Conference

The Future of Human Rights in Europe

Programme

25 January 2013
The Netherlands Helsinki Committee is a Dutch foundation working for the realization of human rights, the rule of law, security and democracy, principally in Europe and Central Asia and occasionally also in other parts of the world.

Through its work, the NHC is assisting both governmental and non-governmental partners in strengthening the rule of law and improving human rights. It stimulates the Organisation for Security and Cooperation in Europe to fulfil its human rights and human security commitments. It also promotes compliance with the European Convention on Human Rights and other Council of Europe standards, and with the European Union Fundamental Rights Charter.

Activities
The NHC executes capacity-building projects with partners in Europe and Central Asia. It also carries out public information and advocacy activities.

In its projects, the NHC works in the following fields:
• Expertise-building of legal professionals, lawyers as well and judges and prosecutors
• Professionalization of prison systems
• Strengthening of organizations and institutions that play a role in human rights protection, both on the (semi-) governmental side, and on the civil society side
• Improving the implementation of human rights standards established by the United Nations, the OSCE and the Council of Europe
• Assisting the establishment of rights-based policies for marginalized groups

Funding
The work of the NHC is funded by (inter-)governmental subsidies and by donations from private sources. Donations to the NHC are tax-deductible. The NHC is raising funds both for specific projects and for its over-all work. Currently, specific funding is needed for a new project on legal support of victims of human trafficking in Bulgaria, Romania and the Slowak Republic, more information on the ‘support us’ page of our website www.nhc.nl.
In 1975, the Soviet Union and all European countries as well as Canada and the United States gathered in Helsinki, Finland, for the Conference on Security and Cooperation in Europe. The Conference adopted the Helsinki Final Act, explicitly linking peace and security with respect for human rights. After 1990, the signatories of the Helsinki agreement have created the Organisation for Security and Cooperation in Europe (OSCE) and entered into a large array of commitments, mechanisms and programmes in the field of security, democracy and human rights.

After the signing of the Helsinki agreement, a number of active citizens formed the Moscow Helsinki Group, to seek to uphold the Soviet Union’s responsibility to implement the Helsinki commitments. In the wake of their appeal, new groups were established elsewhere, both inside and outside the Soviet Union. Groups were also formed in Western European countries and in North America, in solidarity with the persecuted groups in Central and Eastern Europe. Helsinki Groups and like-minded civil society groups across the OSCE area remain active in promoting and protecting human rights, the rule of law and democracy. The NHC works together with many of these groups.

As interest in the Arab world in building rule of law and human rights protection has increased, the NHC gradually also has become involved in projects in that part of the world.

**Anniversary conference**

The Netherlands Helsinki Committee was established in 1987 and decided to organize this Conference as part of its 25th anniversary activities. The conference aims to shed light on the development and trends in human rights and their protection in Europe. The program of the Conference consists of a variety of workshops, lectures and master classes, allowing a large number of topics to be discussed. Hopefully this will give you an idea of how human rights in Europe are safeguarded today, how they could look in the future and what you yourself could do about it.

**Sponsors**

The conference is being made possible by a financial contribution of the Vfonds and by the kind cooperation of The Hague University of Applied Sciences, who are making available their premises.

Vfonds, the National Fund for Peace, Liberty and Veteran Care, furthers recognition and appreciation of veterans and of victims of war. The Fund also celebrates liberty, freedom and peace by supporting projects which enhance democracy, human rights and the international rule of law.

The Hague University of Applied Sciences offers an array of courses on law, international relations and European studies.

In addition to these main sponsors, the essay contest on the subject of the conference is supported by the ASN Foundation.
Practical Information

The Conference takes place at The Hague University of Applied Sciences. The areas that we use will be marked or explained to you at the main entrance. We will use the Foyer as our main meeting point for the day.

The opening speech and plenary session will be held in the Aula, as well as the closing plenary with the essay prize ceremony. Besides these areas we have three other rooms which we use in the afternoon, OV room 41 adjacent to the Aula, and OV rooms 47 and 53 adjacent to the Foyer.

The use of rooms in the afternoon is shown in the programme on the next page. The programme distinguishes between lectures, workshops and ‘master classes’. A workshop is an event in which there is particular emphasis on active engagements by the participants. A ‘master class’ assumes the participants have a basic knowledge about the subject in question.

**Lunch**
The lunch is included in the entrance fee. You will be able to pick it up in the Foyer during the lunch break. During this break, and all other breaks as well, you can also sit on the balcony of the Aula.

**Drinks**
After a day filled with information and future perspectives it is time to relax, look back at the day, and have a drink together. This is also included in your entrance fee.

**Information market**
During the day and especially during the breaks there will be the possibility to visit the information market where some national and international organisations present themselves. Stroll around and visit a stand which can provide you with information about the organisation. Besides, there will be a book shop where you can find interesting books related to the topic of our conference.
<table>
<thead>
<tr>
<th>Time</th>
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| 10h00 – 10h30 | Registration  
Market (publications, actions on human rights in Europe) |                  |
| 10h30 – 11h00 | Opening:  
• Welcome (Jozias van Aartsen. Mayor of The Hague)  
• Opening words, introduction to the programme of the conference (Harry Hummel, Executive Director Netherlands Helsinki Committee) |                  |
| 11h00 – 12h30 | Plenary session:  
• Key note speech (Nils Muižnieks, Human Rights Commissioner of the Council of Europe)  
• The Futures of Human Rights in Europe: a scenario exercise  
(Dirk Steen, strategy consultant)  
• Panel discussion, reactions to the speeches moderated by Ian de Jong, Chairman, Netherlands Helsinki Committee)  
• Announcements |                  |
| Lunch break | Market                                                                                       |                  |
| 13h15 – 14h00 | Workshop  
Sex workers, human trafficking and human rights (Marjan Wijers, human rights researcher and consultant) | Room 47  
Aula  
Room 41  
Room 53 |
| 14h00 – 14h45 | Lecture  
How we did not learn on migration and return (Eduard Nazarski, Director, Amnesty International Netherlands) | Room 47  
Aula  
Room 41  
Room 53 |
| Coffee break | Market                                                                                       |                  |
| 15h15 – 16h00 | Workshop  
Conflict prevention and the rights of national minorities (Bob Deen, Political adviser OSCE, office of the High Commissioner on National Minorities) | Room 47  
Aula  
Room 41  
Room 53 |
| 16h00 – 16h30 | Jury report essay contest; presentation of prize (jury members Rianne Letschert, Edwin Bakker and Kirsja Oudshoorn)  
Wrapping up statement |                  |
| 16h30 – 17h30 | Drinks, informal discussions                                                                | Market            |
Plenary Session

Welcome speech

Jozias van Aartsen, the Mayor of The Hague, will hold the opening speech. Mr van Aartsen served as civil servant, cabinet minister (including one term as Minister of Foreign Affairs) and Member of the Lower House of parliament before being appointed Mayor of The Hague in 2008.

Introduction to the Conference

Harry Hummel is Executive Director of the Netherlands Helsinki Committee since 2010. He has been active in the human rights field as a volunteer and an NGO staff member since 1972.
Nils Muižnieks has succeeded Thomas Hammarberg (2006-2012) and Álvaro Gil-Robles (1999-2006) as Commissioner. Prior to his appointment, he held prominent posts such as Chairman of the European Commission against Racism and Intolerance and as Latvian minister responsible for social integration, anti-discrimination, minority rights and civil society development. He has also been CEO of the Latvian centre for human rights and ethnic studies-now called the Latvian Centre for Human Rights.

Mr Muižnieks will present the key note speech of the Conference.
The Futures of Human Rights in Europe

Dirk Steen is a strategy consultant. Over the past years he has been Director of Global Planning at Amnesty International’s International Secretariat and he currently works with organisations in the not-for-profit sector in the areas of scenario development, strategy design and evaluation. He is also still active for Amnesty International.

Scenarios are not predictions of how the future will look like. Rather they can help us see new things and find new language to describe plausible future worlds. Using a set of scenarios looking at the future of people’s engagement with their world, Dirk will discuss some key questions that are relevant to thinking about the different possible futures of human rights in Europe.

Mr de Jong has been a civil servant at the Ministry of Foreign Affairs. His last assignments were representing The Netherlands with the intergovernmental organizations in Geneva and the post of Director General for European Cooperation.

Micro-presentations

The plenary session will end with a couple of micro-presentations by conference participants about recent publications and actions about which information will be available in the breaks. The Norwegian Helsinki Committee will present their January 2013 report on Hungary, and Amnesty International’s “4weeks4freedom” action for Ales Bialiatski, the imprisoned leader of Belarusian human rights NGO Viasna, will be introduced.
Afternoon Sessions
Round 1
13h15 – 14h00

Masterclass ‘European Human Rights Convention and Court’

Rick A. Lawson is Dean of Leiden Law School and professor in European Rights, mainly focusing on the protection of human rights. He studied international as well as European Law in Leiden. After graduation he started working for the Netherlands Helsinki Committee, which had just been established, mostly focusing on the still communist Eastern Europe. In 1990 he returned to the University of Leiden. In 1999 he obtained his PhD cum laude with a dissertation on the European Convention on Human Rights (ECHR) and the position of the European Communities towards this convention. In 2001 he was appointed to the Kirchheiner Chair (as main theme ‘protection of the integrity of the individual’). His research and teaching still particularly focuses on the European protection of human rights.

Rick Lawson will be giving a masterclass about the ascent of the European Court of Human Rights and the question whether and how its influence will be maintained, rise even further, or whether it might decrease.
Lecture on Roma rights

Iulius Rostas is Visiting Lecturer at the Corvinus University in Budapest. He holds an MA in Human Rights from the Central European University and is a PhD candidate in Sociology with the Babes-Bolyai University of Cluj. He is a former director of the Roma programs of the Open Society Institute and worked previously as International Advocacy Coordinator with the European Roma Rights Centre and as an expert for the Government of Romania – Department for Protection of National Minorities. He has published articles, studies and books on desegregation advocacy strategies, school segregation, inclusive education policies, policies towards Roma, Romani movement and Roma ethnic identity. He serves as consultant for the Roma Education Fund and Open Society Foundations - Public Health Program.

The Roma issue is considered by many today as the most important human rights issue in Europe. While there are significant developments in acknowledging Roma rights, their future is difficult to predict. The presentation will mark the significant developments on the situation of Roma nowadays at national and European level, will underline the most important issues for public debate and will identify challenges ahead in the development of the discourse and practice on Roma rights. Based on these ideas, three scenarios for the future of Roma rights will be put forward for debate.

Workshop on Sex workers, human trafficking and human rights

Marjan Wijers has a degree in social sciences and International Law with specialisation in human rights. She is an independent consultant based in Utrecht. Her main focus over the last 20 years has been on trafficking in human beings. She worked for 12 years at the Dutch Foundation against Trafficking, was the first President of the EU Experts Group on Trafficking, and developed The RighT guide, a tool to assess the human rights impact of anti-trafficking laws and policies. Marjan did, inter alia, research on secondary victimisation of victims through the criminal process; on municipal instruments to prevent and combat honour-related violence and protect victims; and on the position of victims of trafficking in the Netherlands. She was involved in reviewing anti-trafficking legislation in Ukraine, Georgia, Belarus, Armenia and Indonesia, and has developed and implemented trainings for lawyers, police, judges and prosecutors on trafficking in various Eastern European countries. Marjan has also experience in working on sex workers rights, migrant domestic workers, sexual abuse of children and domestic violence.

Human rights are universal, but do they also apply to sex workers? While
sex workers organise to claim their human rights and to demand that their voices be heard, Europe is in the grip of increasingly repressive measure against sex work and sex workers, usually in the name of combating trafficking. A recent example is the campaign of the European Women’s lobby for a “prostitution free Europe”, which in essence means a Europe free of sex workers. Does criminalising sex work and in particular sex workers’ clients help to combat trafficking or does it only reinforce the old division between good women who deserve protection and bad women who can be abused with impunity, thus playing in the hands of traffickers while making sex workers more vulnerable for exploitation, violence and abuse? How does this new trend relate to the idea that the right of women to be protected against violence depends on their sexual purity and what exactly is the right that States should defend?

The film ‘Justice for Sergei’ by Hans Hermans and Martin Maat is a portrait of Russian lawyer Sergei Magnitsky, who paid the ultimate price for denouncing corruption in Russia. The film is presented here in cooperation with Movies that Matter, the Netherlands-based foundation that organizes human rights film programmes.

In November 2009, pending his trial, Magnitsky died under dubious circumstances in a Moscow detention centre. While his death spurred an international outcry, the Russian authorities remained unwilling to take on those responsible for his death. Bill Browder, the owner of the company he had been working for, started a campaign to uncover the truth and bring those responsible to trial. While an investigation by the Russian presidential Human Rights Council concluded serious wrongs in the way Magnitsky had been treated, this only translated into minimal legal steps by the Russian public prosecutor. Faced with this situation, the campaign has demanded visa denial and bank account freezing of those involved in Magnitsky’s detention and death. The campaign attracted support from large numbers of parliamentarians in the USA and in Western Europe, and led to the adoption in December 2012 of legislation in the USA. The notion of specific measures by foreign states against persons involved in Magnitsky's detention and prosecution has been fiercely rejected by Russian authorities; the Russian parliament enacted ‘reprisal’ legislation after the adoption of the US law.

In the Netherlands, a leading role in parliamentary attention for Sergei Magnitsky has been played by Coskun Çöruz. He was a Member of Parliament for the Christian-Democratic party.
from 2001 till the national elections in September 2012. Before 2001, he worked as a consultant at the Amsterdam Centre for Immigrants. He holds a Masters Degree in Law from the University of Amsterdam. During his time as parliamentarian, Mr Çörüz was mainly focused on matters of security, the judiciary, police, international law and human rights. He also was a member of the Parliamentary Assemblies of the Council of Europe and of the OSCE, where he became Rapporteur of the Human Dimension Committee.

In the discussion following the film, Mr Çörüz will present his experiences and views on campaigning in connection with the case of Sergei Magnitsky.

Master class on Terrorism and counter-terrorism

Bibi van Ginkel is a senior research fellow of the Netherlands Institute for International Relations ‘Clingendael’, as well as a research fellow of the International Centre for Counter-Terrorism (ICCT) - The Hague. Her research focus is on issues related to the nexus of international law and security, with a particular interest in (counter)terrorism and piracy issues. In addition, she is a member of the Peace and Security Committee of the Advisory Council on International Affairs, and the General Secretary of the Board of the Netherlands Helsinki Committee. Prior to joining Clingendael Institute, she worked as a lecturer and researcher at the Law Faculty of Utrecht University. She published extensively on topics of international law, human rights, counter-terrorism and counter-piracy. Her PhD dissertation was published in 2008 under the title ‘The practice of the United Nations in Combating Terrorism from 1946 to 2008: Questions of Legality and Legitimacy’.

During the masterclass on Terrorism and Counter-terrorism the focus
will be on the challenge to find the balance between security concerns and respecting the core principles of a democratic society based on the rule of law. What constitutes effective counter-terrorism policies? Is the respect for human right an impediment to effective counter-terrorism policies, or is it supportive? And looking at new technological developments, we can ask the question how to contain the problem of violent extremists using the internet for recruiting, preparing of terrorist act, and communicating within the parameters of the rule of law.

Lecture on EU internal protection of human rights

Kathalijne Buitenweg is a commissioner of the recently created “College voor de Rechten van de Mens” (Netherlands Institute for Human Rights), and a member of the human rights committee of the Advisory Council on International Affairs. Buitenweg writes a PhD at the University of Amsterdam, on the representative capacity of the European Parliament. For ten years (1999-2009) she has been a Member of the European Parliament for the Dutch Greens, where she was most vocal as a member of the civil liberties committee dealing with equal opportunites, privacy, asylum and anti-terrorism. Women’s rights have been a priority in her work as ambassador for MyBody (for sexual and reproductive rights) and for the Clara Wichmann Proefprocesfonds (test trials to improve women’s legal position). Kathalijne Buitenweg has a doctorate in European Studies and in American Studies.

The European Union’s human rights policy is mostly aimed at Third World countries and the institutions of the European Union. But if member states are being held accountable, for example by an activist European Parliament, they seem to have great difficulty. The Fundamental Rights Charter of the European Union includes civil, political and socio-economic rights. Yet the emphasis lies on civil rights. Thus the European Union will accede to the European Convention on Human Rights while its social counterpart, the European Social Charter, is never mentioned. Is this tenable now European Union policies force countries into major economic reforms?
Lecture: How we did not learn on migration and return

Eduard Nazarski has been the director of Amnesty International Netherlands since 2006. In this capacity, he is responsible for overall management, representation and international policy. His fields of expertise are Human Rights, Refugee policy and civil society. Before working with Amnesty, he worked for 15 years with VluchtelingenWerk Nederland, in various functions, being the director over the last 6 years. He has been member of the board of the European Council on Refugees (ECRE) since 1997. From 2005 to 2009, he was acting as chair of the ECRE. Eduard Nazarski studied Anthropology at Nijmegen University (1982) and reached an MBA degree (2000).

For over 25 years there has been an intensive debate in Dutch politics and society on asylum and migration issues. In an atmosphere of chaos and crisis new policies and legislations were introduced. Despite this, especially return seems to put governments for unexpected problems. The lecture focuses on developments in the Netherlands, with some additional observations Europe.
Master class - Transitional Justice: how dealing with the past impacts the present and the future

Anja Mihr is Associate Professor at the Netherlands Institute of Human Rights (SIM), University of Utrecht, Netherlands. She teaches Human Rights, Transitional Justice and Democratization in International Relations. Her work focuses on Governance, Human Rights, Democratization and benchmarking. In 2008 she was Visiting Professor for Human Rights at Peking University Law School in China and worked for the Raoul Wallenberg Research Institute on Human Rights, Lund University. From 2006-2008 she was the European Program Director for the European Master Degree in Human Rights and Democratization (E.MA) at the European Inter-University Center for Human Rights in Venice (EIUC), Italy. She received her Ph.D in Political Sciences from the Free University in Berlin, Germany, in 2001. Mihr has worked for Amnesty International and the German Institute for Human Rights.

Transitional Justice (TJ) are ways, means and instruments to deal with past wrongdoings that aim at (re-)establishing trust in democratic institutions after times of terror, human rights abuses and violent conflicts. In post conflict and post authoritarian societies the demand for accountability for past abuses is paramount, and linked to the notion that to build a new, stable democratic state a national catharsis is required. This Master Class will deal with the instruments and measures of TJ that can impact the building of democratic institution building and the rule of law. Scholars and practitioners continue to debate which of these take priority. Are democratic institutions a necessary precondition for TJ to be possible and successful? Or or does TJ come first and is a requirement for the building of credible and strong institutions? This has been dealt with quite differently in different European countries in recent history. The Master Class will deal with case studies from a.o. Spain, Hungary, Armenia, Russia and Germany as illustrations of these questions and of recent scholarly findings and societal debate.
Lecture on LGBT rights

Renate Hartman works since October 2008 as international project officer with COC Netherlands, a Dutch non-governmental organization that protects the rights of Lesbians, Gays, Bisexuals and Transgenders (LGBT) both in the Netherlands and abroad. She collaborates with partner organisations in Ukraine, Kyrgyzstan, Tajikistan and the South Caucasus to improve the position of LGBT. From 2002 to 2004 she managed various humanitarian programmes in Ingushetia (North Caucasus), targeting victims of the Russian-Chechen war. In the period 2004-2008 she was staff member of the Netherlands Helsinki Committee, first
as project manager and later also as Deputy Director.

The lecture will focus on the rights situation of Lesbians, Gays, Bisexuals and Transgenders (LGBT) in Europe, with special attention to the region of Eastern Europe. Topics to be covered: a historic overview, recent developments and the human rights based approach of COC Netherlands towards improving the position of LGBT both in the Netherlands and abroad.

Presentation - Situation of human rights activists in Russia

Oļga Sadovskaya is a vice-chairperson of INGO “Committee Against Torture” and a lecturer of a course “International and European protection of human rights” at Nizhniy Novgorod State University. She joined Committee Against Torture in 2000 and works with torture issues since then. Her professional field is law and practice of European Court of Human Rights and international Human Rights mechanisms. Oļga is the author of more than 30 publications on law and two books on human rights and independent public investigations.

In her presentation, Ms Sadovskaya will deal with the following subjects:
- overview of the situation with civil and political freedoms in Russia for the past year;
- threats for HR defenders in North Caucasus;
- dissemination of North Caucasus situation all over Russia;
- typical threats towards HR defenders are becoming more “legal” than physical attacks;
- possibilities for overcoming some of the threats;
- international organizations and other supports available for HR defenders in Russia.
The final session features the presentation of the jury report on the student essay contest on The Future of Human Rights in Europe, followed by a short concluding statement by the NHC.

Jury members are Rianne Letschert, Edwin Bakker (both NHC committee members) and Kirsja Oudshoorn (Amnesty International). The essay contest is being supported financially by the ASN Foundation. The Foundation has been created by the ASN Bank, a bank with the aim to work towards a sustainable society through its banking and investment operations. The ASN Foundation supports projects with aims that are in line with this mission of the ASN Bank.

Rianne Letschert studied law at the University of Amsterdam and Tilburg (The Netherlands) and the University of Montpellier (France). She graduated in international law and human rights law. As of 2005, she started working at the International Victimology Institute Tilburg, first as general manager, currently as deputy director. As of March 2011, Tilburg Law School appointed her as full professor in International Law and Victimology. Her research focuses on the victimology of international crimes and gross human rights violations, and victims’ rights in general.
Edwin Bakker is Professor of (Counter-) Terrorism Studies at Leiden University, director of the Centre for Terrorism and Counterterrorism (CTC) of the same university, and fellow of the International Centre for Counter Terrorism – The Hague (ICCT). He studied Economic Geography (Netherlands) and Political Geography (Netherlands and Germany). In 1997, he defended his PhD thesis on minority conflicts in Slovakia and Hungary. Between 2003 and 2010 he was a fellow at the Netherlands Institute of International Relations ‘Clingendael’ where he headed the Clingendael Security and Conflict Programme (since 2007). His research interests at Leiden University and the ICCT are, amongst others, radicalization processes, jihadi terrorism, unconventional threats to security and crisis impact management.

Kirsja Oudshoorn works since five years as the coordinator of the Human Rights Education unit at Amnesty International Netherlands. Her team works within the formal education field in the Netherlands, and their aim is – of course – to make a valuable contribution to ‘building a culture of respect for and action in the defence and promotion of human rights for all.’ Before she started working at Amnesty, she taught history. First at a secondary school in The Hague, and then as a teacher trainer. Kirsja Oudshoorn has worked for several years at different Universities of Applied Sciences.
The conference would not have been possible without our main sponsor the Vfonds and without the hospitality of The Hague University of Applied Sciences.

The essay contest on The Future of Human Rights in Europe was supported by the ASN Foundation.