



SIM PETER BAEHR LECTURE BY GEERT CORSTENS, SUPREME COURT PRESIDENT

SIM Peter Baehr Lecture: Geert Corstens

on Human Rights and the Rule of Law

On the 26th of September 2013 the annual SIM Peter Baehr lecture was held. In a room filled to capacity, Henk Kummeling, dean of the Faculty of Law, Economics and Governance, opened the afternoon. He stressed that, at this occasion, Peter Baehr's legacy is commemorated. Peter Baehr, who, as a former director of the Netherlands Institute of Human Rights (SIM), "paved the way for current and future research projects on and related to human rights."

After words of welcome and introduction by Jenny Goldschmidt, current director of SIM, the floor was given to Geert Corstens to present his speech on Human Rights and The Rule of Law. Geert Corstens stressed that the words of law only acquire practical meaning when proper government structures are in place, including an independent judiciary. He proceeded to elaborate on the role of judges in the realization of human rights. He particularly focussed on the importance of the European Convention on Human Rights and the rulings of the European Court of Human Rights in the Dutch legal system. Geert Corstens detailed how judges at a national and supra-national level strengthen the rule of law. He concluded by stating that "the rule of law is not a luxury, it is a necessity."

Geert Corstens' lecture triggered the audience, and many questions followed. The fruitful and engaging discussion continued over drinks.



SIM Newsletter

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IN THIS ISSUE

Focus Area
Conflicts and Human Rights



Human Rights and Climate Change

The conference on Human Rights and Climate Change, organized by the University's Conflicts and Human Rights Programme took place on 10 October. *Page 2*

Procedural Justice?
Women Participation in International Criminal Proceedings



Brianne McGonigle Leyh wins Book Award

Brianne McGonigle Leyh has received the Book of the Year Award from the American Branch of the International Association of Penal Law. *Page 5*



New colleagues at SIM

In the past few months a postdoctoral researcher, a lecturer and several PhD candidates have joined SIM. *Pages 2 and 3*

Conference

Human Rights and Climate Change

On the 10th of October 2013, Utrecht University's interdisciplinary Research Programme on Conflicts and Human Rights organized a conference on Human Rights and Climate Change at Utrecht University. The conference was preceded by a masterclass, in which three PhD students participated and received valuable feedback on their research.

For the conference, the organizers Jenny Goldschmidt and Cedric Ryngaert invited speakers and respondents from different disciplinary backgrounds. The day started off with debates about the linkages between human rights and climate change, the

obligations of humanitarian actors in relation to climate change, and the human rights aspects of policies and programmes aimed at Reducing Emissions from Deforestation and Forest Degradation (REDD+). In the afternoon, speakers and respondents addressed the link between climate change and armed conflict, as well as issues of climate justice.

The keynote speaker, professor Juscelino Colares from Case Western University (U.S.A.) gave an inspiring presentation on the failure to adopt federal carbon legislation in the U.S., on the global benchmarking effect of EU legislation in the field of climate change mitigation and on the future of border carbon adjustments taxes. The presentation showed that international trade measures are a useful tool to tackle climate change, although they do not necessarily address the adverse human rights

impact of climate change on vulnerable communities.

All in all, the conference was a very fruitful event in which many views on the matter were shared and many challenges were laid bare. The contributions of some of the speakers will be published in a special issue of the journal *Human Rights and International Legal Discourse* (Intersentia) in May 2014.



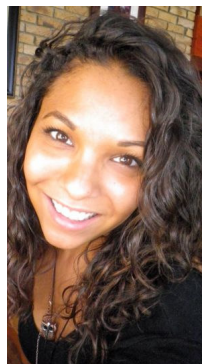
New PhD at SIM (1)

As part of the Receptor Approach Research Group under the guidance of Professor Tom Zwart, Stacey Links has joined SIM for the coming 4 years as a PhD Researcher starting in September 2013.

Her research will focus on 'The existence of a Sino-African approach to Human Rights' and she will use the Receptor Approach as a guiding tool for her comparative research. Born in South Africa, but also having lived in the United States, Switzerland and Belgium, Stacey came to the Netherlands to pursue her Masters in International Relations and Diplomacy at the University of Leiden, prior to which she had completed her Bachelor's degree in International Studies at the University of Stellenbosch in South Africa. While at Leiden University she interned at the Hague Centre for Security Studies,

focusing on issues of religion and demographic projections as part of a security foresight project. Her Masters thesis, 'Driven by Divinity' looked at the role of religion in the turn to violence in ethnic civil conflict. This was spurred on by her interest in conflict studies, religion and Africa.

She has also had experience working in the field of human rights in St. Louis, Senegal and Accra, Ghana, which were both enriching and exciting experiences. In the Netherlands she also worked for a human rights NGO in the Hague and carried out field research regarding the prospects for continued assistance in Haiti last year. Despite having grown up in several countries, Stacey remains very proudly African and South African. Her interests include: human rights, religion, international relations, security studies and conflict studies.



VISITING PROFESSOR ROBINSON

Geoffrey Robinson is a Visiting Professor at SIM from August through December 2013. While in Utrecht, he will be teaching seminars in the Law School on the history of human rights, while also working on a new book about the mass killing and incarceration of up to one million people following the 1965 military coup in Indonesia.

Geoffrey Robinson is Professor of History at UCLA where he teaches and writes about human rights, genocide, political violence, and popular resistance, primarily in Southeast Asia. Before coming to UCLA, he worked for several years at Amnesty International's Research Department in London, and in 1999 he served with the United Nations Mission in East Timor (UNAMET).

New PhD at SIM (2)

As part of the same receptor approach project, Julie Fraser has joined SIM as of September 2013 as a PhD candidate. Julie's research will focus on public international law and the permitted methods of domestic implementation of international human rights obligations. Julie is also the current Managing Editor of the Netherlands Quarterly of Human Rights.

Julie holds a Bachelor of Arts and a Bachelor of Laws from the University of Melbourne Australia, where she practised as a lawyer for three years with the Australian Government Solicitor. Julie completed her LLM in human rights and criminal justice at Utrecht University in 2011 before commencing work in the Immediate Office of the Registrar at the International Criminal Court. In 2013 Julie also assisted in the LLM program as a junior lecturer. Julie's work at the ICC has focused on, among others, policy issues relating to victim participation in proceedings before the Court. Julie has also completed a fellowship with the Netherlands School of Human Rights Research, and co-edited a volume entitled "The European Court of Human Rights and its Discontents: Turning Criticism into Strength".



SIM AND SOCIAL MEDIA

SIM is joining the social media bandwagon, and it's about time! It is our great pleasure to invite you all to the recently created Facebook, LinkedIn and Twitter pages of SIM. Stay up to date with the latest SIM events Please join, like and share the SIM pages!

Facebook:

<https://www.facebook.com/pages/Netherlands-Institute-of-Human-Rights-SIM/703482366345976>

LinkedIn:

http://www.linkedin.com/groups?home=&gid=3679620&trk=anet Ug_hm

Twitter:

<https://twitter.com/SimUtrecht>

And soon we will launch our totally renewed SIM website – we will keep you posted!

New Postdoc at SIM

As part of the new FP-7 funded project on Fostering Human Rights Among European (external and internal) Policies ("FRAME"), Alexandra Timmer has joined SIM as a postdoctoral researcher for a period of three years as of August.

Alexandra wrote her PhD at Ghent University under the supervision of Eva Brems. She hopes to defend her dissertation early next year. It focuses on the equality analysis of the European Court of Human Rights, and more specifically on stereotyping and vulnerability as concepts in the Court's legal reasoning. She has been a visiting scholar at Emory University and Toronto University, and a guest lecturer at the University of Maputo. Her work has been published or is forthcoming in the International Journal of Constitutional Law (I*CON), the Human Rights Law Review, Cambridge University Press (Eva Brems ed.) and Ashgate (Martha Fineman and Anna Grear eds.). Before starting her PhD, Alexandra studied law and history at Leiden University (M.A., LL.M.) and Columbia University (LL.M.).

Jenny Goldschmidt, Antoine Buyse, Anja Mihr and Alexandra work together on the FRAME project. Within FRAME, SIM leads a research team which includes Hungarian,

Chinese and Indian partners, amongst others. This research team focuses on the EU's conception of human rights, democracy and rule of law, and also includes a



comparative analysis of third countries' interpretation of these concepts. More information about the FRAME project is available at: <http://www.fp7-frame.eu/>.

New Lecturer at SIM

Stephan Hollenberg started working at SIM in August. He will mainly be involved in teaching courses at Utrecht University in the fields of human rights and public international law.

Recently, Stephan defended his PhD thesis at the University of Amsterdam (UvA). His research concerned the question how courts deal with instances in which individuals' enjoyment of their human rights is adversely affected by the implementation of Security Council decisions. Think, for example, of the practice of targeted sanctions for the purpose of meeting the threats of international terrorism. Before commencing his PhD research, he studied law with a specialization in international law, also at the UvA.

In his spare time Stephan likes to play guitar, read (non-law) books, do some cycling and running (if the weather allows it). He also participates in an indoor soccer team.



Conference: Women on the Frontline

Inclusive Transition in the Middle East and North Africa

On Friday 20th September Hivos and SIM welcomed three high-level speakers from the Middle East and North Africa to present their views on the position of women in their respective states. The event was chaired by SIM visiting professor Geoffrey Robinson, and Ineke Boerefijn provided a commentary before the floor was opened for questions. The event provided a chance for very relevant issues concerning the MENA region to be discussed openly and honestly.



Dr. Fatma al-Khafagy, an activist from Egypt spoke first, putting into context the position of women throughout the rule of ex-Presidents Hosni Mubarak and Mohamed Morsi, including the events that led to the installation of the present interim government. She emphasised the long term accumulation of human rights abuses in Egypt and brought to light the differing ways in which women experienced oppression at the hands of both the police and the Muslim Brotherhood. Fatma highlighted the consistently active role of women in the uprisings despite the increasing levels of sexual violence on the streets and on public transport, and declared women 'part of the revolution, and part of the transition'.

Speaking next was Zahra' Langhi, cofounder of the Libyan Women's Platform for Peace, who emphasised the need for innovative thinking and institutional reform in order to achieve democracy and adequate representation of women in Libya. Central to this aim is an effective arms control programme and ensuring the political participation of women in a transitional justice process. Zahra' also spoke broadly about the need to address global and societal dichotomies which contribute to what she

termed persistent 'selfish politics of dominance and exclusion'. Similar to Fatma, she also highlighted the active role of the Libyan people who despite their variety in terms of background and ideologies, united in their call for intervention by the West.

Speaking last was Amal Bashar, an activist in Yemen and a member of the National Dialogue Technical Committee. Amal spoke first about Yemen's background, identifying its high rates of illiteracy and poverty and largely tribal and conservative society. When speaking about the role of women in society she addressed the issue of complacency amongst women themselves on pertinent issues such as child-brides. This, she stated, presents itself as a barrier before even attempting to convince politics that women's rights matter, in effect 'de-legitimising the fight for women's rights. The politicisation of Islam, touched upon also by

Fatma and Zahra', was identified as a major obstacle to securing rights for women and was discussed in conjunction with the way in which Yemeni society has changed over the last twenty years.

An active and thought-provoking discussion followed, with attention focused on the reasons for the lack of recognition for women's rights.



SIM AND AHRI



On 9 and 10 September the Annual meeting of the Association of Human Rights Institutes (AHRI), of which SIM is a founding member, was held at the University of London. AHRI is a global network of key academic institutions in the field of human rights. This year's conference, with the theme 'Emerging Research in Human Rights' was fully dedicated to establishing new collaborations among researchers across disciplines and boundaries. Antoine Buyse, member of the AHRI executive board on behalf of SIM, gave a presentation on the accession of the European Union to the European Convention on Human Rights.



ANNOUNCEMENTS

Conference: Words of Violence

On Saturday 26 October 2013 the conference 'Words of Violence' is organized by Antoine Buyse. The topic of the conference is freedom of expression, conflict dynamics, and the media.

Venue: Grand Hotel Karel V, Geertebolwerk 1, Utrecht. Room: Graaf Willem IV Zaal.

To register, please send an email to Judith Rippen (J.J.Rippen@uu.nl).

Seminar Assertive Religion

On 28 November 2013 (afternoon) a seminar will be held on the book of Emanuel J. de Kadt, *Assertive Religion*, published in May 2013. Experts from various disciplines will discuss the role of religion in the context of human rights and Conflicts

Venue: Raadszaal, Achter Sint Pieter 200, Utrecht.

Brianne McGonigle Leyh wins Book Award



Brianne McGonigle Leyh was invited to speak at the American Branch of the International Law Association's International Law Weekend—Midwest Conference which took place from 19-21 September 2013 in St. Louis, USA at Washington University's Law School. The conference theme was *The Legal Challenges of Globalization: A View from the Heartland*. Brianne's talk was on victim participation in international criminal proceedings. She was also presented with the Book of the Year Award from the American Branch of the International Association of Penal Law (AIDP). Founded in 1924, AIDP is the world's oldest association of specialists in penal law. It is committed to the study of criminal policy and the codification of penal law, comparative criminal law, human rights in the administration of criminal justice, and international criminal law.

Her book examines the increased attention paid to victims of crime in criminal proceedings by exploring the role of victims in international criminal proceedings. The book is broken up into two parts. The first part covers criminal law theories and the current role afforded to victims in domestic jurisdictions. The second part of the study deals exclusively with international criminal institutions. Her research highlights the complexities of increased participation. It shows that active victim participation raises serious concerns about fair trial protections and, in many cases, has led to the disparate treatment of similarly situated victims. She argues that courts should give sufficient regard to the core objectives of the criminal process and that judges should reject the balancing consciousness by recognizing the primacy of the rights of accused in trial proceedings.

The book is published by Intersentia (2011).

LLM INTERNATIONAL HUMAN RIGHTS AND CRIMINAL JUSTICE GRADUATION

On 28 August the students enrolled in the LLM International Human Rights and Criminal Justice graduated. It was a special day as evidenced by the many friends and family in attendance. The achievements of this past year's students were numerous. They took full advantage of all that the LLM has to offer including participation in the legal clinic and extern program, the International Criminal Court moot court competition, and the Journal of International and European Law. As the speakers demonstrated, the theses written by the students varied in topic but were all equally impressive. Indeed, many of them graduated *cum laude*. The future offers these students unlimited possibilities!



Social Media in Academia



On Tuesday, 8 October, the School of Human Rights Research organised a seminar on Social Media in Academia. Researchers and (assistant) Professors Jessica Dorsey, Antoine Buyse, Dov Jacobs, Laura van Waas and Masuma Shahid all shared their experiences with blogging, Facebook, and Twitter. The afternoon was hosted by campaigner Nathalie van Loon and brought a variety of answers to questions like 'why' use social media, which platforms to use and how to balance online and 'proper' publishing both time wise and for academic reasons.

The question whether social media should have a more prominent role in human rights research was answered with the observation that social media are here to stay - so we had better learn how to make good use of it. In the sessions participants therefore learned about different ways of blogging, what to (pre)publish on SSRN, what to share on Twitter and how to engage students using Facebook. The pro's varied from PR

considerations to research advantages, from peer review to finding helping hands. Participants left in such a 'social media vibe' that it even led to one of the panellists wondering whether blogging will be an essential academic skill in the near future.

The afternoon was a *social media made easy* for academic purposes and livened up by twitter interruptions and blogging examples. You can find a social media synopsis and links at: sfy.co/fSo7



Newsletter

New Address:

Achter Sint Pieter 200
3512 HT Utrecht
Netherlands

www.uu.nl/sim