



Professor Janneke Gerards at her Inaugural Lecture

Inaugural lecture Janneke Gerards: **Fundamental rights under pressure**

On 29 March 2017, Janneke Gerards (Professor of Fundamental Rights Law at Utrecht University) delivered her inaugural lecture at Utrecht University, entitled Fundamental rights under pressure. Protection of fundamental rights in a complex society (in Dutch). In this lecture, she showed that fundamental rights are under pressure in many ways. The threats to fundamental rights in 'illiberal democracies', such as Poland, Hungary, Turkey and Russia, are well-known, just like the perils posed by populism and nationalism. Gerards emphasised, however, that these are not the only risks for the enjoyment of our most fundamental rights. She pointed out that there are many more subtle and hidden developments that put these rights under pressure. In our complex society, the borderlines between the

public and the private sphere are increasingly vague, as is illustrated by a wide variety of initiatives in the sphere of the collective management of common goods, the popularity of on-demand systems such as AirBNB and Uber and numerous experiments with citizen participation in decision-making. Gerards showed that these initiatives are highly valuable, but she questioned whether in the organisation of these new forms of governance, sufficient account is taken of the need for protection of fundamental rights as well as other basic principles of rule of law and Rechtsstaat. She therefore called on scholars as well as practitioners to be aware of these dark sides of new forms of governance and find creative solutions which fit well in a world where the strict divide between the public and the private no longer exists.



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SIM at AHRI

Association of Human Rights Institutes

The 2017 AHRI Research Conference took place in Leuven on 27 and 28 April 2017. The theme for the conference was "The Promotion and Enforcement of Human Rights by International and Regional Organizations: Achievements, Challenges and Opportunities".

Dr. Brianne McGonigle-Leyh, associate professor at SIM, presented on 'The promotion and enforcement of human rights, achievements, challenges and opportunities: a case for a permanent international claims commission' together with dr. Luke Moffett of Queen's University Belfast.

Julie Fraser, PhD candidate at SIM, presented on 'Rights implementation and the role of Islam as a local normative system'.

A big delegation of SIM researchers attended the conference as well.



Julie Fraser presenting



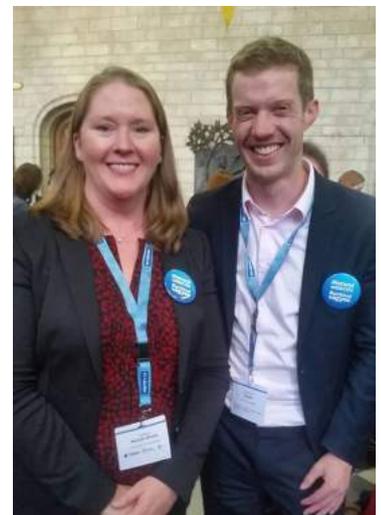
Brianne McGonigle-Leyh and Luke Moffett



Antoine Buyse elected vice-chair of the AHRI network

At the annual conference of the global Association of Human Rights Institutes (AHRI), Antoine Buyse, director of SIM, was elected vice-chair of Association.

AHRI consists of a large number of European and global research institutes carrying out research and education in the field of human rights. The objective of AHRI is to promote research, education and discussion in the field of human rights. SIM is one of AHRI's founding members.



Kasey McCall-Smith, chair of AHRI, and Antoine Buyse



Netherlands Network of Human Rights Researchers

This year, the Netherlands Network for Human Rights Research will be launched. It is the continuation in a new shape of the School of Human Rights Research. The network will unite human rights researchers, junior and senior, at all the leading Dutch academic institutions. The network will continue to provide training

for PhDs working on human rights issues as well as organising an annual human rights conference. Its new headquarters will be based at the Asser Institute in the Hague. After having hosted the School for many years since its inception, SIM is looking forward to remaining an active member of the new network.

New Position

In Spring, Jessy Emaus, SIM fellow, commenced her position as a part-time in-house lawyer at The Hague Court of Appeal. Congratulations, Jessy!

ETHOS Project

The objective of the ETHOS project is to develop an empirically based theory of justice and fairness for Europe, funded by EU's Horizon2020 program. SIM fellows Sybe de Vries and Barbara Oomen, together with SIM Assistant Professor Dr. Alexandra Timmer, participate in this project run by Utrecht University with partners from all over Europe. They will conduct empirical work on three domains that seek to address justice as representation, redistribution, and recognition: the



right to vote, the right to housing, and the right to education. In March a kick-off meeting was held to start the project, which will run for the coming three years. For more information see [here](#).

Liesbeth Enneking Full Professor

In June, SIM fellow Liesbeth Enneking has been appointed full professor at Erasmus University Rotterdam on the chair 'Legal Aspects of International Corporate Social Responsibility'. There, she will expand her work on amongst others business and human rights. SIM wishes her lots of success in her new position.



Call for Participants:

Working Group on Economic, Social and Cultural Rights

The Working Group on Economic, Social and Cultural Rights of the Netherlands Network of Human Rights Research is looking for PhD candidates who would like to join.

This working group is comprised of a network of junior and senior researchers who specialise in economic, social and cultural rights and who aim to deepen their knowledge by organising events, including expert meetings. Please visit our [blog](#) or contact the Working Group's chairperson [Daphina Misiedjan](#) for more information.

Visit Professor Mark Goodale

Professor Mark Goodale (University of Lausanne), a renowned specialist on the interface of law and anthropology visited SIM in April. He was a special guest of the University's research focus area '[Cultures, Citizenship and Human Rights](#)', in which SIM is one of the core research groups. On the 19th of April, professor Goodale will delivered a lunch lecture entitled "Human Rights in an Anthropological Key: Exploring a Para-Normative Approach to the Practice of Human Rights", in a seminar co-organised by the Montaigne Institute

and SIM. In his talk, he introduced a new methodology for linking what anthropologists call the "practice of human rights" to human rights theory, implementation, and institutional development. He also hosted a Masterclass for PhD candidates participating in the Culture, Citizenship and Human Rights research focus. The Masterclass, entitled "Understanding the Rise and Fall of Human Rights (and where we go from here)", was well attended and highly insightful.



RAOUL WALLENBERG INSTITUTE

OF HUMAN RIGHTS AND HUMANITARIAN LAW

Antoine Buyse Visiting Professor at Raoul Wallenberg Institute

From the end of February to the end of March, Antoine Buyse was a [visiting professor](#) in the very welcoming environment of the Raoul Wallenberg Institute (RWI) in Lund, Sweden. Antoine spent his research leave there to work on his new research project on reverse transitions and civic space under

pressure. During his stay, further collaboration between SIM and RWI, both active member institutions of AHRI, was explored. Antoine presented the first findings of his research in a lecture entitled 'Civic Space Under Pressure – The Moves Against NGOs'.



Frits Kalshoven Competition



In February 2017, Raphaëlle Gouley, Alice Beck, and Carlijn Spijkers, three LL.M. students on the Human Rights Track of Utrecht University's Public International Law Masters took part in the Frits Kalshoven competition on international humanitarian law. The Frits Kalshoven competition is an annual event organised by the Dutch and Belgian Red Cross, which aims to give students an opportunity

to engage with international humanitarian law through role plays and a moot court. Raphaëlle, Alice, and Carlijn were coached for the competition by SIM Assistant Professor Dr Katharine Fortin, UU Assistant Professor Dr Hanne Cuykens, and UU PhD candidate Lucas Roorda.

Seminar on Transitional Justice, Social Justice and Human Rights

On 8 June 2017, SIM and Montaigne Centre organised a Transitional Justice Seminar focusing on Social Justice and Human Rights. The list of speakers included both experienced practitioners (e.g. Marieke Wierda, a TJ expert from the Ministry of Foreign Affairs of the Netherlands) and experts in victimology (Prof Antony Pemberton), anthropology (Elena Butti from Oxford University), as well as criminology and political science. Many of the guests were students/academics (including for e.g. Sussex University and the Geneva Academy), but also NGO representatives (e.g. Case Matrix Network, Advocates for Hope Uganda and many others). The issues addressed included whether TJ can be really transformative in the

sense of tackling causes of conflict and structural inequality, the challenges for human rights and transitional justice, intersections and conflicts between TJ and struggles for transformation and the impact of TJ on democratic/autocratic regime consolidation. Various case studies were presented, including the story of outcast youths and social injustice in Colombia, symbolic reparations and social injustice in post-war Croatia, police oversight and reform in Kenya, reparations for the Cham in Cambodia and the case of TJ in Tunisia. The seminar was a great success, the distinguished speakers' insights into TJ, coming from so many different disciplines, were much appreciated by the audience and rich discussions followed afterwards.



Barbara Oomen Receives Vici Grant: Cities of Refuge



In February, SIM fellow Barbara Oomen received a Vici-grant from the Netherlands Science Foundation to conduct research on the relationship between local authorities and international human rights, with a particular focus on refugees. The refugee crisis poses large challenges upon cities, which respond very differently: there are 'cities of refuge' and 'cities that refuse'. In these processes, local authorities increasingly refer to international law. This is a new development, and calls for research on the potential meaning of human rights for how cities throughout Europe welcome and integrate refugees. Legally,

discursively and in practice. The grant, of EUR 1.5 million, will enable Barbara Oomen, together with a post-doctoral researcher and 3 PhD candidates to follow local practices and discussions in 24 cities in 6 European countries for the coming 5 years. The research team will pay particular attention to the legal status of local authorities under international law, and their responsibility for realising international human rights. The research team will be part of SIM, but will be based at UCR, Utrecht University's Liberal Arts and Sciences College in Middelburg.

Upcoming Events

Friday, 23 June, 14h00-16h30, Utrecht University Museum, Lange Nieuwstraat 106:

“Can Human Rights Help Schools?” An Open Discussion among Practitioners and Researchers – SIM-UGLOBE

Should human rights standards strengthen citizenship education and social integration, as called for by Dutch law, and if so: how? Researchers, practitioners and civil society organisation members will share experiences and views from the perspectives of classroom practice, curriculum, teacher training and partnerships between schools and outside agencies. How can these strategies promote inclusion and active participation in Dutch society today? How might European and international human rights values and norms guide us in these efforts? Panellists will include faculty from Utrecht University, the College voor de Rechten van de Mens, the Peaceable Schools initiative, Amnesty International, the Anne Frank House, UNICEF-Netherlands, and Critical Mass (NGO). Send UGLOBE an [email](#) for registration. This event is also open to the public. More information can be found [here](#).

Friday, 30 June, Utrecht University: SIM PhD candidate Qinxuan Peng will defend her thesis, on Human rights and international labour law issues concerning migrant women working as domestic helpers in China. Qinxuan’s research is supervised by Jenny Goldschmidt, Professor Emeritus, and Professor Tom Zwart.

10-14 July, 2017 SIM Summer School: From 10-14 July, SIM will once more welcome students from all across the globe who will participate in the summer school programme *International Human Rights Law: An Introduction*, coordinated this year by SIM Lecturer Alice Welland. This one-week, comprehensive introduction course focuses on the major features of international human rights law, delving into both theory and practice. Participants will analyse specific rights in context, focusing on the complexities around ensuring human rights protection. Participants will also examine the development of human rights law and role played by human rights institutions at all levels of society. Human rights-based approaches for analysing conflict and attempts to promote peace and justice will also be explored. Through lectures, interactive working groups, expert panels, and excursion(s), participants will gain an understanding of the various elements – and their interplay – involved in this field. Applications for the course have now been closed. We’re looking forward to welcoming the new students and hearing their perspectives! More information can be found [here](#).



SIM Summer School 2016

Friday, 8 September, 9h00-18h00, Utrecht University Academy Building, Domplein 29: Research area Cultures, Citizenship and Human Rights will open the academic year by means of an international research conference, titled ‘Cultures, Citizenship and Human Rights: Taking Stock and Looking Ahead’. Full program and more information can be found [here](#).

Friday, 29 September, 15h00, Raadzaal, Achter Sint Pieter 200: SIM’s annual **Peter Baehr Lecture** will be delivered by Eduard Nazarski, director of Amnesty International the Netherlands on the 29th of September.

Monday, 23 October, 16h00, Utrecht University Academy Building, Domplein 29: Felisa Tibbitts, professor of Human Rights Education, shall deliver her **inaugural address** on the 23rd of October.



Human Rights in the Netherlands

On 16 March, Dr. Marjolein van den Brink, Assistant Professor at SIM, and Dr. Ineke Boerefijn, Head Policy Advisor for the Dutch National Human Rights Institute (*College voor de Rechten van de Mens*), organised a joint event for SIM and *College* staff on 'Human Rights in the Netherlands'. At the event SIM researchers provided feedback

on the *College's* 2016 annual report focusing on poverty in the Netherlands and the Dutch Caribbean, covering four themes: poverty and health; poverty and housing; poverty and education; poverty and work. It was a great opportunity to bring together academic researchers with policy advisors.



Marjolein van den Brink (l) and Ineke Boerefijn (r)

European Co- and Self-Regulation and Fundamental Rights Protection

On 24 February, SIM fellow Jessy Emaus presented her research on *European Co- and Self-regulation and Fundamental Rights Protection* at the City University of Hong Kong Law School, for the Conference on Research in Private and Market Law – Challenges for the 21st Century. Jessy's contribution focused on fundamental rights issues. The presentation was entitled: *European Co- and Self-regulation and Fundamental Rights Protection*.

Comenius Leadership Course

In April, Antoine Buyse provided half a day of introduction on human rights and international law in the legal module of the Comenius leadership course. This multidisciplinary leadership course for managers from the private and public sector aims to widen their horizon by introducing them to a broad range of different perspectives, from astronomy to law.

Reverse Transitions Lecture at Oxford

In May, Antoine Buyse delivered a lecture in the Oxford Transitional Justice Research (OTJR) seminar series. The lecture focused on Antoine's current work on civic space under pressure and was entitled 'Reverse Transitions, Squeezed Civic Space and Human Rights'. A podcast will be made available on the website of OTJR.



Principled Resistance

On 2 June, Antoine Buyse spoke in the closing round table at the conference 'Principled Resistance against ECtHR Judgments – a New Paradigm?', organized by professor Marten Breuer of the University of Konstanz in Germany. The conference centered on instances where national courts, in a principled manner, declared their unwillingness or inability to implement an ECtHR judgment.



Haarlem Soroptomist Club

On 11 March, Professor Felisa Tibbitts, Chair of Human Rights Education at SIM, presented at the 85th anniversary celebration of the Haarlem Soroptomist Club, which focused on the theme human rights education. Other symposium presenters included Professor Barbara Oomen, SIM fellow, and staff from the *College voor de Rechten van de Mens*. The Dutch Soroptomists endowed Prof. Tibbitts' Human Rights Education Chair.

European Union Studies Association

EUSA Conference

On 4 May, Antoine Buyse presented a paper entitled 'Memory Moving Forward: The Jurisprudence of the European Court of Human Rights on Freedom of Expression and Information' at the European Union Studies Association's conference in Miami. The presentation was part of a panel on 'Different "Legal Memories" in Post Second World War Europe'.

Sustainable Development and Human Rights

On 29 May, SIM fellow and PhD candidate Daphina Misiedjan participated in a seminar on Sustainable Development Goals and Human Rights, organised by the International Institute of Social Studies and Erasmus School of Law, Rotterdam, in collaboration with the Working Group on Economic, Social and Cultural Rights of the School of Human Rights Research. The seminar discussed the tensions and synergies between the two systems.

Jessup International Law Moot Court

A team of 4 students of the Master's programme in Public International Law and Legal Research won the award for best memorial at the Dutch National Round of the 2017 Jessup Competition that took place on 23-24 February 2017. The students Danielle Snaathorst, Karolina Aksamitowska, Johanna Ohlman and Mihaela Mihaylova were coached by dr. Hanne Cuyckens. Danielle and Karolina

are also SIM student-assistant and SIM-intern respectively. They are still awaiting the results of how their memorial did in the international rounds. The Jessup competition is the world's largest international law moot court competition, with participants from over 550 law schools in more than 87 countries. It concerns a simulation of a dispute before the International Court of Justice.



Asian Law Institute Conference



On 18-19 May, SIM PhD candidates Julie Fraser and Cong-rui Qiao presented at the annual Asian Law Institute conference in Manila, Philippines. Julie presented her field research in Indonesia, looking at the role of Islamic law and institutions in protecting the right to family planning. Qiao presented her recent paper entitled "Resolving Mass Actions in Rural China and its Public Reception: A Case on *Wukan*".

Final Seminar Human Rights Integration Project



The Human Rights Integration research group, international partner with SIM fellow Barbara Oomen and PhD researchers Niels Rijke and Germain Koukolo, has studied the processes of human rights fragmentation and integration for the past four years. On 1 June, the research group organised a final seminar at the European University Institute, Italy, where Barbara Oomen is currently based as a Fernand Braudel fellow. For more information see [here](#).

Mass Actions in Contemporary China



At the invitation of the Law School of Xiamen University, a key partner of Utrecht University in China, Cong-rui Qiao, PhD candidate based at SIM, gave a lecture entitled "A New Approach to Human Rights Studies" on 25 May. Congrui introduced her institutional and discursive approach to investigating mass actions in contemporary China and presented the main findings of her recent paper on collective actions in rural China.



Hanne Cuyckens and Paulien de Morree with some members of the project team



The whole team of professors and teaching staff with whom Paulien and Hanne worked in Bamako

Human Rights Education Cooperation with University in Bamako, Mali

Together with CINOP Global (the coordinating organisation) and other partners, Utrecht University is involved in a project financed by NUFFIC. The aim of the project is to increase the capacity of the Université des Sciences Juridiques et Politiques de Bamako (USJPB), Mali, in curriculum development and education with regard to issues related to security, the rule of law, human rights, and gender. Utrecht University contributes to this project by providing expertise on these issues and by advising on how to include them in university education. SIM fellow Dr. Paulien de Morree and UU Assistant Professor Hanne Cuyckens conducted a mapping mission for this project in order to explore the current selection of education programmes and courses. The follow-up will be conducted back in Utrecht to explore where to introduce and emphasise the issues relevant to the project in the education offered at the USJPB.



Hanne Cuyckens (l) and Paulien de Morree (r) at the entrance of the private law faculty

Scholars at Risk

As of 2017, Antoine Buyse has joined the advisory board of the Dutch section of Scholars at Risk, hosted by the Foundation for Refugee Students (UAF).

The UAF provides sanctuary in the Netherlands and Belgium for scholars who suffer threats in their home country. Through temporary academic positions, scholars are helped to escape dangerous conditions and to continue their important work. In return, scholars contribute to their host institutions through teaching, research, lectures and other activities.

Meet the Professor

On 29 April Utrecht University organised its annual project 'Meet the Professor', in which full professors visit primary schools to enthuse children about research and their particular field of expertise.



Antoine Buyse met up with an enthusiastic group of children, full of curious questions, at the Agatha Snellenschool to discuss human rights and working as a professor.

Netherlands Quarterly of Human Rights

The newest issues of the NQHR features the following articles:



NQHR, 2017-2

- L. Nadya Sadat, 'Whither human rights in the era of Trump'
- L.P.A. Sosa, 'Inter-American case law on *femicide*. Obscuring intersections?'
- A. Wijffelman, 'Child marriage and family reunification. An analysis under the European Convention on Human Rights of the Dutch Forced Marriage Prevention Act'
- C. Altafin, V. Haász & K. Podstawa, 'The new Global Strategy for the EU's Foreign and Security Policy at a time of human rights crises'

NQHR, 2017-1

- L. Veer, 'On the road for human rights'
- J.H. Gerards & L.R. Glas, 'Access to justice in the European Convention of Human Rights system'
- O. Quirico, 'Systemic integration between climate change and human rights in international law?'
- Y. Rim, 'Human rights of North Korean migrant workers'



Articles

- J. Goldschmidt, 'New Perspectives on Equality: Towards Transformative Justice through the Disability Convention?', *Nordic Journal of Human Rights*, Vol. 35(1) (2017).
- Q. Cong-ruj, 'Jurisprudent Shift in China: A Functional Interpretation', *The Asian Journal of Law and Economics*, Vol. 8(1) (2017).
- Q. Cong-ruj, 'Discrepancy and Synergy between China and the International Criminal Court', *Cambridge Journal of China Studies*, p. 1-24, Vol. 11(4) (2016)
- A. Buyse, 'Echoes of Strasbourg in Geneva. The Influence of ECHR Anti-Torture Jurisprudence on the United Nations Human Rights Committee', *Japanese Yearbook of International Law*, Vol. 59 (2016) pp. 81-98.

Book chapters

- F. Tibbitts, 'Evolution of Human Rights Education Models', in M. Bajaj (ed.), *Human Rights Education: Theory, Research, Praxis*, Philadelphia: University of Pennsylvania Press (2017).
- D. Misiedjan, 'Ten building blocks for a sustainable human right to water: an integrated method to assess sustainable access to water for domestic purposes of vulnerable groups', in E. Daly et al. (eds.), *New Frontiers in Environmental Constitutionalism*, Nairobi: UNEP, (2017), p. 224-236.



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