



Antoine Buyse giving a lecture at Melbourne Law School, Australia

## Antoine Buyse visits Melbourne

In March and April, SIM director Antoine Buyse was a visiting researcher at the International Institute for International Law and the Humanities at Melbourne Law School in Australia. The vibrant community of legal researchers prides itself at being the no. 6 law school in the world and both the faculty and student body are very internationally oriented. Antoine presented his research on civic space and human rights both at the law school as well as at the Castan Centre for Human Rights Law at Monash University. He also delivered a brownbag on fear speech and violent conflict escalation at the Centre for Comparative Constitutional Studies.

## Felisa Tibbitts appointed UNESCO Chair in Human Rights and Higher Education (2019-2022)



Felisa Tibbitts has been appointed UNESCO Chair in Human Rights in Higher Education at Utrecht University. Felisa occupies the Carla Atzema-Looman Chair in Human Rights Education at SIM. This Chair is endowed by the Stichting Algemeen Fonds van de Unie van de Soroptimistclubs in Nederland, Suriname en de Nederlandse Antillen and is also associated with University College Roosevelt. Felisa Tibbitts' focus includes teaching human rights and in identifying ways to strengthen university practices in non-discrimination, historical accountability, inclusion and diversity, including a gender dimension. This agenda is consistent with Utrecht University's strategic theme "Institutions for Open Societies". Felisa Tibbitts anticipates collaborating with higher education institutions and networks in other countries and regions.

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## Access to Medicines lecture in Groningen



On 21 March Brianne McGonigle Leyh gave a guest lecture at the University of Groningen for Dr. Marie-Elske Gispén's course entitled Access to Medicines in a Globalised World. Brianne's lecture focused on 'Access to Medicine in Times of Conflict'. She discussed overlapping legal frameworks applicable during conflict, highlighting where the frameworks are mutually reinforcing and where the accountability gaps are the greatest.

## PIL Luncheon

On 28 February, Diana Odier-Contreras participated in the PIL Luncheon entitled "Synergy in the Field of Reparations: The International Criminal Court and the Inter-American Court of Human Rights" at Utrecht University.

## Transitional Justice

On 13 May, Brianne McGonigle Leyh was invited by the University Law College to speak with bachelor students about her work in the field of transitional justice.

## Katharine Fortin gives Avril McDonald Lecture

On 14 March, Katharine Fortin delivered the 5th Avril McDonald lecture at Groningen University. Avril McDonald was a scholar of international humanitarian law who worked at the T.M.C. Asser Institute for ten years. She was the founder of the Yearbook of International Humanitarian Law and one of the key instigators of the ICRC Direct Participation in Hostilities Project. From 2009 onwards, she held the position of Rosalind Franklin Fellow in International Law and Contemporary Conflict at the University of Groningen.

The title of Katharine's lecture was 'Hatches, Matches and Dispatches: legal-identity in rebel held territory'. In the lecture, Katharine shared preliminary findings from a research project which is jointly funded by Statelessness Hallmark Research Initiative (Melbourne University) and the Utrecht Centre for Global Challenges. Focusing on Iraq, Ukraine and Syria, the lecture explored the notion of legal identity for individuals living in territory under armed group control. It considers how individual's legal identity is constructed and protected in rebel territory, and considers how the question of legal identity might affect individual's protections under both international humanitarian law and international criminal law. It also considers whether – and in what circumstances – States might consider recognising civil documentation issued by armed groups.

## Trans and Intersex Rights in Europe



On 21 March, Marjolein van den Brink and Peter Dunne (Bristol Law School) presented their report on Trans and Intersex Equality Rights in Europe – A Comparative Analysis (launched by the European Commission on 20 November 2018) to the 9th Meeting of the High Level Group on Non-Discrimination, Equality and Diversity, that took place on 20-21 March 2019 in Brussels, Belgium. Among the state representatives present was Silvan Agius (Malta), who, with Christa Tobler (Universities of Leiden and Basel) co-authored the first ground breaking EU study report on trans and intersex rights. Agius stated he was happy with the report, as did the Dutch representative, Ben Baks who observed he was 'very, very, very happy' with the report. Van den Brink and Dunne's report, which was written at the request of the [European Equality Law Network](#) for the EU Commission, has been selected by the EU Publications Office as one of the 'key EU publications' of the past period. It will therefore be included in the OP's spring catalogue. The report can be found [here](#).

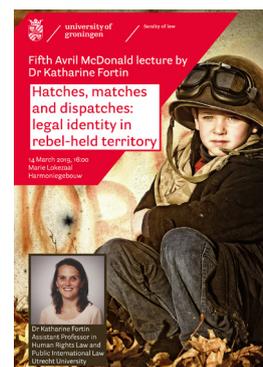
## Guest lecture at Leiden University



Diana Odier-Contreras was invited to give a guest lecture on Inter-American Human Rights for the MA class Issues in Latin American Foreign Policy at Leiden University. The lecture took place on 14 March.

## Lecture at the Academy of European Law

Marjolein van den Brink gave a lecture for legal practitioners at Academy of European Law (ERA, an institute focusing on post academic courses on EU law for legal professionals. Her lecture, on 'The EU legal framework on gender equality', was the kick-off for a 2-day seminar on EU Gender Equality Law for Legal Practitioners, that took place on 6 – 7 May. On June 3, van den Brink gave another talk, this time on the report she wrote together with Peter Dunne (Bristol University) on 'Trans and intersex equality rights', for an audience of legal scholars. The ERA seminars, meant to keep legal professionals throughout Europe updated on developments in EU law, are generally popular, not least because of their easy accessibility. Although for seminars in the EU Gender Equality Law track, participation depends on selection, the conferences are free of charge and participants receive a contribution to travel and accommodation costs.



poster Avril McDonald lecture

## A new narrative on human rights



What stories do we tell about human rights? This was the central theme during a panel discussion at the Ministry of Foreign Affairs on 11 April. Barbara Oomen joined philosophy professor Thomas Mertens and the director of the human rights department Peter van Vliet in discussing the pros and cons of new discourses on human rights. The lunch meeting was a result of an article on the Universal Declaration of Human Rights as the favourite drinking hole of the human rights movement, a place to return to over and over again. Barbara Oomen argued how, in these times of identity politics, it becomes important to underline the degree to which human rights and openness towards the international legal order are part of Dutch identity. The human rights ambassador Mariette Schuurman, who moderated the meeting, ended by calling on diplomats to collect appealing individual stories: 'These can help us show the relevance of human rights.'

## Marie-Curie Research Lorena Sosa

As part of her Marie-Curie research project on gender-based violence, Lorena Sosa examined the gender-related legislation in Argentina, and participated in different local activities during its final stage. During February, she participated in an intensive training course on gender dimensions in Education for university lecturers, organised by the Universidad Nacional de San Juan. The training, first of its kind in the province, represented a step towards the implementation of two pieces of national legislation: a law on the implementation of sexual education at all levels and a recent law on mandatory training on gender perspectives for all state agents. Focusing on the human rights dimensions of the framework, she introduced the participants into the fundamentals of the law and their practical implications for lecturers. The course received the attention of local media and gathered almost 3000 registrations, forcing the university to plan new seminars targeting a broader audience. In March, Lorena was invited by the Institute on Criminal Law of the Bar Association in San Juan to give a talk for legal practitioners on Gender Perspectives in the Justice System, and she concluded these series of activities by participating last April in a programme which holds legal debates in relation to controversial legislation. The event is regularly organised by the Bar Association, open to the public and covered by local media.

## Expert Consultations with the Office of the UN High Commissioner



Felisa Tibbitts, Chair in Human Rights Education, participated in two OHCHR expert meetings at the United Nations New York headquarters. The first was a consultation on the Plan of Action for the 4th Phase of the World Programme for Human Rights Education, which is focused on "youth". The consultation took place on 10-11 April.

Felisa Tibbitts took part in a second expert consultation on 7-8 May to advise Dr. Koumbou Boly-Barry (pictured above), Special Rapporteur on the Right to Education, on a thematic report on "Education for Peace and the Prevention of Mass Atrocities". A primary focus of this report will be the removal of "hate-related" content from national curriculum and textbooks, and policies of inclusion and diversity in school curriculum and practices. Felisa Tibbitts made numerous interventions, including evidence-based research related to the efficacy of certain peace and human right education programming.

Both the Plan of Action for the 4th Phase and the SR's report will be completed by the end of the summer.



*Lorena Sosa (centre) in San Juan*

## Visit from Canada

On 27 March, the head of the Canadian LGBTQ2 service, Fernand Comeau, visited Utrecht University together with staff member Greg Dempsey. Greg is an alumnus from Utrecht School of Law's Master Public International Law. He graduated from the master's human rights track in 2019. The first hour of the meeting was organised as a discussion meeting with Utrecht students from various masters: PIL, the Legal Research Master, and a student from the Venice-based European Master's Programme in Human Rights and Democratisation (EMA), who takes the second semester in Utrecht. Additionally, there was a student taking the advanced bachelor course on Gender & International Law, offered by SIM. The second part of the meeting was closed and dedicated to a discussion on intersex issues. This was attended by Annelies Tukker (from the Netherlands Network on Sex Diversity, NNID). On behalf of SIM, Marjolein van den Brink and Lucia van der Meulen participated.

## Presentation at Argentinian Embassy

The Argentinian Embassy invited Lorena Sosa to present her research findings on legislation and public policies on sexual orientation and gender diversity, during the IX Ibero-American Seminar on International Justice. The presentation, kindly introduced by the Argentinian Ambassador, was held on 4 June at the Hague University of Applied Sciences.

## SDG-16 Workshop

On 10 June, Antoine Buyse participated in a workshop in London on UN Sustainable Development Goal 16 (SDG 16), which relates to peace, justice and strong institutions. Antoine gave an introduction on the civic space issues related to SDG 16. The workshop was an interdisciplinary meeting of academics, practitioners and politicians. It was co-organised by the University of Birmingham, University College London, and the UK Parliament's International Development Committee.

## Comparative Human Rights seminar



On 26 March, Diana Odier-Contreras participated in the Seminar "Comparative Human Rights Studies: Latin-America-Germany" hosted by the University of Münster, Germany. Her presentation focused on transitional justice and the role of collective reparations in bringing social justice and deterrence of gross violations of human rights.

## Paper presentations in Chicago

Laura Henderson presented two papers recently: at the 12th International Critical Theory Conference at the John Felice Rome Center of Loyola University Chicago on 10 May, Laura presented her paper 'Justice as Representation? An Exploration of More Representative Practices of Judicial Decision-Making'. At the May meeting of the Political Philosophy Reading Group of the Netherlands Research School for Philosophy, Laura presented her paper 'The Promise and Perils of Designing A Radical Democratic Populism'.

## Frits Kalkhoven competition

In February 2019, three students from Utrecht University took part in the Frits Kalkhoven competition on international humanitarian law. The team consisted of Waleed Magdy Abdelkader Mahmoud, Elia Cernohlávková and Caroline Correia. The Frits Kalkhoven competition is a weeklong competition organised by the Dutch and Belgian Red Cross and involves the students taking part in different role-plays on international humanitarian law and moot courting. The students did very well in the competition which was won by Leiden University. They were coached by Katharine Fortin.

## Migration and Social Change: A new Focal Point

In May, Utrecht University announced that Migration and Social Change would be one of its new focal points. Via these focal points, the university stimulates cooperation between different disciplines and research innovation. In this case, SIMs Barbara Oomen will work together with Christoph Baumgartner from the Humanities, Maykel Verkuijten from Social Sciences and Ilse van Liempt in Geosciences to understand the challenges, but also the potential, in global migration in this day and age. The focal point will run for four years and stimulate a wide range of encounters and activities.

On 14 May, Salvo Nicolosi and Julie Fraser hosted Mariana Gkliati from Leiden University at Utrecht University, to present her research entitled: A Nexus Approach to the Responsibility of the European Border and Coast Guard: From individual to systemic accountability.

## Seminar at PluriCourts



Diana Odier-Contreras was invited to participate in a lunch seminar at PluriCourts, Norway, last 11 April. Her presentation focused on the different international court's approaches to the assessment of the harm when granting collective reparations. She made particular emphasis on the different rules and techniques employed by the Inter-American Court of Human Rights, the International Criminal Court, and the Extraordinary Chambers in the Courts of Cambodia in assessing the harm alleged, including moral, material, and collective harm.

## Oratie Masha Fedorova



Former SIM PhD, Prof. Masha Fedorova, had her oratie at Radboud University in Nijmegen on 23 May 2019. Her talk was on the legitimacy between national and transnational criminal law.

## UU Introduction Dinner

On 1 April, Brianne McGonigle Leyh took part in the third edition of the 'ontmoetingsdiner' (Introduction Dinner) organised by Utrecht University and the organisation Taal Doet Meer (Language Does More). The idea is that through the Dutch language newcomers to Utrecht can meet with others living or working in Utrecht. It gave Brianne a great opportunity to practice her Dutch while meeting with numerous refugees and other newcomers who are also working on expanding their connections in Utrecht.

## Burdens of Peace



On 18 May, Brianne McGonigle Leyh hosted a UGlobe documentary screening of the film *Burdens of Peace*. The film follows Guatemala's first female attorney general, Claudia Paz y Paz, and her efforts to hold former state officials accountable for the genocide committed during its conflict in the 1980s. One of the film's directors, Sander Wirken, was there to answer questions afterwards.

## Book panel on armed forces

In May, Katharine Fortin took part in a book panel on the book 'The Use of Armed Force in Occupied Territory' (CUP, 2018) by Marco Longobardo. The book explores the legal framework governing the use of armed force in occupied territory, examining jus ad bellum, international humanitarian law and human rights law. The panel was chaired by Professor Terry Gill and consisted of Dr Katharine Fortin, Dr Hanne Cuykens, Dr Marten Zwanenburg and Abdullahi Abdalla.

## Asian Law Institute Conference



On 11 and 12 June, Julie Fraser participated in the annual Asian Law Institute conference hosted by the National University of Singapore. Julie presented her paper entitled: *Islamic Law and the ICC: Exploring Legal Compatibilities, Cultural Legitimacy, and Expanding the Rome Statute System in Asia*.

## Lecture Terry Gill for UGlobe

In March 2019, Terry Gill gave a guest lecture to inter alia the students in our public international law masters on the use of drones and international law. The lecture covered both jus ad bellum and jus in bello and it was sponsored by the Utrecht Centre for Global Challenges. The lecture was attended by students across the UGlobe Masters, including quite a number from the Conflict Studies Masters. It was followed by a lively debate on the geographical scope of international humanitarian law, transparency, accountability and autonomous weapons.

## Powered by Diversity



On 20 May, Brianne McGonigle Leyh, together with former SIM student assistant Rose Fernando and her colleagues at Allen & Overy in Amsterdam, organised an event for students coming from a diverse background to introduce and encourage them to look at career options at large Dutch law firms. The event, entitled *Powered by Diversity*, was opened by Prof. Elaine Mak and included a Q&A with two UU alumni, Rose Fernando and Arwien Oemrawsingh.

## Cities in International Law



In March, colleagues from the Cities of Refuge team took part in a writing seminar at the Asser Institute to prepare a handbook on *Cities in International Law*. Cities increasingly claim, and receive, a key role in international law. These frontier cities can play a key role in strengthening the effectiveness and the legitimacy of international law. In the handbook, Barbara Oomen writes on the role of Cities in Migration. Moritz Baumgärtel will write on Cities and dispute resolution.

## Netherlands Quarterly of Human Rights

The newest issue of NQHR of June 2019 features the following articles:

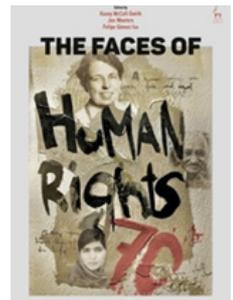
- Column by Ingrid Leijten, 'Human rights v. Insufficient climate action: The Urgenda case.'
- Article by Noëlle Quénivet, 'The obligation to investigate after a potential breach of article 2 ECHR in an extra-territorial context: Mission impossible for the armed forces?'
- Article by Keith Syrett, 'Essential but expensive? The World Health Organization, access to medicines and human rights.'
- Article by Mark Klaassen, 'Between facts and norms: Testing compliance with Article 8 ECHR in immigration cases.'
- Article by Sejal Parmar, 'The significance of the Joint Declarations on freedom of expression.'
- Recent Publications on International Human Rights.



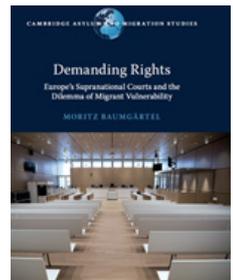
## Publications

### Books

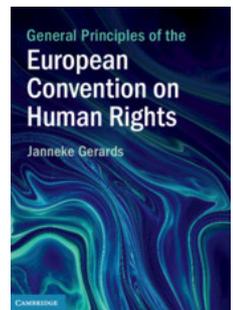
As a collaborative project within the AHRI network of human rights institutes, the book Faces of Human Rights has been published. The volume, edited AHRI Chair Kasey McCall Smith and others, focuses on a range of people who shaped human rights, from John Locke to Malala. According to the author, it 'also responds to the perennial question of how to begin a career in human rights by highlighting that there is no single path into this dynamic field, a field built on the back of small initiatives by people across a broad spectrum of career paths.' SIM fellow Barbara Oomen co-authored the chapter on Eleanor Roosevelt and Antoine Buyse wrote the chapter on Max van der Stoep.



Moritz Baumgärtel's monograph Demanding Rights: Europe's Supranational Courts and the Dilemma of Migrant Vulnerability was published with Cambridge University Press on 9 May. This interdisciplinary book evaluates key judgments of the European Court of Human Rights and the Court of Justice of the EU pertaining to migration. Based on this multifaceted analysis, it offers a critical discussion on how Europe's supranational system of human rights protection could become more effective in protecting the rights of vulnerable migrants. For more information, and to order, visit [this website](#) and enter the code DGRS2019 at the checkout for a 20% discount.



Janneke Gerards has published her book General Principles of the European Convention on Human Rights with Cambridge University Press. This book offers a clear insight into the concepts and principles that are key to understanding the European Convention and the Court's case-law. It explains how the Court generally approaches the many cases brought before it and which tools help it to decide on these cases, illustrated by numerous examples taken from the Court's judgements. Core issues discussed are the types of Convention rights (such as absolute rights); the structure of the Court's Convention rights review; principles and methods of interpretation (such as common ground interpretation and the use of precedent); positive and negative obligations; vertical and horizontal effect; the margin of appreciation doctrine; and requirements for the restriction of Convention rights.



### Articles

- J.M. Emaus, 'Subsidiariteit, preventie en voorzorg. Een verklaring van het arrest in de Klimaatzaak aan de hand van drie fundamentele beginselen in het recht onder het EVRM' (2019) 11 Aansprakelijkheid, verzekering & schade 56.
- J.M. Emaus, 'Case note of ECtHR: Dimitar Yordanov v. Bulgaria' (2019) 20 European Human Rights Cases 14.
- J.A Fraser, 'Challenging State-centricity and Legalism: Promoting the Role of Social Institutions in the Domestic Implementation of International Human Rights Law' (March 2019) International Journal of Human Rights.
- B.N. McGonigle and J.A. Fraser, 'Transformative Reparations: Changing the Game or More of the Same?' (2019) 8 Cambridge International Law Journal 39.
- B. Oomen, 'Naar een lokaal vreemdelingenrecht en -beleid' (2019) 1 Journaal vreemdelingenrecht 17.
- B. Oomen and E. Leenders, Symbolic Laws, Street-level actors: Everyday bordering in Dutch Participation Declaration workshops, Migration Policy Working Group: Micro-Governance of Migration (26 February 2019) EUI, Florence.
- Oomen, B. (5 April 2019), Cities of Refuge: naar een gemeentelijk migratiebeleid? Westhoeklezing 2019, Schouwen-Duiveland
- Tibbitts, F. 'Deliberative democratic decision making, universal values, and cultural pluralism: A proposed contribution to the prevention of violent extremism through education' (2019) Prospects: Quarterly Review of Comparative Education.



## SIM Summer School

**International Human Rights Law:  
An Introduction**  
8 July - 12 July

Interested in learning about human rights? [This one-week introduction course](#) focuses on the major features of international human rights law. It begins by examining the philosophical and political bases of human rights and then explores human rights documents and mechanisms for the promotion and protection of human rights at the international and regional levels. Particular attention will be paid to issues of equality and discrimination, including on grounds of sex and race. Sign up [here](#).

## SIM Peter Baehr Lecture

We are honored to announce Dunja Mijatović, the Council of Europe's Commissioner for Human Rights, as speaker at the 2019 SIM Peter Baehr lecture. The lecture will take place on Friday 20 September at 11.00.

Drawing on her experience of engaging with victims of human rights violations, civil society, human rights institutions, and public officials across Europe during the first year-and-a-half of her mandate, the Commissioner will discuss a number of key current human rights challenges. She will share her views and recommendations on what can be done to best tackle these challenges and how to make human rights relevant for all.



## Seminar 'Unpopular Protest'

Together with the Public Interest Litigation Project and the UGlobe Consultancy, Laura Henderson is organising a seminar on 24 June from 15:00-17:30 on the implementation of the right to protest in local Dutch context. The seminar will begin with the UGlobe Consultancy's presentation of their research report on the conduct of Dutch authorities and social actors with regard to the protests of environmental action group Code Rood. This will be followed by panel discussions on the legal and social aspects of improving the implementation of the right to protest in the local context. Speakers include Quirine Eijkman (deputy-president of The Netherlands Institute for Human Rights) and journalist Kasper van Laarhoven. For more information and registration, contact [UGlobe@uu.nl](mailto:UGlobe@uu.nl).

## Upcoming SIM Events

**SIM Summer School: International Human Rights Law, 8-12 July**

**SIM Peter Baehr Lecture: 20 September, 11:00 - Academiegebouw**

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