

**Committee of Ministers
Council of Europe
Palais de l'Europe, Avenue de l'Europe
Strasbourg
F- 67075 Cedex**



28 September 2012, Budapest

Dear Excellencies,

The European Roma Rights Centre (ERRC), the Hungarian Helsinki Committee (HHC), the Hungarian Civil Liberties Union (HCLU), the Legal Defence Bureau for National and Ethnic Minorities, the Háttér Support Society for LGBT People in Hungary and the Chance For Children Foundation (CFCF) are writing to express their deep concern over the fact that the Hungarian Government did not continue the mandate of Mr Jenő Kaltenbach in the European Commission Against Racism and Intolerance. This is in spite of the fact that at present he is the Chair of ECRI, and his mandate is scheduled to continue until March 2014.

The submitting organisations note that Mr Kaltenbach is a prominent member of an opposition party, and hope that this was not a factor in Hungary's decision to replace him, since with his international and national expertise Mr Kaltenbach has undeniably contributed greatly to the fight against racism and intolerance in Hungary and abroad. He fulfils all criteria set for membership by the ECRI Statute. He has done extensive work on human rights, including 12 years as the first minority rights ombudsman in Hungary from 1995 to 2007. He has also been active in the work of international NGOs addressing racism, serving as Chair of the Board of the ERRC. Mr Kaltenbach's outstanding record and contribution to ECRI was recognised when he was elected to be the Chair of ECRI. The organisations regret that the Hungarian Government does not support Mr Kaltenbach's continued mandate, which also prevents him from fulfilling his position as Chair of ECRI to the end of his elected term.

Furthermore, we would like to call the Committee's attention to the process of replacing Mr Kaltenbach and to the necessity of complying with Articles 2 and 3 of the Statute of ECRI, in particular the provision that Council of Europe member states have the legal duty to appoint an independent and impartial member who is a recognised expert in dealing with racism, racial discrimination, xenophobia, antisemitism and intolerance. We request the Committee carefully assesses whether the



Hungarian Helsinki Committee



person appointed to replace Mr Kaltenbach meets these requirements, and if not, to avail themselves of the opportunity provided by Article 3(3) and ask Hungary to make another appointment.

Sincerely,



Dezideriu Gergely,
Executive Director
European Roma Rights
Centre (ERRC)



Erzsébet Mohácsi, Director
Chance for Children
Foundation



András Kádár , Co-chair
Hungarian Helsinki
Committee



Balázs Dénes, Executive
Director
Hungarian Civil Liberties
Union



Erika Muhi, Director
Legal Defence Bureau for
National and Ethnic
Minorities



László Mocsonaki, Board
Member, Háttér Support
Society for LGBT People
in Hungary

CC: Secretariat of ECRI, Council of Europe, F-67075 Strasbourg Cedex
FRANCE