



**REPORT ON THE FOURTH BUDAPEST HUMAN RIGHTS FORUM**

**BUDAPEST, 26-27 OCTOBER 2011**

**MINISTRY OF FOREIGN AFFAIRS OF HUNGARY**

## **I. INTRODUCTION**

The Fourth Budapest Human Rights Forum organized by the Ministry of Foreign Affairs of Hungary was held in Budapest on 26-27 October 2011.

Four current important human rights questions were addressed as follows:

- Activities and representation of the European Union in the field of human rights;
- Human rights, equal opportunities for and the role of women – gender policies;
- Responsibility to protect in practice;
- Human rights aspects of the ‘Arab spring’.

**Ambassador István Szabó, Head of the United Nations and Human Rights Department of the Hungarian Ministry of Foreign Affairs** 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 János Martonyi, Minister for Foreign Affairs of Hungary**.

Minister János Martonyi welcomed the participants and made reference to the tremendous changes that had taken place since the Third Budapest Human Rights Forum compelling us to remodel our paradigms and vision about our future. Respect for human rights, preservation of democratic values and strengthening democratic institutions should serve as our compass over these stormy waters.

Referring to the previous four conferences, the Budapest Human Rights Forum had developed into a well-received, internationally registered conference organized by the Ministry of Foreign Affairs of Hungary. The aim of the Forum was to provide space for dialogue among representatives of international organizations, NGOs, governments, the academic world and the civil society on the different aspects of human rights.

Minister János Martonyi introduced the program of the Fourth Budapest Human Rights Forum. As regards the first panel, Hungary within the European Union is an active promoter of human rights. As the President of the Council of the EU in 2011 Hungary treated the international protection and promotion of human rights as a key priority. One of Hungary's landmark initiatives was the elaboration and adoption of the Roma Framework Strategy at EU level by which the EU successfully addressed the Roma question in a European context. Hungary participated on behalf of the EU in the review of the work of the Human Rights Council and contributed to achieving a result acceptable for all parties. The Hungarian EU

Presidency also had a leading role in convening a special session in February on the human rights situation in Libya, resulting in a consensual resolution which initiated the suspension of the membership of Libya in the Human Rights Council.

As regards the second panel, Hungary believes that the elimination of violence against women can only be achieved by tackling the root causes of gender inequality in particular stereotyping and discrimination. Without significant progress in gender equality, a society's full growth potential and inclusiveness cannot be achieved. The strength of a society is based on well-functioning families. The Hungarian gender program focuses on families and the right balance between professional and family life, both for women and men.

As far as the third panel is concerned, relationship between maintenance of international peace and security and the protection of human rights lacks universal recognition and endorsement. Therefore Hungary welcomes and supports the High Commissioner's appearance before the Security Council, and looks forward to an even closer cooperation between her Office and the relevant UN Secretariat departments in New York. The aim of the Foundation for the International Prevention of Genocide and Mass Atrocities established during the Third Budapest Human Rights Forum in October 2010 is to contribute to preventive action well before the evolution of any genocide or mass atrocities and to create an efficient international network for genocide prevention. The Government of Hungary continues to provide political and financial support for the Foundation and invites other governments and potential partners to join these endeavors.

As regards the fourth panel, the Arab Spring is a source of inspiration for all. We applaud the struggle and the efforts of the people of Tunisia, Libya, Egypt, Yemen and Syria, we respect their sacrifices and their achievements. The agenda of modernization should be owned by the Arab countries themselves. Democratic governments have to be prepared to cope with false expectations. They should also be able to handle serious social tensions which may be exploited and misused by demagogue political aspirations. Preservation of economic and media power by the old nomenclature can be yet another serious potential danger for the successful consolidation of democratic changes. We should learn how to accompany them on that challenging road of the rule of law and participatory democracy. Hungary never gives advice to anyone but is ready to share her experience.

In conclusion, Minister Martonyi reiterated the Hungarian Government's full dedication to democratic values and human rights whose respect constitutes a major driving force in all areas of its activities.

### **III. KEYNOTE ADDRESS**

In her video message **H.E. Ambassador Laura Dupuy Lasserre, President of the Human Rights Council** (HRC) stressed that every measure aiming at the intimidation of individuals must be condemned in the strongest terms. She highlighted that democracy and human rights are interlinked with development. She also called the participants' attention to the issue of women's rights and equal opportunities since it is an area where there is still much to be done. There are plenty of other challenges that need to be addressed; in this process the main task of the Human Rights Council is translating what is done at the international level to the country level.

#### IV. PANEL DISCUSSIONS

The **first panel** was dedicated to the subject of “Activities and representation of the European Union in the field of human rights”. **Dr. habil. Professor Ms Erzsébet Kardos Kaponyi of the Corvinus University of Budapest, Deputy Head of the Institute for International Studies** acted as the moderator of the first panel discussion.

**Mr Rolf Timans, Head of Division for Human Rights Policy Instruments** emphasized that fundamental rights, rule of law and their protection are universal values which were adopted by the European Union and other entities alike. Having adopted the Treaty of Lisbon the EU promotes its human rights policy through genuine dialogues and dedicated human rights policies adaptive to the specificities of the given countries. The EU continues its thematic campaigns on a worldwide level using numerous financial instruments. Through the review process of the human rights policy the EU is striving for a more efficient collaboration with its partners from third countries. In order to make sure that the policy is coherent the EU must do more internally, as well. Human rights policy can succeed better when linked up with other policies, such as trade policy. Talking about the Arab Spring Mr Timans noted that Tunisia set an example for the whole region and beyond that people’s aspiration for freedom, democracy, social justice and observance of human rights have to be respected by all countries around the world. Those continue to act repressively will be on the losing end. He affirmed that situations where fundamental values and human rights were completely abused should be dealt with in an efficient and public manner by the HRC. Through the Arab Spring the EU received a genuine wakeup call; Brussels tried to mobilize itself in a determined manner, it developed new actions and support mechanisms, mobilized money. A critical lesson was learned: it is not enough to work just with the national governments of the countries in need for assistance, the work and dialogue with civil society have to be strengthened, as well. A joint action plan under the leadership of the partner country provides a clear roadmap for the agenda of change. In his conclusion Mr Timans underlined that we are facing with great challenges, especially in those states which are not in partnership or where there is no possibility for political means to exercise political pressure. In these cases it is essential that the international community at large works together for the positive change.

**Mr Peter Splinter, representative of Amnesty International (Geneva)** pointed out that while Amnesty International looks upon the European Union as a partner it is also concerned about the violations taking place within the Member States of the Union. The EU has much to be justifiably proud of and can make important contributions to the issue of human rights and to the work of the Human Rights Council, but according to Mr Splinter it has to make more efforts to do so. The representative of Amnesty International observed that while not being less committed to the promotion of human rights the EU seems to be less well prepared at the sessions of the HRC than it has been in the past, the smaller number of EU initiatives is an indication of this tendency. Meanwhile, Member States remain active and bring initiatives in their own national capacities. In some respect the EU continues to be less than the sum of its parts. It requires more than group solidarity to overcome disadvantages, diplomacy at the highest quality is needed to make better use of the organization’s collective knowledge, expertise, political and economic influence. It is challenging for the Member States to reconcile all the positions in a timely manner and to take common positions that are more than simply the lowest common denominators in the multilateral forum. The Union’s human rights policy would be meaningful only if it is backed by all the Member States. If the EU wants the HRC to discuss issues sensitive for other states it must show leadership in readiness to discuss its own challenges regarding racism, discrimination and migrants’ rights. The challenges

faced by the EU in the HRC reflect challenges that it faces generally in dealing with human rights.

**Mr M. Bacre Ndiaye, Director of the Human Rights Council and Special Procedures Division of the Office of the High Commissioner for Human Rights (OHCHR)** highlighted that it was only in October 2009 when the OHCHR opened an office in Brussels, since then it has provided several briefings to the sub-committee for human rights of the European Parliament (EP), has cooperated with the EP's civil liberties committee, engaged with the European Commission (EC) and EP in several thematic conferences and workshops dealing with internal human rights issues in Europe and promoting consistency between internal and external policies. It has also made substantial contribution to both formal and informal consultations on legislation and policy launched by the EC both in the external and internal policy domain and has collaborated with the EU on the field in a number of occasions. With its advocacy efforts and projects the OHCHR aims to contribute to the establishment of long term stability. The Director concluded his speech by emphasizing that it takes a joint effort to find the key to the safe of human rights, democracy and the rule of law.

**Mr István Lakatos, Human Rights Ambassador of the Ministry for Foreign Affairs of Hungary** said that the EU is one of the most important and active players in the Human Rights Council and drew attention to the EU's responsibility as its statements were quoted as a point of reference by many other delegations outside the EU. He spoke about the post-Lisbon Treaty period, which resulted in the establishment of the voice of the EU common foreign and security policy, the European External Action Service (EEAS), which poses several challenges within multilateral settings. It has been very difficult to explain to third countries how the EU is represented and what the role of the rotating presidencies should be. They also need some time to adapt themselves to the newly created EEAS. Second challenge arises because of the formal status of the EU in the different international organizations. In the Human Rights Council the EU has the status of an observer. An upgrade requires wider consensus among the international community. The third challenge is that staff members of the EEAS are recruited from three sources, which requires a successful merger of different working methods and working cultures. Upcoming task of the EU is to build up its profile and credibility and gain the confidence of Member States and third countries. It needs to maintain permanent contacts with partners and should mobilize all possible forces to bring the EU position to the multilateral forum. The fifth and final challenge concerns the communication of the EU human rights policy internally and externally.

As regards the substantive pillars of the EU human rights policy, the European Union should have an important role to overcome traditional North-South division and build cross regional coalitions in human rights questions. Second, the EU has an important key role in the promotion and protection of civil and political rights. Third, the European Union should equally have a decisive part in addressing the human rights situations in countries where the leadership systematically violates international human rights norms and is not willing to cooperate with the international community. Fourth, is important that the EU does its utmost to prevent initiatives which would undermine the independence of the Office of the High Commissioner for Human Rights. Finally, as the EU is the biggest donor of the world, it should therefore play an active role with regard to technical cooperation.

The panel was followed by an interactive debate.

The **second panel** was dedicated to the subject of “Human rights, equal opportunities for and the role of women – gender policies”. **Dr. Ms Katalin Koncz, Professor of the Corvinus University (Budapest)** acted as the moderator of the second panel discussion.

In her video message **H.E. Ms Michelle Bachelet, Executive Director and Under-Secretary-General for UN Women** underlined that the organization identified five strategic areas to deal with, namely enhancing women’s economic empowerment, ending violence against women and girls, integrating gender equality into all aspects of national planning and budgeting, incorporating women and women’s rights into all peace and post conflict processes. When focusing on women’s access to justice it has to be noted that even though remarkable transformation has taken place over the last decades rule of law still rules women out in too many countries, discrimination is found in every region, and even where the laws are gender equitable there are vast implementation gaps, institutions of justice too often fails to meet women’s needs. Ensuring equal access to justice must begin with ensuring that the laws themselves treat women and men equally and fairly, that laws are implemented and women have access to justice. Women’s empowerment and leadership matter where women’s voices are heard, hence the rule of law stands a better chance of being deeply rooted within society.

**Ms Adél Kegye, Equal Treatment Authority (Budapest)** addressed the matter of strengthening the role of women in the labour market. There are more approaches of gender equality. Firstly, we should consider the human rights dimension of the question as inequalities between women and men violate fundamental rights. The realization of gender equality also has social and economic impacts. Inequality results in under-utilisation of talent which can cause economic damages. More women in the labour market help counterbalance the effects of a shrinking working-age population. Equality bodies provide huge assistance to facilitate gender equality. In Hungary the most important institution dealing with this issue is the Equal Treatment Authority. Within its field of activity it investigates individual cases of discrimination taking into account the relevant protected grounds: gender, motherhood and family status. In 2009, the Authority launched a research project called TAMOP 5.5.5. with the aim of combating discrimination and shaping social attitude.

Ms Adél Kegye introduced a research of 2010-2011 studying gender pay gap. This research defines the determining factors of the phenomenon such as health, education, ownership/type of the employer, length of employment and age. As a conclusion of the study we can say that women working in low or medium income occupations are less affected by pay gap. It also became clear that socio-demographic and labour market factors have a cumulative effect on wages. Another research of the Equal Treatment Authority brings into focus the employee selection practice in the mirror of discrimination. The study assessing the selection practices of employers overviews the steps of getting a job, from the perspective of both the employers and the employees. They assessed the discriminative contents of job announcements and mapped those recruitment ways on which employers are searching for employees.

**Ms Valerie Ndaruzaniye, President of Global Water Institute** indicated that the challenges of managing gender issues were met with structural, technical and rational solutions thanks to the 1995 Beijing Conference on women’s rights. After the Beijing conference, progressive gender reformers advocated new patterns that evaluated the inclusion of women in the workplace and the protection of women in rural areas. The twenty-first century rose with notable progress in the promotion of gender equity in developing countries. Step by step, women are entering the workplace environment and policies’ leadership. However gender

stereotypes and disequilibrium in the division of labour and responsibilities within the political arena and the economic production activities continue to prevail in many African countries exacerbated by the ever-ending social conflicts that took lives of millions of victims, especially in the African Great Lakes' Region (GLR). For over a decade, the nexus between peace, security and sustainable development has become the main focus of the GLR post-conflict reconstruction thinking and practice. Yet post-conflict reconstruction programs in the Democratic Republic of Congo (DRC) do not seem to succeed in creating a safer environment conducive to peace with women, justice and reconciliation. So far, African countries that have developed national action plans to eliminate violence against women are quasi-inexistent. Despite a remarkable increase of GLR's women occupying leadership positions in the fields of socio-economic development, education and politics, African males, at all levels, continue to fail establishing an approach of zero tolerance toward violence against their female counterparts.

Where unequal power relations exist between men and women, basic rights are denied and those discriminated against are denied the opportunity to influence the decisions which impact their lives. During the last two decades, women's advocacy organizations have been calling for action on violence against women. Yet, although evidence shows the existence of successful strategies, donor countries remain too far slow to respond. The international community should take concerted action to promote women in the GLR - thereby protecting them against systematic violence of which they are the victims in times of the frequent conflicts in the region and on the basis of a coordinated and fully-financed plan. Such a plan may serve as a conflict transformational platform used to generate processes that create strategic and constructive solutions to long-terms empowerment's needs for the GLR women.

**Mr Gyula Simonyi, representative of BOCS Foundation (Budapest)** addressed family planning as a basic human right and a crucial question of our civilization. In 1968 the UN Conference on Human Rights adopted a proclamation which declared „parents have a basic human right to determine freely and responsibly the number and spacing of their children”. The problem is that nowadays even the NGOs are not aware of this right.

Family planning is closely related to the phenomenon of population explosion which is a major problem of our society. Today 84% of humankind live in countries which already overloaded their territories. Biocapacity (water sources, forests, biodiversity, climate, etc.) of the Earth is declining while the population is growing by 80 million annually. It means greater demand and less sources which lead to the trap of poverty. As Kofi Annan, former UN Secretary-General declared, the eradication of extreme poverty and hunger cannot be achieved if questions of population and reproductive health are not properly addressed. And this means stronger efforts to promote women's rights and greater investment in education and health, including reproductive health and family planning. There are 70-100 million unintended pregnancy annually and this number could be decreased by promoting the right of family planning, sexual and reproductive rights of women and sexual education of youth. A move to lower fertility rates would lead to much faster growth in living standard, reduced environmental stress and healthier children. Consequently, the fight for the human right of family planning as basic right of women is essential and necessary.

The panel discussion was followed by interactive debate.

The **third panel** was dedicated to the matter of “Responsibility to protect (R2P) in practice”. **Mr Enzo Le Fevre Cervini, member of the Board of the Foundation for the**

**International Prevention of Genocide and Mass Atrocities** acted as the moderator of the third panel discussion.

**H.E. Mr Edward Luck, Special Advisor of the UN Secretary General on Responsibility to Protect** highlighted in his video message four issues of particular concern for R2P in the forthcoming months. First and foremost the UN Security Council has to be engaged fully, also by creating genuine partnership with the regional bodies. Secondly, when it comes to moving things forward in the capitals the Member States have to recognize that invoking R2P may have implications in terms of pressure to carry out actions aiming to curb the crimes committed in the countries in question. Thirdly, relating to states under stress, the second pillar of the Secretary-General's strategy has to be made a reality by incorporating it to the work of the UN. Fourthly, the actors need to focus on the response to date and see what the experiences have been, what lessons can be learned. Even though it is a work in progress within which we can learn by doing, the R2P has relevance and visibility, it is here stay, and it is also a high priority for the Secretary-General's second term.

**Mr György Tatár, Chair of the Foundation for the International Prevention of Genocide and Mass Atrocities** underlined the big challenge currently not to let the issue of genocide prevention be kicked downstairs on the agenda of the international community out of financial constraints. It is of vital importance that all the players remain active. The Foundation was called to life in order to institutionalize and operationalize R2P; it was designed to facilitate the transformation of conflict situations into sustainable dialogue processes. Its specific early warning assessments are complemented with policy recommendations, and will be exclusively subordinated to actions in time with a special focus on longer perspectives. The work has to be carried out in close partnership with local government and regional organizations, which would also facilitate for the local stakeholders the setup of a network of local focal points. The Foundation, the approach of which is global, is willing to pool all players dedicated to the prevention of genocide. In order to avoid duplication and synergies and to complement the activities of other actors, the Foundation will sign memorandums with potential partners. Its first target area is the Great Lakes region; the signing of a memorandum of understanding with ICGLR is an indication of this endeavour. Mr Tatár concluded by suggesting that genocide prevention should be raised to the level of official policies of all the relevant institutions.

**Mr Ashad Sentongo, representing the International Conference on the Great Lakes Region** in his presentation addressed the International Conference on the Great Lakes Region (ICGLR) which is a transformative human experience, where the first-order story of genocide and mass violence meets with a deliberate effort to develop a second-order story of enduring peace and stability in the region. The first-order story has become the default political discourse in local and international forums, and influences state institutions and attempts towards reforms to meet the needs of citizens. The continuing failure of governments in this role accounts for the string of violent regime changes and civil wars in the region since days of independence, which climaxed with the 1994 genocide in Rwanda. Serious threats to local peace and armed conflicts persist in most member states, and these may escalate to genocidal levels soon. Inter-ethnic rivalry and state-based corruption combine to explain high levels of poverty that bites into the socio-political fabric of states and everyday life of the people.

A conversation about 'prevention' and 'cooperation' is consistent with the spirit, goals and protocols of ICGLR. It adds to continuing efforts within the United Nations, Africa Union and in other corners of the world including Hungary to explore how to develop an equally



compelling second-order story, to challenge such a violent history and the persistence of threats in the region. Political will, partnerships, and a robust mechanism to implement relevant national and grassroots level activities are critical ideas to consider in developing a second-order story for the Great Lakes Region. From this perspective, ‘cooperation’ is a multi-level strategy that will combine international, regional, national and grassroots approaches and actors, and ‘prevention’ is the indicator of effectiveness in the management and transformation of the regions’ signature experiences of violence, trauma and fear, towards enduring people-to-people peace in each member state. This outcome is a necessary condition to construct and implement uninterrupted reforms and development programs at national and grassroots levels, to respond to the expressed needs and interests of states and communities.

**Ms Rita Izsák, United Nations Independent Expert on Minority Issues** held a presentation about how the concept of “Responsibility to Protect” (R2P) and minority issues are inter-linked. She intended to summarize the currently acknowledged definitions for “minority” and concluded it by highlighting the common elements of the definitions which are the co-existence of subjective (sense of solidarity, protection of their identity) and objective criteria (common ethnicity, religion, non-dominance etc.). The minority issue includes not just a political side but also a social side, furthermore it can be stated that poverty, marginalization can lead to the increase of xenophobia in the society. With regard to R2P, the importance of the first element should be considered since the responsibility to prevent should always be exhausted before the reacting or rebuilding element would be contemplated. Talking about the pillars of R2P, the independent expert explained that the primer responsibility of protecting the population remains with the State. Taking the State’s responsibility to protect into consideration it can be stated that the State is responsible for taking preventive actions in order to directly protect minorities and enhance their political, social and economic integration to the society which indirectly leads to the prevention of any possible tension in the society to escalate into genocide or ethnic cleansing.

The independent expert made recommendations for prevention methods and good practices to be used at the political or social level. At the political level it is important to face the past injustices and to ensure the substantial political participation of representatives of minorities. This can be achieved with regular monitoring of the process and establishing special parliamentary committees. The State also has to pay attention to the equal regional distribution of resources, to help the minority women in rural areas, to ensure the access of minorities to social protection, furthermore to invest in programs like traineeships for minorities. Undoubtedly education has the most important role which could decrease the population’s stereotypes towards minorities and at the same time gives the chance for teachers from minorities to be recruited and trained.

**H.E. Mr Minelik Alemu Getahun, Ambassador and Permanent Representative of Ethiopia to the UN in Geneva** addressed the matter of “Responsibility to Protect” in the African Context. The African Union Constitutive Act has proclaimed the right of the Union to intervene in a Member State in situations of war crimes, genocide and crimes against humanity. This is a radical shift in the legal framework for the protection of civilians in Africa. The African Union is increasingly called on to act in different peace and security situations in Africa. African sub-regional organisations have also significant experience in dealing with peace and security issues in Africa. The presentation looked at these frameworks, experiences of the Union and the sub-regional organizations in the maintenance of peace and security with particular emphasis to the protection of civilians. It will examine how much these experiences serve or are aligned with the notion of Responsibility to Protect.

Ambassador Getahun asserted that the African Union had done a great service to the development of international law in adopting ground breaking legally binding norms on democracy, rejection of unconstitutional changes of government and the right of African Union to intervene to stop atrocities. It highlighted the role of regional organizations as best suited actors in taking the lead to resolve regional humanitarian challenges when they were complemented with promote action and ownership by the international community.

**H.E. Mr Sihasak Phuangketkeow, Ambassador and Permanent Representative of Thailand to the UN in Geneva** stated that R2P is a joint responsibility of many parties, notably the States concerned, the international community as a whole, and the Security Council working together with other UN entities. Instead of regarding it as an intervention we have to keep in mind that R2P is about prevention, reaction and most importantly rebuilding, which requires sustained political will and resources. The real challenge is devising what more can we do in terms of prevention and early warning by utilizing the whole system of UN towards the implementation of the right to protect. The role of the HRC - preemption, prevention - figures here prominently. It has the Universal Periodic Review and the elements of Agenda item number 10 as tools at its disposal, but technical assistance and capacity building have never been pushed to its fullest potential. Some situations are beyond the means of the HRC, which body has no coercive measures; this is where the Security Council has to act. Therefore an informal coordination between the HRC and the Security Council is needed.

The panel discussion was followed by interactive debate.

The **fourth panel** discussion was dedicated to the subject of “Human rights aspects of the Arab spring”. **Dr. Ms Tamás Lattmann, Associate Professor at the Eötvös Loránd University (Budapest)** acted as the moderator of the fourth panel discussion.

**H.E. Mr János Hóvári, Deputy State Secretary of the Ministry for Foreign Affairs of Hungary** addressing the human rights aspects of the Arab Spring first referred to the Universal Declaration of Human Rights representing a broader consensus on human dignity. Regional, cultural, social, religious or other particularities cannot be invoked to justify violations of international human rights. Cultural relativism should not be accepted to cover up human rights abuses. Western societies should respect the way Arab societies wish to take in their own process of democratization, emanating from their history and based on their own social and cultural heritage. Western countries can and should assist these societies as much as and only to the limit the Arab societies seek such assistance, without imposing the Western structure and their institutions on the Arab countries undergoing a democratic transition. Western countries can accompany the democratizing Arab states and share their experience, achievements and defaults but cannot declare and expect that the only way to democracy is the Western way.

The recognition of the principle of „Responsibility to Protect” by the United Nations and its Member States and organization of different events on stopping reprisals, contribute to impunity and ensures accountability as well as ultimately recourse to guaranteeing human rights in countries where the leadership turns against its own people. Fight against impunity by insisting on individual criminal responsibility for crimes against humanity is an important element of the „Responsibility to Protect”. This question should enjoy the highest political support of the leaders of the United Nations and its Member States. The Universal Declaration of Human Rights stipulated those fundamental rights which cannot be compromised on the

basis of cultural and historical considerations. This should serve as the common denominator upon our analysis of the human rights aspects of the Arab Spring.

**H.E. Mr Mohamed Samir Koubaa, Ambassador of Tunisia in Vienna** started by reference to the protest movements in Tunisia showing the people's urgent need for change. Protesters claimed, among others, inclusive participation in public affairs, accountability, social justice and the promotion of human rights. Now, Tunisia started to move towards a freer and more democratic society. There have been advances lately in areas such as freedom of expression and freedom of association, accountability and political reform including the establishment of an independent National Electoral Commission which organized, supervised and monitored the electoral process of the Constituent Assembly, and the adoption of a decision to enshrine gender parity in the electoral rolls. To confirm the country's commitment that no future serious violations of human rights will take place with impunity, Tunisia has ratified four important treaties: Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture, the UN Convention on Enforced Disappearances and the Rome Statute of the International Criminal Court.

In July Ms Navi Pillay, High Commissioner for Human Rights signed a „host country agreement” with Tunisia, which means that the first UN human rights office in a North African country bordering the Mediterranean has been established. The HCHR also deployed international human rights officers to the country. The Tunisian government has extended a standing invitation to all special procedures of the Human Rights Council. The Special Rapporteur on torture and the Special Rapporteur on human rights and counter-terrorism have already conducted missions in May 2010.

Building a long lasting democracy requires time and sustainable hard work. Tunisia has great assets to make this transition a success (high literacy rate, developed middle class, very advanced status for women and high level of education), but also faces different challenges. It has to keep the balance between management of social expectations and budget stability not to mention the steps to solve unemployment, re-energize the economy, narrow regional disparities and reduce poverty. The flow of refugees from Libya poses another threat to Tunisia as it extremely increased the unemployment rate in the country. Poverty and rising unemployment fuel discontent and disappointments which can set back democratic efforts. Transitions will be successful only if economic progress occurs. Tunisia is embarking on a difficult, but rewarding path leading to the full establishment of the rule of law, human rights, equality, freedom and good governance.

**Professor Mr István Gyarmati, Ambassador, Director of International Centre for the Democratic Transition (ICDT)** stressed that the wait and see policy failed, we should not be making the same mistakes we have already done by not doing anything or doing too much in a crisis situation. We have to make sure our actions are in line with our words. Another crucial element is engaging in dialogues with local people to find out what they really want. It has to be understood that almost every road leads to democracy, but there are different ways of getting to democracy. We need not focus on how the transformation is done, but rather on what is done in order to implement democracy. When assisting development the ICDT provides its experience in political transition, which can be even more valuable than money. By concentrating its efforts to democratic transition, which is one of the biggest challenges of globalization, the Community of Democracies reflects the new realities of today's world. The underlying idea of the concept is that we shall not think we do everything better than the countries in transition. Through sharing our experience we help them implement those

elements they too find useful. Another important issue is making civil society and the government understand that they may do it differently, but in fact they are working for the same objective, transitioning to democracy.

**Mr Csaba Törő, Senior Research Fellow of the Hungarian Institute of International Affairs** outlined certain aspects of the process of transition in the context of human rights and the Arab Spring. He stated that studies on democratization show that if there is a kind of minority group in the country – either in the politically dominant position, or in the position of lack of dominance – it will certainly trigger backlash or reaction for the society when the democratization begins. He underlined that the rule of law does not necessarily guarantee at least the fundamental protection of various minority groups. In a dictatorship, where a kind of minority group is in ruling position, a sectarian or civil war, political confrontation or violence would hold serious implication for certain minorities. They can potentially become objects of political campaigns or victims of various discriminations. Their marginalization or oppression can even occur at later phases of a peaceful transition. In conclusion it can be deduced that for the sake of long-term stability minority rights should have a prominent place in the context of political transformation and human rights.

**Ambassador Mr Michel Tilemans, Director for Human Rights and Humanitarian Action of the Ministry of Foreign Affairs of Belgium** emphasized that the "Arab spring" uprisings showed the peoples' call for the materialization of their social and economic rights, the respect of their civil and political rights, demanding freedom and dignity and the refusal of arbitrariness, corruption, impunity and violations of human dignity. It is the duty of the international community to support these peoples during this transition. Leaders who ignore the requests of their population and maintain their power by force must always fear the revolt of their people. The legitimacy of power is based before all on the respect for the rule of law and human rights. Countries criticized for their human rights record often reject such critics as interference in their internal affairs, such as political maneuvering or acts based on double standards. We must be attentive to these arguments, but they should not be used to call into question the universality of human rights.

We are witnessing a resurgence of violence and discrimination based on religion, ethnicity, or sexual orientation. Values are not the preserve of a small group of countries and aspirations to exercise the rights and fundamental freedoms are present in all populations and in all regions of the world, regardless of political systems, economic and social conditions. Regimes that seemed stable and well entrenched can radically transform under the weight of their own contradictions and under pressure from their own people. Progress on human rights takes years, or even decades, but they are, in the end, as much the result of an internal evolution of the society as the product of the commitments made by Governments. Globalization brings acceleration of information, contacts between people and exchanges of ideas, thus making more difficult the policy of censorship and repression of freedom of expression, assembly and association.

One of the fundamental lessons of the Arab spring is that the EU and parliamentary democracies must reorient their contacts on the ground to create a permanent dialogue and narrow ties with NGOs, human rights defenders, civil society in a broad sense, the academic world and national parliaments. Institutional framework of the EU and the UN is not always adapted to a prompt reaction and their instruments are not always proper to tackle challenges. In the case of Libya and Syria, the United Nations Security Council's reacted and the General Assembly of the United Nations suspended the right of Libya to seat in the Council. This

shows that when the political will exists in a majority of Member States, the United Nations and the EU are perfectly able to have adequate responses. Coherent response is essential for countries in transition. Human rights and the rule of law should be more present in development cooperation. More coherence between our political dialogues and cooperation programs with third countries is essential to achieve our objectives. Strategic approach is needed between funding, programming, implementation phases and the control of the respect for human rights in actions implemented.

The panel discussion was followed by an interactive debate.

**PROGRAM OF THE FOURTH BUDAPEST HUMAN RIGHTS FORUM  
26–27 OCTOBER, 2011**

Venue: Budapest, MFA, Conference Hall

**Chair of the Forum:** István Szabó, Head of Department of International Organizations and Human Rights, MFA

**Rapporteur of the conference:** Dr. Ágnes Hevesi, Head of Unit, Department of International Organizations and Human Rights, MFA

**26 OCTOBER 2011**

**14.00 – 14.15** Opening statement by H.E. János Martonyi Minister for Foreign Affairs of the Republic of Hungary

**14.15 – 14.25** Video message of the President of the Human Rights Council, H.E. Ambassador Laura Dupuy Lassarre, Permanent Representative of Uruguay, Geneva

**14.25 – 15.30 FIRST PANEL - ACTIVITIES AND REPRESENTATION  
OF THE EUROPEAN UNION IN THE FIELD OF HUMAN RIGHTS**

**Moderator:** Dr. Erzsébet Kardosné Kaponyi, Professor, Corvinus University of Budapest  
**Panellists:**

- **Rolf Timans**, Head of Division for Human Rights Policy Instruments
- **Peter Splinter**, Amnesty International, Geneva
- **M. Bacre Ndiaye**, Director of the Human Rights Council and Special Procedures Division, OHCHR
- **István Lakatos**, Human Rights Ambassador of Hungary

**15.30 – 16.00** Debate

16.00 – 16.20 Coffee break

**16.20 – 17.20 SECOND PANEL - HUMAN RIGHTS, EQUAL OPPORTUNITIES FOR AND  
THE ROLE OF WOMEN – GENDER POLICIES**

**Moderator:** Dr. Katalin Koncz, Professor, Corvinus University of Budapest

**Panellists:**

- *Video message of H.E. Michelle Bachelet, Executive Director and Under-Secretary-general for UN Women*
- **Adél Kegye**, Equal Treatment Authority, Hungary
- **Angéla Kóczé**, Hungarian Academy of Sciences
- **Valerie Ndaruzaniye**, Country Director of the Institute of Multi-Track Diplomacy
- **Gyula Simonyi**, Bocs Foundation

**17.20 – 18.00** Debate

18.30 – 20.30 Dinner and boat trip

**27 OCTOBER 2011**

**09.30 – 10.50 THIRD PANEL - RESPONSIBILITY TO PROTECT IN PRACTICE**

**Moderator: Enzo Le Fevre Cervini**, Member of the Board of the Foundation for the International Prevention of Genocide and Mass Atrocities, Budapest

**Panellists:**

- Video Message of **Edward Luck**, Special Advisor of the UN Secretary General on Responsibility to Protect
- **György Tatár**, Chair, Foundation for the International Prevention of Genocide and Mass Atrocities
- **Ashad Sentongo**, International Conference on the Great Lakes Region
- **Rita Izsák**, United Nations Independent Expert on Minority Issues
- **H. E. Minelik Alemu Getahun**, Ambassador and Permanent Representative of Ethiopia to the Un in Geneva
- **H.E. Sihasak Phuangketkeow**, Ambassador and Permanent Representative of Thailand to the Un in Geneva

10.50 – 11.10 Coffee break

**11.10 – 12.00 Debate**

12.15 – 13.30 Lunch served in the hall of the MFA

**13.30 – 14.50 FOURTH PANEL - HUMAN RIGHTS ASPECTS OF THE ‘ARAB SPRING’**

**Moderator: Dr. Tamás Lattmann**, Assistant Professor, Eötvös Loránd University, Budapest

**Panellists:**

- **H.E. János Hóvári**, Deputy State Secretary of the Hungarian MFA
- **Mohamed Samir Koubaa**, Charge d’Affairs of Tunisia in Geneva
- **István Gyarmati**, International Centre for the Democratic Transition
- **Csaba Törő**, Hungarian Institute of International Affairs
- **Mr Michel Tilemans**, Ministry of Foreign Affairs of the Kingdom of Belgium

**14.50 – 15.40 Debate**

**15.40 – 16.00 CONCLUDING OBSERVATIONS – M. BACRE NDIAYE, OHCHR**

**16.00 – Press conference**