



Left to right: Antoine Buyse, Anya Luscombe, Kees van Baar, Mpanzu Bamenga, Felisa Tibbitts, Aminata Cairo, Barbara Oomen, Moritz Baumgärtel.

70 Years of the Universal Declaration of Human Rights: 'Leadership in Human Rights, Diversity and Inclusion' Seminar

This year, the Universal Declaration of Human Rights (UDHR) turns 70 years old. With celebrations and events taking place around the world, Utrecht University wanted to draw specific attention to the notion of leadership in human rights, and to explore the direction for future leadership, based on the foundations provided by the UDHR. This event, held in the Academiegebouw on 2 May 2018, commenced with a stimulating keynote address by Dr Anya Luscombe (University College Roosevelt), which focused on the life and work of Eleanor Roosevelt and pondered her assessment of the status of human rights today. The keynote was followed by a high-level panel discussion reflecting on the themes of human rights leadership, diversity and inclusion from the perspective of three specific sectors: education, law, and politics. The panel comprised Ambassador Kees van Baar, Professor Felisa Tibbitts (Utrecht University), Dr Aminata Cairo, Dr Moritz Baumgärtel, and Mpanzu Bamenga. Professor Barbara Oomen (Utrecht University) chaired the panel. Drawing from Eleanor Roosevelt's famous quote about human rights beginning "close to home", the panellists debated developments in the Netherlands and also the wider world.

Conference on 'Illiberal Democracy' and the Rule of Law

On 1 and 2 June 2018 the 199th Plenary Conference of the Social Sciences Council of the KNAW took place. The conference was organised by Professor Antoine Buyse (SIM Director) and Professor Janneke Gerards (SIM Fellow). The conference focused on the theme '*Illiberal Democracy' and the Pressure on the Rule of Law*'. Both within and outside of Europe, democracy and the rule of law are under pressure. In some countries inverted transitions seem to take place where governments are restricting liberties, affecting the separation of powers, and strictly narrowing down democracy to elections and referendums. In some states 'illiberal democracy' is even presented as a formal political alternative model, for example in Hungary and Poland. Yet how can we interpret this phenomenon? Does it correspond with a broader trend in which the model of Western, liberal democracy is no longer seen as attractive? What consequences do these increasingly authoritarian tendencies have for the rule of law and human rights? And what can be done by civil society organisations within states and by international organisations such as the EU to reverse this trend? Professor Janneke Gerards spoke about the concepts of democracy, the rule of law and illiberal democracy. Professor Antoine Buyse gave a presentation on reverse transitions in which states reject liberal democracy and instead move in an illiberal direction. Former president of the Supreme Court Geert Corstens spoke about current threats to the judiciary, Dr Chris van der Borgh shared his research findings with regard to 'civil society' under pressure in partial democracies, Dr Tarlach McGonagle shared his research on the position of the media. SIM Fellow Paulien de Morree attended the meeting to report on the presentations and the discussions.

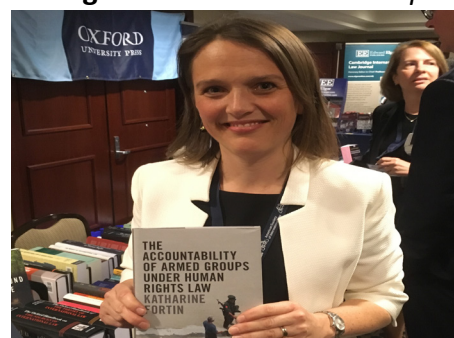
SIM Newsletter

Summer 2018

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Book Promotion at Harvard and Pennsylvania Universities

In April 2018, Professor Janneke Gerards (SIM Fellow), together with Dr. Steven Greer and Rosie Slowe of Bristol Law School, presented their new book *Human Rights in the Council of Europe and the European Union: Achievements, Trends and Challenges* (CUP 2018) at the University of Pennsylvania and Harvard Law School. In their book, the authors examine the complex regional arrangements in Europe for the protection of human rights, where bodies of the European Union and the large standards across Europe.

Daphina Misiedjan Board Member of the Nederlands Juristen Comité voor de Mensenrechten (NJCM)

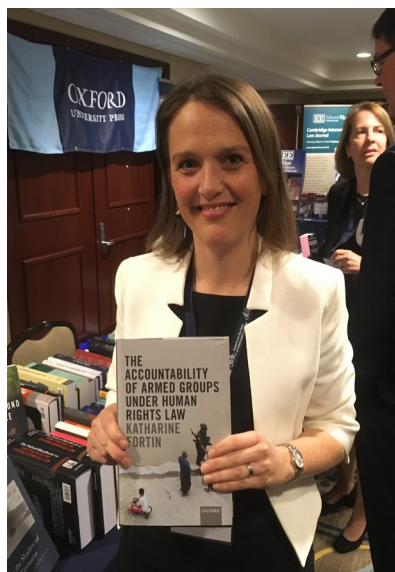
On 1 June 2018, Dr Daphina Misiedjan became to newest (general) board member of the Nederlands Juristen Comité voor de Mensenrechten (NJCM) which is the Dutch Section of the International Commission of Jurists (ICJ). With her membership she aims to contribute to the realization of human rights, especially economic, social and cultural rights, within the Kingdom of the Netherlands.

Javier Couso Appointed Full Professor of Global Trends in Constitutionalism



The Board of Utrecht University has decided to formally appoint Javier Couso (University Diego Portales, Chile) as full professor of Global Trends in Constitutionalism for the coming years. From the start of 2018 professor Couso was already a visiting professor at SIM. We very much look forward to continuing to work with him in this new capacity.

SIM Awards



Katharine Fortin



Daphina Misiedjan



Julie Fraser

Katharine Fortin Awarded the Lieber Prize

On 5 April 2018, Dr Katharine Fortin (SIM Assistant Professor) was awarded the Lieber Prize by the Lieber Society of the American Society of International Law for her book *The Accountability of Armed Groups Under Human Rights Law* (OUP 2017). The Lieber Prize is awarded every year by the Lieber Society for outstanding scholarship in the field of law and armed conflict. The ceremony took place in Washington, D.C.

Daphina Misiedjan Awarded the Agnites Vrolik Prize

On 22 February 2018, Dr Daphina Misiedjan won the Agnites Vrolik Award. The Agnites Vrolik Award is granted to a talented scientist who conducts research that contributes to solving societal issues. The award was established by the Utrecht University Fund, celebrating the 380th anniversary of Utrecht University. It is the first time the university awards this prize which was made possible due to the legacy of dentistry alumna Mrs. Cobi de Bree (1920-2013). The Agnites Vrolik Award was awarded in the Utrecht University Hall. The jury chose the winner from seven entries. Misiedjan's research, *Towards a Sustainable Human Right to Water. Supporting Vulnerable People and Protecting Water Resources, with Suriname as a Case Study*, is about the importance of legal research on sustainable water management. The award contains a sum of €25,000 and the Agnites Vrolik medal.

PhD Defence: Julie Fraser

On 31 May 2018, Julie Fraser successfully defended her PhD dissertation entitled 'Every Organ of Society': Exploring the Role of Social Institutions in the Effective Implementation of International Human Rights Law'. Julie was supervised by Professor Tom Zwart and Professor Yvonne Donders. Professor Antoine Buyse and Professor Barbara Oomen were part of the Examining Committee. A short blog on Julie's research can be found [here](#).

Panel Discussion on the United States Department of Defense Law of War Manual



On 16 April 2018, Dr Katharine Fortin took part in a panel discussion on the United States Department of Defense Law of War Manual at the Irish Centre of Human Rights, National University of Ireland Galway. Together with co-panelists Professor Mike Newton and Professor Ray Murphy, Katharine provided commentary and critique on the Manual, looking in particular at aspects relevant to the Manual's handling of armed groups and international law.

'Empathy on Trial' Conference

On 13 April 2018, Dr Brianne McGonigle Leyh (SIM Associate Professor) presented at the Legal Research Master's Conference: Empathy on Trial. She spoke about the role of victims in international criminal proceedings and the role of empathy in the trial process. Dr Laura Henderson (SIM post-doctoral researcher) presented her paper Empathy and Expanding the Boundaries of "the People." By using examples from judicial decisions from Eurozone member state courts on emergency measures to deal with the economic crisis, Laura showed how the judge often has a too limited view of who the relevant 'people' is at stake in her decisions. Laura contrasted this with a more empathetic approach, showcased especially by Justice Sotomayor of the US Supreme Court. Justice Sotomayor allows her judgments to be influenced by the other who is usually excluded in political and legal decision-making by reading literature written by this excluded other.

ECHR Training for the Judiciary

As part of Lifelong Learning in the Judiciary, Professor Antoine Buyse delivered an introduction to the European Convention on Human Rights at the Dutch trainings centre for the judiciary (SSR) on 17 May 2018. The training related both to the origins and procedures as well as to the substantive rights in the Convention.

A Series of Human Rights Lectures in Colombia



In March, Professor Antoine Buyse visited a number of universities in Colombia at the invitation of the Dutch embassy. Amongst others, he delivered a lecture on 70 years of the Universal Declaration of Human Rights at the Cátedra Europa. This academic festival, one of the biggest in the world, was hosted by the Universidad del Norte in Barranquilla. Antoine also gave a guest lecture on civil society and human rights to master students at the Universidad Javeriana in Bogota.

Two 'Cities of Refuge' Conferences



The 'Cities of Refuge' research team is part of SIM, and based at University College Roosevelt in Middelburg. In May, the team organised two conferences. The first "Welkom in Zeeland" was a Four Freedoms Side event designed to share the results of research on refugee reception and integration in the rural province of Zeeland with politicians, policy-makers and other stakeholders. The second – in cooperation with the Asser Institute – was an international seminar closing the seminar series on the role of local authorities and human rights in refugee reception and integration. Key-note speakers were Professor James Hathaway and Professor Martha Davis. For more information see [here](#).

Expert Meeting on Victimisation in Cambodia and Congo



On 13 April 2018, Dr Brianne McGonigle Leyh (SIM Associate Professor) and Diana Odier-Contreras Garduno (SIM PhD Researcher) took part in an expert meeting organized by the INTERVICT Reparations Initiative entitled 'Responding to Victimization in Cambodia and Congo: the Case of the ECCC and ICC'. The discussion focused not only on the practical realities and tensions arising out of reparation responses but also the conflicting goals underpinning reparations.

Seminar on Women's Rights in Indonesia



On 11 June 2018, Dr Julie Fraser (SIM Assistant Professor) hosted at Utrecht University Professor Nina Nurmila, State Islamic University in Bandung and Commissioner with the Indonesian women's national human rights institute (Komnas Perempuan). Professor Nurmila gave a seminar addressing the role of Komnas Perempuan in protecting women's rights and combatting sexual violence. She presented on the proposed bill on sexual violence before Indonesian parliament, and the push by some Islamic groups to criminalise zina (extra-marital sex). Julie previously worked with Professor Nurmila during her field research in Java, Indonesia.

Nelson Mandela World Human Rights Moot Court Competition



Ashley Bruce and Elikem Azumah, two third-year students at University College Roosevelt, have been admitted to the pre-finals of the Nelson Mandela World Human Rights Moot Court Competition in Geneva in July. They will argue a hypothetical case on the Federal State of St Priyah and Miyah, and will be accompanied by Elif Durmuş (SIM Fellow and a PhD researcher of the 'Cities of Refugee' Project). The UCR/UU team is the only Dutch team admitted, as one of the 8 best teams from the Western Europe/others UN region, together with teams from Oxford, Yale Law School and the University of Strasbourg.

Panel Discussion on Automatic Weapons Systems and International Humanitarian Law

On 1 May 2018, Dr Katharine Fortin took part in a panel discussion on automatic weapons systems and international humanitarian law which was organized by students on the Artificial Intelligence Masters at Utrecht University. Together with fellow panelists Commodore Professor Dr Frans Osinga and Dr Jan Broersen, Katharine took part in a group discussion that aimed to evaluate how autonomous weapons and artificial intelligence may pose a challenge to the framework of international humanitarian law and other ethical frameworks.

'Meet the Professor'

On 28 March 2018, Professor Antoine Buyse visited the ten- and eleven-year-olds of the Kohnstamm School and discussed freedom of expression with them, as a part of the 'Meet the Professor' Action in which Utrecht University professors visit primary schools in the city to tell children about their research. The children had dozens of questions and came up with original solutions to human rights problems.

Telders International Law Moot Court Competition



On 24-26 May 2018, the Utrecht University team coached by Otto Spijkers (Lecturer in Public International Law) and Karolina Aksamitowska (SIM Student-assistant) competed in the International Rounds of the 41st Telders International Law Moot Court Competition, the most prestigious public international law mooting competition in Europe. The team consisted of four Public International Law LLM students (Vivian Aiyedogbon, Leo Van den Bussche, Sofia van Dijk and Riccardo Vecellio Segate). The UU team finished in 3rd place (out of 23 teams in Europe). They also won the Runner-up Best Oral Award and, the Prize for the Best Oral Argumentation. Well done!

Comparative International Education Society Conference

On 27 March 2018 Professor Felisa Tibbitts presented a paper on educational reforms during the transitional justice period in post-apartheid South Africa. She and her co-author argued that the Truth and Reconciliation Commission (TRC) was of two minds in relation to schools. The TRC failed to hold the apartheid-era education system accountable for its contributions to the government's racist policies. At the same time, teachers were expected to implement revised curriculum - in particular, the critically oriented history education curriculum - without adequate re-training. This peer-review paper has been published in Comparative Education.

Community Engagement Projects

On 12 June 2018, Dr Brianne McGonigle Leyh held an event recognising the students of the UGlobe Global Certificate Program and the LLM Honours Programme, taking part in community-engagement projects.

ETHOS Conference and Videos



A SIM team, including Professor Barbara Oomen and Dr Alexandra Timmer, works on the development of an empirically informed theory of justice for Europe. For this, Barbara and Alexandra wrote an article on 'Contested Conceptions of Justice in Europe between 1941 and 1947' which they presented during a conference in Coimbra and in Middelburg in February. They also made a brief video on their research. This is part of a wider series of videos by the ETHOS team on key concepts in the project, like human rights.

'EU at the Crossroads of Migration' Conference

On 8 May 2018, Tihomir Sabchev (SIM Fellow and a PhD Researcher of the 'Cities of Refugee' Project) attended the International Migration Conference "EU at the crossroads of migration". The topic of his presentation was 'Studying refugee reception and integration at the local level: the holistic relational model'.

'Irregular Migration and EU Borders' Working Group

On 24 April 2018, Tihomir Sabchev participated in the Migration Working Group 'Irregular Migration and EU Borders' at the European University Institute in Florence. The topic of his presentation was 'Mariage of convenience? Local Development and Refugee Integration in Rural Areas'.

Refugee Law Workshop in Hamburg



On 27 April 2018, Dr Moritz Baumgärtel (SIM Fellow and Senior Researcher of the NWO research project 'Cities of Refuge') took part in the workshop 'Municipal Migration Policy: Between Legal Scopes for Action and Civil Disobedience', which was organised by the Refugee Law Clinic of the University of Hamburg. Moritz introduced the Cities of Refuge research project and discussed the relevance of human rights for migration policies at the international, national and local levels.

Workshop on Violence Against Women

On 17-18 May 2018, Dr Lorena Sosa (Marie Skłodowska-Curie Fellow, SIM Assistant Professor) participated in a workshop, entitled 'Violence against Women: Transformation and Challenges after the Istanbul Convention' which gathered a group of experts at Lund University, organized by Dr Vladislava Stroyanova (Lund University), Dr Lourdes Peroni (Sheffield Hallam University) and Professor Johanna Niemi (Turku University). Dr Sosa presented a paper entitled 'The Istanbul Convention in the Context of Feminist Movements: A Comparative View', which explores the existing feminist claims and their theoretical expressions at the time of the adoption of the Council of Europe and the Inter-American Conventions on violence against women, their reception in their texts and subsequent interpretation. In light of the findings, the paper discusses the potential of the Conventions to adapt to changing times and promote the inclusiveness of the gender-based violence paradigm. The expert workshop will be followed by a joint publication.

PhD Defense in Finland



On 11 May 2018, Professor Antoine Buyse was the opponent in the PhD defense of Ms Heta-Elena Heiskanen at the University of Tampere in Finland. She defended her PhD dissertation entitled *Towards Greener Human Rights Protection: Rewriting the Environmental Case Law of the European Court of Human Rights*. In the Finnish system, there is only one opponent debating the dissertation during the PhD defense. Ms Heiskanen successfully defended her work, which had been supervised by her promotor, professor Jukka Viljanen, a former visiting researcher at SIM.

International Symposium on Migration and Integration

In April 2018, Elif Durmuş (SIM Fellow and a PhD researcher of the 'Cities of Refuge' Project) was invited to present at the academic panel of the International Symposium on Migration and Integration held in Istanbul as well as at a Roundtable on 'Climate Change and Migration in the City' among local civil servants, civil society organisations and academics organised by CLISEL (Stockholm). Elif presented the preliminary findings of the 'Cities of Refuge Project'. Another Conference organised by the Raoul Wallenberg Institute in Graz (Austria) – Europe's first Human Rights City – aimed at providing Turkish academics in the field of urban geography, sociology, public administration and law with Swedish and Austrian experiences on the practice of a Human Rights City, in order to foster their establishment and spread in Turkey.

Transitional Justice Simulation Exercise



On 18 April 2018, with the assistance of Margaux Raynaud and Mistale Taylor, Dr Brianne McGonigle Leyh wrapped up her three-week module on transitional justice with a simulation exercise. Students took on roles of the state, armed opposition group, UN Facilitator, local NGO and international NGO and had to negotiate a comprehensive transitional justice response.

Seminar on Protracted Armed Conflict and Governance

On 14 May 2018, Dr Katharine Fortin organised a seminar on protracted armed conflict and governance, together with Utrecht University researchers from Cultural Anthropology and Conflict Studies, Nikkie Wiegink, Martijn Oosterbaan, Chris van der Borgh and Ralph Sprenkels. The conference aimed to take up academic and policy questions related to hybrid and rebel governance constellations and forms of citizenship in situations of protracted conflict and crises. The conference began with key note lectures from Professor René Provost from McGill University and Kees Koonings from Utrecht University. During the day, scholars from Utrecht University, presented their research on governance in protracted armed conflict, focusing on armed groups, militias, drug cartels and civilian committees. Insights were also gained from presentations on the topic of governance in protracted armed conflict by practitioners at organisations such as ICRC and Geneva Call. Dr Brianne McGonigle Leyh acted as discussant. The seminar was sponsored by the Utrecht Centre for Global Challenges and organised by the research project: Governance and Citizenship in Protracted Conflict.

Article 1 Lecture on Historical Inequality

On 23 March 2018, the 'Article 1 (Dutch) Constitution, commonly known as the 'Artikel 1-lezing' was held for the 16th time. This annual lecture was organised by Professor Janneke Gerards and Dr Marjolein van den Brink. Ellen-Rose Kambel (Director, Rutu Foundation) discussed the history of slavery of the Netherlands as well as of her own family. Marilyn Haimé (former director of the Department of Constitutional Affairs and Legislation at the Ministry of Internal Affairs) took position in the debate on compensation for discrimination suffered in the past. Glenn Helberg (psychiatrist) talked about traces of discrimination in the public space. Professor Lotte Jensen (Dutch language and history, Radboud University) focused on discrimination in literature, including in children's book classics, such as Pippi Longstocking and Sambo the Little Black Boy.

Doctoral Seminar at Leuven Centre for Global Governance Studies

On 29 March 2018, Dr Katharine Fortin took part as a discussant in a doctoral seminar organised by Olivia Herman at the Leuven Centre for Global Governance Studies. Olivia's PhD is on the responsibility of armed groups for victim reparation in transitional societies. While in Leuven, Katharine gave a guest lecture to LLM students entitled 'The Armed Groups and the (In)equality of Belligerents Under International Humanitarian Law'.

ICC Judge Visit



Guest Lecture at Leiden University Linguistics Department

On 24 April 2018, Dr Laura Henderson was invited to give a lecture to students and faculty at the Leiden University Linguistics department. Her lecture was on the practice and ethics of populist speech acts. She particularly focused on finding a distinction between populism that can be compatible with democratic values and a populism that is incompatible with democratic values.

On 18 June 2018, Dr Julie Fraser and Dr Brianne McGonigle Leyh hosted Judge Raul Pangalangan at SIM to speak with students in the course on Transitional Justice about victim participation and reparation at the International Criminal Court.

Global Reparations Summit in Serbia



On 24-26 March, Dr Brianne McGonigle Leyh participated in the Global Reparations Summit that took place in Belgrade, Serbia. The summit was organised on behalf of the Global Initiative for Justice, Truth, and Reconciliation, which is a consortium of nine international partners including for example the International Coalition of Sites of Conscience, the ABA Rule of Law Initiative, the Center for the Study of Violence and Reconciliation (CSV), the Humanitarian Law Center, and the Public International Law & Policy Group (PILPG). Over one hundred participations from 35 countries attended, sharing their experiences with reparations and the struggles facing civil society actors and victims organisations in receiving reparations for harms suffered.

Upcoming Events

June 2018: Four Freedoms Summer Schools (University College Roosevelt)

At University College Roosevelt, three summer schools relating to human rights and the Four Freedoms will be taught: A course on human rights at the local level (by Barbara Oomen, from 18-23 June); a course on human rights and education (by Felisa Tibbitts, from 25 June to 29 June) and a course on human rights and the media (by Anya Luscombe). For more information see [here](#).

2- 13 July 2018: SIM Summer School on Human Rights and Gender

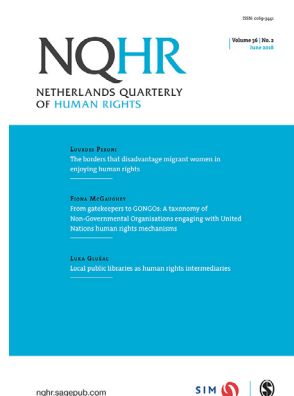
The Netherlands Institute of Human Rights is organising a new edition of its Summer School on Human Rights and Gender. This intensive and interactive two week course focuses first on the theory and practice of international human rights law more generally, before delving into legal gender issues by examining, in a broad sense, gay, trans, intersex, and cis perspectives.

14 September 2018: SIM Peter Baehr Lecture

The keynote speaker for this year's SIM Peter Baehr Lecture on Friday 14 September is Dr Agnes Callamard, United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; Director, Columbia Global Freedom of Expression; Special Adviser to the President of Columbia University; former director of the NGO Article 19. More info on her [here](#).

Netherlands Quarterly of Human Rights

The newest issues of the NQHR (Vol 36(2)) features the following articles:



- Editorial by Antoine Buyse and Leonie Huijbers, with some statistics on the NQHR.
- Column by Daniela Heerdt 'Winning at the World Cup: A Matter of Protecting Human Rights and Sharing Responsibilities'.
- Article by Lourdes Peroni 'The Borders that Disadvantage Migrant Women in Enjoying Human Rights'.
- Article by Fiona McGaughey 'From Gatekeepers to GONGOs: A Taxonomy of Non Governmental Organisations Engaging With United Nations Human Rights Mechanisms'.
- Article by Luka Glušac 'Local Public Libraries as Human Rights Intermediaries'.
- Max van der Stoel Lecture by Jolien Schukking 'Protection of Human Rights and the Rule of Law in Europe: A Shared Responsibility'.
- Recent Publications on International Human Rights Law.

Articles

Michael Hamilton & Antoine Buyse, 'Human Rights Court as Norm-Brokers', Human Rights Law Review, Vol. 18, Issue 2 (2018) pp. 205-232.

Jessy Emaus, 'Bescherming van goodwill op grond van het EVRM. In het spanningsveld van rechterlijke terughoudendheid en effectieve rechtsbescherming', NTBR, Vol. 35, Issue 2 (2018), pp. 50-58 (in Dutch).

Brianne McGonigle Leyh, 'Pragmatism over Principles: The International Criminal Court as a Human Rights-Based Approach to Judicial Interpretation', Fordham International Law Journal, Vol. 41, Issue 3 (2018) pp. 697-736.

Brianne McGonigle Leyh and Marie Elske Gispén, 'Access to Medicines in Times of Conflict: Overlapping Compliance and Accountability Frameworks for Syria', Health and Human Rights Journal, Vol. 20, Issue 1 (2018).

Barbara Oomen, 'Between Signing and Ratifying: Preratification Politics, the Disability Convention and the Dutch', Human Rights Quarterly, Summer 2018, pp. 420-446.

Aurélien Roche-Mair, 'Challenges to the Protection of Children's Human Rights and the Perpetuated Marginalization of Children in Transitional Justice', Georgetown Journal of International Law, Vol. 49 (2018).

Felissa Tibbitts, and Susan Roberta Katz, Guest editors. 'Special issue: Dilemmas and Hopes for Human Rights Education: Curriculum and Learning in International Contexts', Prospects: Quarterly Review of Comparative Education, Vol. 47 (2018).

Books and Book Chapters

Moritz Baumgärtel, 'Part of the Game' In T. Aalberts & T. Gammeltoft-Hansen (eds.), *The Changing Practices of International Law*, pp. 103-128 (CUP 2018).

Steven Greer, Janneke Gerards, Rose Slowe, *Human Rights in the Council of Europe and the European Union: Achievements, Trends and Challenges* (CUP 2018).



Confusion about the differences between the Council of Europe (the parent body of the European Court of Human Rights) and the European Union is commonplace amongst the general public. It even affects some lawyers, jurists, social scientists and students. This book will enable the reader to distinguish clearly between those human rights norms which originate in the Council of Europe and those which derive from the EU, vital for anyone interested in human rights in Europe and in the UK as it prepares to leave the EU. The main achievements of relevant institutions include securing minimum standards across the continent as they deal with increasing expansion, complexity, multidimensionality, and interpenetration of their human rights activities. The authors also identify the central challenges, particularly for the UK in the post-Brexit era where the components of each system need to be carefully distinguished and disentangled.

