowed upon the HRC the responsibility of examining the human rights record of all UN Member States through the Universal Periodic Review mechanism.

Mr. Ndiaye clearly marked the UPR the most significant innovation stemming from its universality on the basis of uniform criteria. As at September 2010, a total of 127 of the 192 Member States of the United Nations were reviewed. By the current operation of 31 thematic and 8 country mandates, the special procedures system of HRC continues to evolve with the creation of new mandates, for example, in the field of cultural rights, water and sanitation. Progress has also been made in working methods, since there has been a trend for thematic Special Rapporteurs to join forces in reporting on cross-cutting issues and on situations, thus providing a comprehensive analysis. In the area of standard-setting HRC has also made great achievements with adopting the UN Declaration on the Rights of Indigenous Peoples, the Convention on the Protection of All Persons from Enforced Disappearances and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and work is underway on new instruments. Mr. Ndiaye commended the Council’s flexibility in considering urgent matters and also its key role in ensuring accountability for human rights violations with the establishment of fact-finding missions or commissions of inquiry to examine the human rights situations.

Mr. Ndiaye encouraged a pragmatic approach to the review process of HRC offering ideas for consideration aiming at strengthening the Council. He urged to streamline, synthesize and clarify UPR recommendations. Furthermore, he stressed the advisability of bolstering the Council’s toolbox of mechanisms to expand its access to information to ensure greater understanding and scope of action. The working relationship and interaction between the Council and the General Assembly, in particular its Third Committee, should also be addressed. The Council’s decisions should not be hampered by a lack of dedicated resources. The solution could be a separate contingency fund for the Human Rights Council to follow up on its recommendations, or a more timely process for the General Assembly’s consideration

of the Council's requirements. He concluded by noting that the review should be conducted in an inclusive manner with the involvement of all concerned parties and in a spirit of cooperation with a view to reaching a consensus at the Council as well as at the General Assembly.

Ms. Eileen Chamberlain Donahoe, Ambassador of the United States of America to the Human Rights Council in Geneva focused mostly on the questions of membership and pledges in her presentation, but also touched upon the issues of status and composition. She pointed out that the Human Rights Council would only be as good as its members. Therefore our goal should be to ensure that the Member States elected to the Council are governments with exemplary human rights records and sincere commitments to promoting human rights internationally. They must be prepared to actively and constructively engage in the work of the Human Rights Council. She cited several criteria provided by the UN General Assembly resolution (60/251) that had created the Council. She suggested that a top priority for the 2011 review process should be to sharpen the criteria for membership so that the selection process would be more robust and meaningful resulting in more qualified membership. She suggested the elaboration of benchmarks for States examining for example the candidate's contribution to recent international initiatives for the promotion and protection of human rights; the candidate's record with respect to past participation in the Council; the candidate's record with respect to cooperation with special procedures and treaty monitoring bodies, including host country visits and responding thoroughly and promptly to inquiries and recommendations; the candidate's UPR and its follow-up; the nature of any existing UN human rights complaints against the candidate; if the candidate was subject to UN sanctions for human rights reasons; the candidate's record with respect to implementation of ratified human rights treaties. She also raised the possible establishment of certain negative criteria leading to ineligibility to seek membership in the Council.

She urged that the review process should establish a forum for evaluating the human rights record for all HRC candidates in open and transparent manner. One way would be to require States to present their candidacy before the General Assembly including dialogue with all States. She ascertained that the review process should ensure the sustainability of commitment to human rights protection during the entire term of membership. Re-election should be based on assessment of performance against the commitments made in pledges. A recommended format should be established for voluntary pledges for candidates for the HRC listing specific, measurable and verifiable commitments to be assessed and subsequently reviewed. In practice, countries provide their own pledges on an ad hoc basis which makes it difficult to evaluate or compare them. She underlined the importance of competition in election and specific deadlines for candidates. She was of the view that it may be premature to make any assessment about changed status of the HRC.

With regard to its composition, she reiterated that the quality of the Council's membership directly impacts the quality of the Council's work. She proposed to explore the option of having several open seats on the Council not reserved to any regional group creating a healthy dynamic in the elections. She concluded by underlining the importance of the review process providing opportunity for self-reflection and improvement. She also confirmed the commitment of the United States to enabling the HRC to make a difference on the ground of human rights defenders and victims, to enhance the Council's efficacy in addressing crisis and chronic human rights situations and ultimately to bring the Council closer to its potential.

In his presentation **Mr. Hisham Badr, Ambassador of Egypt to the Office of the United Nations in Geneva** informed the participants that he had conveyed to the President of HRC a substantive contribution to the review process in his capacity as Chair of the Non Aligned Movement. The contribution available on the extranet represented the result of an extensive process of consultation within the NAM culminating in a common position endorsed by NAM. The NAM attached the highest importance to the review of the Council sharing the desire to reinforce effectiveness and credibility of the Council and the preservation of the spirit of dialogue and constructive engagement. He referred to embarking on a review and not a reform of the Council and the record should be examined in implementation of the relevant paragraphs of GA resolution 60/251 and of the IB text. The review process both in New York and in Geneva should examine - in an intergovernmental process informed by the contributions of all stakeholders - the state of implementation with a view to improve the Council and to undertake limited fine tuning where necessary. The NAM presented some concrete ideas particularly in relation to UPR, special procedures and methods of work of the Council.

Since he was requested to speak on the review of the status of the Council taking place in New York, he revisited the terms of reference of both reviews to be held in New York and Geneva known as OP 1 and OP 16 of GA resolution 60/251. It meant that the General Assembly would make the ultimate decision with regard to the future of the Council, thus decide on the status and consider the outcome of the review conducted by the Council on its own work and functioning. In his reading, membership, composition and pledges neither belong to the discussions in New York on the status nor to those in Geneva on the work and functioning of HRC. He warned that discussion on “status” incorporating membership, composition and pledges may open Pandora’s box since others could legitimately ask for the inclusion of other elements forming part of a very delicate balance reached in 2006. As regards the status of the Council, he considered unlikely that states would be more prepared to amend the Charter than they were in 2005/2006.

He recalled discussions taken place in 2006 on membership, composition and pledges. He also recalled that particularly Western countries had wanted to set specific criteria for membership which had been rejected in 2006 and compromise had been reached in resolution 60/251 whereby members were to be elected directly and individually and election required the votes of the majority of the members of the GA. Reference was made to the requirements of submission of voluntary pledges, upholding the highest standards of human rights and to the conditions of suspension of membership in the Council. The only organ requiring qualified majority for election is the Security Council. For the HRC, the compromise reached in 2006 was the current unprecedented formulation requiring the votes of the majority of members of the GA. He again did not consider advisable to reopen that matter, furthermore any criteria would be selective. If the Council is to remain representative of all regions, civilizations and cultures, the current composition has to be maintained. He referred to the GA resolution providing for equitable geographical distribution and criteria for membership. Imprecise formulation was not only due to “constructive ambiguity”, but also the impossibility of quantifying human rights records in numbers and figures. Consequently the issue of membership and electoral system is not part of the review.

The delicate balance should be preserved. The Council is doing well in fulfilling its mandate and the current agenda is dynamic enough. The legacy of politicization, selectivity and double standards are still annoying and concerted efforts are needed to build the climate of trust. He also claimed the lack of rationalization of mandates to avoid duplication and overlap. The

Council is still a work in progress and needs to prove capability to respond to emergencies, to address all human rights for all people applying equal and objective standards.

Mr. Hans Dahlgren, Human Rights Ambassador of Sweden in his presentation started by referring to the report of Kofi Annan, former Secretary-General of the United Nations in 1997 entitled as “Renewing the United Nations: A Programme for Reform” wherein he designated human rights as a cross-cutting issue for the whole United Nations system and asked for human rights to be mainstreamed into the programmes, policies and activities of all UN specialised agencies, programmes and funds. He recalled why changes were raised for the replacement of the Commission on Human Rights.

Ambassador Dahlgren focused on issues concerning the status of the Human Rights Council, the size of membership and the qualification for membership. He referred to former Secretary-General, Kofi Annan who was right in qualifying human rights as the third pillar of the United Nations. He stressed the fundamental link between security, human rights and development. While the Security Council and the ECOSOC are principal organs of the United Nations, it can be considered as a right target that the Human Rights Council is the third major body of the United Nations. However he was not optimistic about the changing of the Charter of the United Nations.

Ambassador Dahlgren evaluated the UPR as a most successful mechanism. He referred to the UPR review of Sweden which affected the whole government. Touching upon the qualification issue, he stressed the importance of the need to make the Human Rights Council better suited to meet its mandate. He made no suggestion to change the mandate. Contributions and pledges are supposed to be taken into account when a country applies for membership. However, in practice not necessarily states with the highest standards seek membership. As regards selection, he supported the organization of public hearings, elaboration of benchmarks, verification of cooperation with special procedures, and the ratification of core documents.

Ambassador Dahlgren considered clean slates as less real selection. Sweden’s consequent position is that it casts vote only if the applicant really meet the standards. Sweden encourages candidates to run for HRC membership which could lead to real selection. He concluded by stating that the Human Rights Council was as good as its members let it be.

The panel discussion was followed by interactive debate.

The **fifth panel** continued addressing the 2011 review of the Human Rights Council. It was designed to deal with further questions and challenges such as the Institutional Building package, thematic and country mandates and other mechanisms.

Dr. Habil. Professor Ms Erzsébet Kardos Kaponyi of the Corvinus University of Budapest, Deputy-head of the Institute for International Studies acted as moderator of the panel discussion.

Ambassador Mr Achamkulangare Gopinathan, Permanent Representative of India to the Office of the United Nations in Geneva in his presentation emphasized the importance to approach the review process with a clear objective of the review of the work and functioning of the Human Rights Council. It should not be perceived as an end itself, nor should it be launched with a set of pre-conceived outcomes. The IB package has served the

HRC relatively well over the last three years. Therefore no attempt should be made to upset the delicate balance. Rather they should focus on the strengths and weaknesses of HRC with the aim of improving the effectiveness and efficiency in its work and function. That would entail a thorough study of the IB package to review its implementation and identify elements to be strengthened for enhancing dialogue and cooperation. Similarly, elements should be identified in the IB package, which have adversely affected dialogue and cooperation during implementation.

Several informal brainstorming sessions were dedicated to the system of Special Procedures which was of much significance to the work of the Council. In that regard, Ambassador Gopinathan raised five important points. First, as regards the independence of Special Procedures, which ought to be ensured, he pointed out that independence must be absolute and it should include independence from certain Western countries contributing financially to select mandates, from Western NGOs and from Western academia, as well. It is important for member states to respect independence of Special Procedures, and equally important for Special Procedures to adhere to the Code of Conduct. He warned of recent instances of stepping outside the mandates impacting on their independence. He particularly referred to the Joint Study on Secret Detention, a non-mandated study submitted by certain Special Procedures to the Council for consideration. He nevertheless was of the view that the system in general worked fairly well. It may be useful to consider converting some of the Special Procedures into Working Groups based on equitable geographic representation.

Second, Ambassador Gopinathan referred to concerns expressed that the financial and human resources at the disposal of Special Procedures mandate holders are not adequate, and the problem aggravated with the creation of new mandates to be funded from within existing budgetary resources. Graver concerns were expressed about inequity in funding. This was because certain Special Procedures were receiving earmarked funding from non-OHCHR resources creating an iniquitous funding structure. For this reason, some Special Procedures were able to present several reports, while some were unable to adequately carry out their mandates. Therefore transparency and accountability requires that an addendum should be attached to the reports outlining financial aspects of the work.

Third, the IB-package provides for the review, rationalization and improvement of mandates, which have not yet taken place. This review may be a good opportunity to streamline, merge or possibly discontinue mandates where duplication and overlap are clear. That would partially help to overcome the inadequacy of resources. Fourth, it may be useful to provide Special Procedures mandate holders a degree of political orientation involving their sensitization to the political environment of the visited country resulting in a better understanding with the country concerned and a cooperative and constructive engagement. Last, the review must explore ways and means to render the interactive dialogue with the Special Procedures genuinely interactive rather than reading out prepared statements in a short time-frame. The reports of the Special Procedures should be made available in time so that they receive due attention and discussed in an interactive dialogue from which all stakeholders could truly benefit.

Ambassador Ms Bente Angell-Hansen, Permanent Representative of Norway to the Office of the United Nations in Geneva in her presentation upon reviewing the Human Rights Council emphasized that they should evaluate the performance of the Council in connection with its objective, i.e. the promotion of human rights. To attain this objective, they had several measures at their disposal reflected in GA resolution 60/251 and the institution

building package. She considered the last session of HRC in September 2010 as the most productive and constructive since its inception, however the means at their disposal had always been identical and available. Better use of presidential statements and constructive cross-regional working were two key elements for a successful September session. She expressed Norway's view that GA resolution referred to above as well as the IB package constituted good work. The IB package provided a series of instruments at their disposal, some of which had not been exhausted by the Council. Therefore Norway does not see the need for a major change in the IB package. On the contrary, changes should be limited and based on a real need when it came to fulfilling its mandate. Therefore they would caution against introducing new rules that may lead to restrictions in its flexibility and consequently would limit the measures at their disposal.

She addressed more specifically three important areas of work of the Council: the UPR, country situations and normative work. She evaluated the UPR as a positive new instrument which helped to build bridges between work in Geneva and at the country level. It was not a one-time exercise, but a continuum giving incentive to all states for better performance. Norway does not see any need to change the periodicity of the review. She was of the view that the cooperative element of UPR is underutilized. Clear indication is needed as to which recommendations are accepted, rejected or further considered. Another challenge is the better use of the cooperative elements of the UPR such as technical assistance, capacity building and best practices.

As regards the ability of the HRC to address violations, Ambassador Angell-Hansen referred to the tools of briefings, presidential statements, informal meetings and consultations, special sessions and resolutions at the disposal of HRC. Norway is open to exploring new tools if needed. She mentioned the potential role of regional HRIs as reflected in the IB package. Finally Ambassador Angell-Hansen gave an overview and an evaluation of the current important normative work of the Council and stressed that if implemented nationally the normative work of the Council can make a real difference for people.

Mr. Hugo Brauwers, Deputy Permanent Representative of the Permanent Mission of Belgium to the Office of the United Nations and other International Organizations in his presentation welcomed the good timing of the discussion on the review of the Human Rights Council. He indicated the issues that the EU was working on in that respect. The review paper was distributed and available and would be complemented on proposals to be elaborated in the course of that week. Working on the basis of the review, Mr. Brauwers underlined that it would not be a full-fledged reform which would be premature after 5 years of establishment of the Human Rights Council. He also pointed out that the IB package should not be modified. Analysis and evaluation of the mandates are matters for consideration in the review process. Credibility of the Human Rights Council can be judged in light of the mandates. It is for us to evaluate where we are on norm- and standard-setting, on monitoring and on the implementation of norms and standards.

It should be examined if the right focus is put on human rights situations, concerning country mandates and thematic mandates. It should also be carefully examined if early warning and prevention are properly pursued as the case may be. Mr. Brauwers stressed the importance and necessity of better use of the existing mechanisms in the best possible way. The Human Rights Council should be a forum for genuine dialogue and interaction. Furthermore, in broader aspect, mainstreaming human rights in the UN system and outreach to other UN bodies should be the major driving force.

Specific proposals related to the UPR which can be considered as one of the major accomplishments of the recent reform. The second cycle should be as transparent and effective as possible. Focus should be directed on the follow-up and implementation of the recommendations. Assistance should be provided to countries in accomplishing their engagement. Mr. Brauwert urged the better use of dialogue and suggested that the three-hour restriction should be replaced by allocation of four hours per country and more interactivity would be desirable. The dialogue is not respectful to delegations concerned, more grouping of questions would be necessary. The role of stakeholders and input from civil society are guarantees for a meaningful UPR process.

As regards the selection of mandate holders, Mr. Brauwert underlined the necessity of more transparency. Gender balance and regional representation should be respected. The same selection process should be applicable for the Advisory Committee of the HRC. Special Procedures are the eyes and the ears of the HRC, therefore professionalism and independence are basic requirements. He pointed out that the HRC did not take enough time for open dialogue and interactive debate with the mandate-holders. Since there is a former speaker's list, the mandate-holder cannot react on what has been said. Independence is a sensitive issue at the Council level. Mandate-holders have the right to take their own initiatives. Mr. Brauwert expressed disappointment over the inadequate cooperation of certain Member States with the mandate-holders. Pledge for standing invitation should be general inspiration to all members, even observers. The complaint procedure worked far better in early years of the Commission on Human Rights and the Sub-Commission than recently. Currently it ends up with procedural debates, although it should be the open door for the HRC. Despite that, it is a closed door now with 5-6 security locks.

Agenda and the programme of work are areas where most can be achieved. There are a lot of elements of agreement. The agenda was difficult to achieve but was not carved in stone, thus the question arises whether we should work on all items at each session or items can be distributed through the year. It was a major improvement to extend the length of sessions from 6 weeks to altogether 10 weeks clustered in 3 sessions, and complemented by special sessions. However, Mr. Brauwert expressed doubt if the HRC puts the right focus and also entailed strain to delegations. In case of two sessions, the matter of timing arises. He concluded by urging more use of briefing sessions all through the year focusing on country and thematic issues.

The **sixth panel** was dedicated to the Optional Protocol to the Convention on the Rights of the Child which was currently under elaboration. The panellists and the participants examined the challenges of the establishment of a complaint procedure mechanism.

Ms. Edit Kecskeméti, Director of the Hungarian Committee of the UNICEF acted as moderator of the panel discussion.

Mr. Drahoslav Štefánek, Director of the Department for General Affairs and relations with EU Institutions of the Ministry of Foreign Affairs of Slovakia in his capacity as Chairman-Rapporteur of an Open-ended Working Group of the Human Rights Council on an Optional Protocol to the Convention on the Rights of the Child presented the background and the current state of the elaboration of the Optional Protocol. He recalled that in June 2009, the Human Rights Council in its resolution 11/1 decided to establish an open-ended Working Group to explore the possibility of elaborating an optional protocol to the Convention on the

Rights of the Child to provide a communications procedure complementary to the already existing reporting procedure. After its first session in December 2009, the Working Group was given stronger mandate to elaborate an optional protocol. The Chairperson-Rapporteur elaborated a non-paper on elements in May 2010 and after open-ended consultations in Geneva and an expert meeting organized by the OHCHR in June, a draft optional protocol was submitted to the High-Commissioner. The text was circulated to all member states and was available at the OHCHR website. The process was based on transparency and constructiveness with the aim to achieve consensus. It seems that there is an emerging political will for the protocol. The Working Group has 10 working days holding sessions in December 2010 and in February 2011.

The Protocol will authorize the Committee on the Rights of the Child to receive and consider communications claiming a violation by State of any of the rights set forth in the Convention or its two optional protocols. It should be established who may submit a communication: individual, or child, group of individuals directly or it may be submitted on behalf of individuals or group of individuals. Acting on behalf of victims can take place with their consent unless justification is provided without such consent. The main principles are that the child is the right-holder, and the best interest of the child shall be the primary consideration in all actions concerning the child.

Collective communication was already discussed within the OP CEDAW and OP CESC, but it was not included in either final protocols. Under this procedure, NHRI, ombudsman institutions and NGOs in consultative status with ECOSOC may submit collective communications alleging grave or systematic violations, without identification of individual victims. Mr. Stefanek presented deliberations on admissibility, interim measures in cases of threat of irreparable damage to the victim(s), the rules of procedure, and follow-up based on agreed language of OP CESC. The inquiry procedure is based on OP CEDAW language bearing in mind the special status of the child, “without delay” has been added and a time limit was shortened to 3 months. Following Article 17 of OP CEDAW, reservation cannot be effectively made to the protocol.

The ultimate goal is to strengthen implementation of the rights of the child. Mr. Stefanek emphasized the cross-regional nature of the initiative and expressed gratitude to the NGO community and the civil society. He closed by underlining the necessity of effective remedies to redress violations which can be provided by the communications procedure.

Professor Mr Szabó Máté, Parliamentary Commissioner for civil rights in his presentation introduced the Launching the Children’s Rights Project. In 1997, the Child Protection Act emphatically and expressly mandated the Ombudsman dealing with citizens’ rights to protect children’s rights as there is no autonomous ombudsman for children’s rights. Based on the Act, the Ombudsman promotes the protection of children’s constitutional rights by his special means. It is the Ombudsman’s task to investigate violations of children’s constitutional rights coming to his attention, and to initiate general or specific measures for their rectification. During the entire span of the Ombudsman’s mandate and acting as a quasi Commissioner for children’s rights the Ombudsman monitors with special attention the realisation of children’s rights and accords priority to investigations into complaints submitted by children or related to their interests. The long-term aim of the project launched in 2008 by the Ombudsman was to improve the vindication and realisation of children’s rights, an enhanced enforcement of children’s interests and as a result to improve the social position of children in the society. Complaints related to children’s rights are mainly submitted by adults.

Education is one of the primary channels of getting acquainted with children's rights which should be included in primary and secondary education curricula. Enhancement of knowledge of children's rights by children, parents, educationists, guardianship administrators, experts of child protection is also aimed by the project.

The Ombudsman's activities related to children's rights are not limited to traditional means. In addition to individual complaints, he undertook a holistic approach and proactive nature: enhancing consciousness, forming public opinion, ex officio investigations and cooperation, promoting elaboration of solutions, direct contacts with the target groups of the project. For this purpose, he discusses experiences obtained during ombudsmen's investigations and his related findings, recommendations and initiatives with experts dealing with children in professional meetings, workshops and conferences, and initiates cooperation between children and civil organisations, state organs, experts dealing with the vindication and protection of children's rights. In addition, within existing resources, he also undertook the presentation of children's rights and opportunities of the enforcement of those rights, including the protection of rights by the Ombudsman. The Ombudsman and the associates of the Children's Rights Project have addressed several expert meetings and also directly addressed parents and children in this spirit.

Ms. Szilvia Gyurkó, Researcher of the National Institute of Criminology, Criminal Law Division emphasized in her presentation the necessity of a holistic support to victims. She addressed the importance of communications procedure under the Convention on the Rights of the Child. She referred to the special status of children since they are dependant. Despite the imperative of the child's right for communication at national level and in different procedures, there is a lack of child advocacy and the consequences of "non-child-friendly" procedures are tangible.

She was of the view that several legal norms declared the rights of the child, however reality was far from the requirements provided by legal regulation. In the majority of cases, children have no right for communication to be heard. There exists no protocol for judges and prosecutors, there is also a lack of training on how the rights of the child should be protected in the course of the procedure.

She presented and analyzed a case of an eleven year old girl victim of sexual abuse and examined how traumatizing the procedure was. Only a few victim-friendly hearing rooms are available. She pointed out that time was of key issue for communication procedures since children grew up fast, therefore there was a need for a specially prompt way. The importance of timing is crucial as regards the procedures, the child's life and his/her family's life as well as in the consequences. In Hungary a new amendment of juvenile justice system came into force in June 2010. Offences are modified and a new provision on possible detention was introduced for juvenile offenders. She was of the position that detention or any kind of sanction should be the last resort. Finally she dealt with the "incubator law" and the problems of mandatory reporting system.

The panel discussion was followed by interactive debate.

**PROGRAM OF THE THIRD BUDAPEST HUMAN RIGHTS FORUM
18-19 OCTOBER, 2010**

Venue: Budapest, MFA, Conference Hall

Chairman of the conference: **István Lakatos**, Human Rights Ambassador, MFA of Hungary
Rapporteur of the conference: **Ágnes Hevesi**, human rights expert, MFA of Hungary

18 OCTOBER, 2010

09.00–09.15 Opening statement by **H.E. Zsolt Németh** Minister of State, Ministry for Foreign Affairs of Hungary

09.15–09.30 Keynote Speech by **Edward McMillan-Scott**, the Vice-President of the European Parliament

**09.30–10.45 FIRST PANEL - THE CONSTRUCTION OF THE GLOBAL ARCHITECTURE
FOR THE PREVENTION OF GENOCIDE AND MASS ATROCITIES: WHERE ARE WE STANDING?
WHAT WOULD BE THE ADDITIONAL VALUE OF THE BUDAPEST CENTRE
FOR THE PREVENTION OF GENOCIDE AND MASS ATROCITIES?**

Moderator: **Károly Bárd**, Pro-rector of the Central European University, Budapest

Panelists:

- **Gillian Kitley**, Senior Officer, Office of the Special Adviser on the Prevention of Genocide
- **Hans-Peter Kaul**, Vice-President of the International Criminal Court
- **Gregory Stanton**, George Mason University, Washington
- **Enzo Le Fevre**, Special Adviser to the MFA of Hungary

10.45–12.00: Q&A

12.00–13.00 Lunch in the MFA

13.15–14.15 Signature of the Deed of Foundation of the Budapest Centre for the International Prevention of Genocide and Mass Atrocities

Statement by **H.E. János Martonyi** Minister for Foreign Affairs of the Republic of Hungary

Statements by the Rector of the Central European University and the Rector of the **Károli Gáspár University of the Hungarian Reformed Church**

*Video message delivered by **Navanethem Pillay**, High Commissioner for Human Rights of the United Nations*

14.15–15.15 SECOND PANEL - “MINORITIES AND THE CHALLENGES FOR HUMAN RIGHTS PROTECTION WORLDWIDE; THE ROLE OF THE EUROPEAN MODEL IN MINORITY PROTECTION; THE POSSIBLE CONTRIBUTION OF THE BUDAPEST CENTRE”

Moderator: Gábor Kardos, Professor, Faculty of Law of Eötvös Loránd University, Budapest

Panelists:

- **Gabriel N. Toggenburg**, Programme Manager at the Fundamental Rights Agency of the EU
- **Graham Fox**, Advisor for the UN Independent Expert on Minority Rights
- **Mark Lattimer**, Executive Director of Minority Rights Group International
- **Krzysztof Drzewicki**, professor, University of Gdańsk

15.15-16.15 Q&A

16.15–16.45 Coffee break

16.45–17. 30 THIRD PANEL -“ACCESS TO WATER: SOURCE OF CONFLICTS?”

Moderator: Enzo Le Fevre, Special adviser to the MFA of Hungary

Panelists:

- **Chris Chapman**, Head of Conflict Prevention Programs, Minority Rights Group International
- **Valerie Ndaruzaniye**, President of the Global Water Institute
- **Gábor Búr**, Eötvös Loránd University

17.30–18. 30 Q&A

19.00 Dinner and boat trip

19 OCTOBER, 2010

08.45–09.00 Intervention of M. Bacre Ndiaye, Director of the Human Rights Council and Special Procedures Division of the Office of the High Commissioner for Human Rights

**09.00–10.00 FOURTH PANEL - “2011 REVIEW OF THE HUMAN RIGHTS COUNCIL : QUESTIONS AND CHALLENGES I.”
HRC STATUS, MEMBERSHIP, COMPOSITION, PLEDGES**

Moderator: Boldizsár Nagy, Associate Professor, Faculty of Law of the Eötvös Loránd University

Panelists:

- **Eileen Chamberlain Donahoe**, Human Rights Ambassador of the USA (PermRep Geneva)
- **Hisham Badr**, Ambassador of Egypt (PermRep Geneva)
- **Hans Dahlgren**, Human Rights Ambassador of Sweden

10.00–11.00 Q&A

11.00–11.15 Coffee

**11.15–12.15 FIFTH PANEL - “2011 REVIEW OF THE HUMAN RIGHTS COUNCIL:
QUESTIONS AND CHALLENGES II.”
THE INSTITUTIONAL BUILDING PACKAGE, THEMATIC AND COUNTRY MANDATES,
OTHER MECHANISMS, ETC.**

Moderator: Erzsébet Kardos Kaponyi, Professor, Corvinus University of Budapest

Panelists:

- **Gopinathan**, Ambassador of India (PermRep Geneva)
- **Bente Angell-Hansen**, Ambassador of Norway (PermRep Geneva)
- **Hugo Breuwers**, Belgian PRES

13.15–14.00 Lunch in the MFA

**14.00–15.00 SIXTH PANEL - OPTIONAL PROTOCOL TO THE CONVENTION OF THE RIGHTS
OF THE CHILD: THE CHALLENGES OF THE ESTABLISHMENT
OF A COMPLAINT PROCEDURE MECHANISM**

Moderator: Edit Kecskeméti, Director of the Hungarian Committee of the UNICEF

Panelists:

- **Drahoslav Štefánek**, MFA Slovakia, Head of Working Group
- **Máté Szabó**, Parliamentary Commissioner for Civil Rights of Hungary
- **Szilvia Gyurkó**, National Institute of Criminology

15.00–16.00 Q&A