

## **The 22<sup>nd</sup> Session of the Human Rights Council**

### **Panel Discussion on**

***“Promoting technical cooperation for the strengthening of the judiciary system and administration of justice in order to ensure human rights and rule of law”***

#### **Date and Venue**

19 March 2013, 12.00-15.00 hrs, Room XX, Palais des Nations, Geneva

#### **Mandate**

According to the HRC resolution 21/21 adopted in September 2012, the Council decided that the annual thematic discussion within the framework of agenda item 10 to be held at the 22<sup>nd</sup> session of the Council shall be based on the theme ***“Promoting technical cooperation for the strengthening of the judiciary system and administration of justice in order to ensure human rights and rule of law”***

The Council also requested the OHCHR to prepare a report on activities undertaken by the Office, other relevant UN agencies, in particular the UNODC, and, where applicable, regional organizations to support efforts by States to strengthen their judiciary system and administration of justice, for submission to the Human Rights Council at its 22<sup>nd</sup> session, to serve as a basis for the thematic panel discussion.

Council further requested the OHCHR to liaise with States, relevant United Nations bodies and agencies, relevant special procedures and other stakeholders, including, where applicable, those involved in technical cooperation projects that demonstrate best practices, constructive engagement and a positive impact on the ground, with a view to ensuring their participation in the thematic panel discussion.

#### **Objectives**

To promote the sharing of experiences on challenges and good practices, as well as ways to enhance technical cooperation and capacity building in the field of judiciary system and administration of justice among all relevant actors, with a view to ensure States’ capacity in implementing their human rights obligations.

#### **Speakers**

***Moderator*** – H.E. Mr. Remigiusz Achilles Henczel, Ambassador, Permanent Representative of Poland to the UN in Geneva, and President of the Human Rights Council

***Co-Moderator*** – H.E. Mr. Thani Thongphakdi, Ambassador, Permanent Representative of Thailand to the UN in Geneva

***Introductory Remark*** – H.E. Navanethem Pillay, UN High Commissioner for Human Rights (TBC)

### **Panelists** (TBC)

1. **Mr. Nasser Amin** (confirmed) – Head of the Arab Centre for the Independence of the Judiciary and Legal Profession (possible way forward to assist States to constructively strengthen their respective judiciary system and administration of justice in Egypt and other Arab States)
2. **Mr. Param Kumaraswamy** (confirmed) – Chairperson, Malaysian Working Group for an ASEAN Working Group Mechanism, former United Nations Special Rapporteur on Independence of Judges and Lawyers, 1994-2003; (sharing of experiences, good practices, challenges and assistance needed to effectively enforce national human rights law and ensure the rule of law)
3. **Ms. Nahla Valji** (to be confirmed) – Programme Specialist, Rule of Law and Transitional Justice, Peace and Security Cluster, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) (UN Women’s experiences with technical cooperation in strengthening the judiciary and administration of justice at national level: challenges, gaps, and good practices)
4. **Ms. Julita Lembruber** (to be confirmed) – Director, Center for Studies on Public Security and Citizenship, and Executive Director, Association for Prison Reform (sharing of experiences, good practices, challenges as well as assistance needed to ensure transparency and good governance in the administration of justice, including transitional justice)
5. **Ms. Andrea Huber** (confirmed) - Policy Director, Penal Reform International (experiences with technical cooperation in relation to the administration of justice to promote conformity by States with their international human rights obligations)

### **Format**

The sequence of speakers during this panel discussion will be as follows:

1. The panel discussion shall begin with an introductory remarks by the moderator/co-moderator and an introductory remark by the High Commissioner for Human Rights.
2. The panelists will be given 5-7 minutes each to make a presentation.
  - Presentation by **Mr. Nasser Amin and Mr. Param Kumaraswamy** shall focus, inter alia, on (1) concrete examples of their experiences, good practices, and challenges in enforcing national human rights law and ensuring the rule of law, (2) how to overcome challenges in implementing national legislation and ensure equal access to justice, (3) how could the OHCHR and other UN agencies assist States to strengthen their judiciary system and administration of justice.
  - Presentation by **Ms. Nahla Valji** shall focus, inter alia, on (1) achievements and lessons learnt in assisting States to establish judiciary system and administration of justice, including in the transitional period, (2) activities of the UN agencies, especially the provision of technical assistance and capacity building, to support States in ensuring good governance in the administration of justice, (3) way forward for the engagement to support States in these efforts, and (4) respond to comments or questions from States.
  - Presentation by **Ms. Julita Lembruber and Ms. Andrea Huber** shall focus, inter alia, on (1) their experiences and best practices in collaboration with the government to ensure transparency and good governance in the administration of justice, including transitional justice (2) to respond to comments or questions made by States.

3. The following discussion will adopt an interactive format, which will comprise 2 rounds of discussion. Each round of discussion will be given 45 minutes for comments and questions from the floor, followed by 15 minutes for comments and reply by panelists. Member States and other Observers shall be given the floor for their statements / interventions which may comprise questions and sharing of experiences, challenges, as well as suggested recommendations on way forward and, as future opportunities on the matter, with a view to stimulate a constructive debate.
4. At the end, panelists will be given 3 minutes each to make their concluding remarks, followed by the final remark of the moderator/co-moderator.

### **Outcome**

The expected outcomes of this thematic discussion are:

- States and relevant stakeholders will learn from experiences of each other.
- Possibility for States to get assistance needed will be increased.
- The Council will be better informed of technical assistance and capacity building efforts carried out by OHCHR and other relevant UN agencies to support States in the strengthening of their judiciary system and administration of justice
- The OHCHR and other relevant stakeholders will be better informed of the needs of States and their assessment of the technical assistance and capacity building provided to them.
- An informal summary of the discussion shall be prepared by the secretariat and posted on the extranet.

### **Background document**

Activities to support efforts by States to strengthen their judiciary system and administration of justice: Report of the High Commissioner for Human Rights (A/HRC/22/32)

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