Expert Meeting on Book Project

Intersections of Law and Culture at the International Criminal Court

On 4 December 2018, Julie Fraser and Brianne McGonigle Leyh hosted an expert meeting at the Academy Building, Utrecht University of contributing authors to their book project entitled Intersections of Law and Culture at the ICC. The purpose of the book project is to delve into the convergence and tensions between the cultural underpinnings and legal foundations of the ICC as a global institution. The project aims to bring together insights on the development and articulation of ideas regarding the multifaceted ways in which culture relates to the work of the ICC. The day-long meeting brought together 25 scholars from different disciplines and practitioners who presented their research and provided input and feedback on each other’s work. Participants included Justice Doherty, Mark Goodale, Makau Mutua, and Alison Renteln. The meeting, held under Chatham House rules, was the ideal forum to present, debate, and develop authors’ ideas for their respective chapters. These chapters cover a wide range of topics, including cultural defences for international crimes, cultural heritage destruction as a crime, cultural sensitivity in judicial decision-making, the prosecutorial cultural at the ICC, and the role of language and interpreters in the Court’s work. These chapters will be combined into an edited volume due out in 2020.

PhD Defense Stacey Links

On 2 November 2018, Stacey Links successfully defended her PhD entitled Impediments to Uncovering the Human Rights Dimension of Sino-African Engagement: A critical exploration of discursive constructions and representations. Stacey’s promotor was Tom Zwart, and Barbara Oomen sat on her Exam Committee. Links’ main recommendations include the re-evaluation and adjustment of policy prescriptions dealing with the human rights dimension of Sino-African relations so as to reflect the status quo and contextual nuances.
Lectures in Buenos Aires

From 15 to 17 January, Antoine Buyse guest lectured in the Latin American Programme on Human Rights and Democratization (LATMA) in Buenos Aires, Argentina. He delivered a crash course on the European Convention on Human Rights, discussing the ECHR system, freedom of expression and voting rights with the students, including a lively parliament simulation (see a short video impression here). The LATMA is the regional peer of its European counterpart EMA, in Venice, in which SIM has been a longtime participant. Both are part of the Global Campus of Human Rights. Antoine’s lectures were followed by those of Frans Viljoen of the University of Pretoria, who discussed the African human rights system with the students. Both were hosted by LATMA coordinator Veronica Gomez, who also chairs the Global Campus.

Keynote by Jenny Goldschmidt

Jenny Goldschmidt gave a key note presentation at the conference ‘The UN Convention on the Rights of Persons with Disabilities in Practice, A Comparative Analysis of the Role of Courts’, held at the University Maastricht on 25 and 26 October 2018. She focused on the (possible) impact of the CRPD on the case law of the European Court of Human Rights in her contribution: ‘The Importance of the CRPD and the use of the CRPD by National Courts and Quasi-Judicial Bodies’. Jenny Goldschmidt also gave a key note presentation at the International Conference of ‘Handicap en Study’, the Dutch expert centre for studying with disabilities, on the relevance of the CRPD for institutions for higher education: ‘From privilege to obligations’.

Human Rights in the Russian Federation

On and around International Human Rights Day, on 10 December, many different activities were organised to raise awareness about human rights issues. On 13 December 2018, Janneke Gerards spoke in St. Petersburg about the challenges of domestic implementation of the European Convention on Human Rights. Her lecture was the last in a series of lectures, workshops and events in Russia on human rights and the rule of law. These activities were organised by the St. Petersburg Institute of Law named after Prince P.G. Oldenburgsky, the non-governmental organisation Citizen Rights Watch and the Netherlands Consulate General in St. Petersburg. Since November 2018, the activities are supported by the newly established Dutch Russian Law Association (DRLA). This association is formed by Russian and Dutch lawyers, both practitioners and scholars, who think it is important to share knowledge and insights in Russia about the rule of law, human rights and a fair administration of justice. Amongst others, it is the intention to promote a better understanding of these notions by visiting schools and organising workshops and training sessions for lawyers. Are you interested or do you want to become a member? More information can be found at the website of the DRLA.

Seventy Years UDHR

The embassy of the Netherlands in Slovenia together with the University of Ljubljana organised an event for students entitled ‘Taking Stock: 70 Years of Universal Declaration of Human Rights’ on 11 December 2018. SIM director Antoine Buyse and the Slovenian Minister of Foreign Affairs Miro Cerar were the keynote speakers. Professors Sancin (international law) and Roter (political science) of the University of Ljubljana also participated in the panel debate at the event. Afterwards, Antoine Buyse was interviewed by the Slovenian newspaper Delo on the current state of human rights as the UDHR turned 70.

Masterclass Gender Mainstreaming

At the invitation of the Gender Equality Unit of the Council of Europe, Former Vice-President of the ECtHR and SIM researcher Alexandra Timmer, led a masterclass entitled ‘Gender Mainstreaming in the Work of the European Court of Human Rights: Towards Gender-Sensitive Judgments’. The masterclass took place at the premises of the Court in Strasbourg on 1 October 2018. Over 20 judges of the Court and senior members of the registry attended the event, which included a lively discussion.

Guest Lecture at Leiden University

On 28 October 2018, Diana Odier-Contreras was invited to give a guest lecture in the Master’s in International Children’s Rights. Her lecture focused on the interpretation of the best interest of the child by the main regional human rights systems, with a particular emphasis on the Inter-American System of Human Rights.
Together with political science scholars from Melbourne University Dr Bart Klem and Marika Sosnowski, Katharine Fortin has won seed funding from Melbourne University’s Statelessness Hallmark Research Initiative to develop an interdisciplinary project on legal identity under rebel governance. The project aims to strengthen understanding of the legal identity of people living within rebel-controlled territory in civil war. It examines how non-state governance providers are documenting the life-cycle events of people who inhabit the areas they control as well as how these systems often have overlap with the registration systems of the state. The project will involve the convening of an expert roundtable in Utrecht in June 2019.

UN Rapporteur Voule recounted major trends threatening civic space which he has encountered in his work, including repression of social movements, cyber-attacks and stigmatisation of human rights defenders. He underlined the necessity to build new coalitions between social movements and traditional human rights actors to protect and broaden space for civil society. Saskia Brechennach of the Carnegie Endowment discussed how states and other powerful players use new tools to limit the freedom of people as part of broader global geopolitical changes. Dominic Perera of CIVICUS, the global network of civil society organisations, presented the ways in which the pressures could be measured in order to get a clear picture of the extent of the current problem. The second part of the day was dedicated to zooming in on three areas in which the pressure on civic space play out with particular intensity; the work of human rights defenders, the contestations around the extraction of natural resources, and the position and role of the media. A series of short pitches as part of a roundtable discussion between all participants on the way ahead, both for practice and for research, concluded the seminar. The seminar was set up as an encounter between different communities: researchers, NGOs, states and international organisations. For more on this seminar, see [here](#).

On 4 February, SIM staff visited their colleagues at the Dutch National Human Rights Institute (College voor de Rechten van de Mens). The meeting was part of the continuous formal cooperation between the Dutch NHRI and SIM and was themed ‘the added value of human rights’. It was an inspiring afternoon full of high-quality discussions - SIM and the Dutch NHRI continue to learn from each other.

Each year the human rights specialisation within Utrecht’s LLM Public International Law organises a human rights career event, in order for students to think about professional opportunities after they will graduate. The latest edition was held on 14 November 2018, and included a panel with panel with representatives from civil society (Netherlands Helsinki Committee director Pepijn Gerrits), from the Dutch NHRI (Vlada Burmistrova) and from academia (our own SIM lecturer Daphina Misiedjan). The evening was hosted by SIM director Antoine Buyse.

Interested in the human rights track in our LLM? Find more info [here](#).
European Equality Law Network wins new tender with European Commission

In December 2018, Utrecht University was awarded a new four-year tender by the European Commission for the coordination of the European Equality Law Network! It counts among the biggest projects managed at Utrecht Law School. The Network consists of legal experts in gender equality and non-discrimination who provide independent information and advice to the Commission on relevant developments in 36 European states.

The primary task of the network is to gather reliable, expert information on legislation, case law and national developments to enable the Commission to fulfill its role as guardian of the treaties, to respond to new challenges and to set the law- and policy-making agenda in the field of gender equality and non-discrimination. The network is jointly managed by Utrecht University, Human European Consultancy, and Migration Policy Group on behalf of the European Commission. Utrecht University is responsible for the gender equality law stream of the Network's activities. It is coordinated by Prof. Linda Senden and SIM researchers Alexandra Timmer, Franka van Hoof and Raphaëlle Xenidis, with the involvement of senior experts Susanne Burri and Frans Pennings. For more information about the European Equality Law Network, please visit: http://www.equalitylaw.eu/.

Engagement with Armed Non-State Groups

In December 2018, Katharine Fortin took part in a thematic workshop on engagement with armed non-State actors in Dubai, organised by Professionals in Humanitarian Assistance and Protection. Focusing on the application of international law to non-State armed groups, the workshop offered an analysis of frameworks for engagement with non-State actors on specific issues such as negotiating humanitarian access or developing humanitarian protection strategies. It aimed to strengthen participants' capacity to use international law when appropriate in those challenging contexts and promote respect of international norms by armed non-State actors in conflict situations.

Reparations in International Law

On 16 and 17 November 2018, Brianne McGonigle Leyh and Julie Fraser participated in a workshop hosted by the Lauterpacht Centre at Cambridge University on Reparations in International Law. The workshop brought together some 30 scholars who addressed reparations in different fields of international law, including international human rights and criminal law. Brianne and Julie presented their paper entitled: Transformative Reparations: Changing the Game or More of the Same?

Migration and Citizenship

SIM researchers Alexandra Timmer and Raphaëlle Xenidis participated in the Migration and Citizenship Stream of the 2018 RENFORCE conference on ‘Regulation and Enforcement in the EU: Current Challenges and Prospects for the Coming Decade’ on 22-23 November on a panel on Equality and Non-Discrimination. Alexandra presented her research on ‘Concepts of gender equality and non-discrimination’ and Raphaëlle on ‘Intersectionality and multiple discrimination in EU law’. The Board of the ‘Law and Society Association’ (LSA), has invited Javier Couso to be one of the 15 members of the Program Committee of its 2020 Annual Meeting, to take place in Denver (USA). Founded in 1964, the Law and Society Association is a global group of scholars from many fields and countries who share a common interest in the place of law in social, political, economic and cultural life. Its annual meetings gather around 3,000 scholars from around the world.

Law and Society Association

Assembly of State Parties ICC

From 5-12 December 2018, the International Criminal Court held its 17th session of the annual Assembly of States Parties in The Hague. The Assembly is the Court’s management oversight and legislative body. Julie Fraser attended the Assembly as part of an NGO delegation that reported on the event. Julie attended plenary sessions of State delegates and side events on topics relating to her research on victims as well as on the role of Islamic law in the Court’s case law.
Human Rights on Campus Conference

Human rights education has historically taken place in faculties of law. However, inter-disciplinary human rights centers have highlighted the relevance of human rights standards and norms for a wide range of subject areas, research and practice. On 30 December, Felisa Tibbitts participated in the Campus Human Rights Conference in Ann Arbor, Michigan, which was attended by approximately 30 faculty and staff engaged with human rights centers on their campus (primarily in the U.S.). The conference, sponsored by the Donia Human Rights Center, involved the discussion of a beta version of a Campus Human Rights Index, which is intended to provide a ‘report card’ on how well a university is respecting human rights. This Index is due to be released in 2019.

Swedish Network Conference

Raphaële Xenidis went to the Swedish Network For European Legal Studies’ 2018 conference on ‘The Resilience of General Principles of EU Law and Fundamental Rights in the digital EU Legal order’ on 8-9 November in Stockholm together with Linda Senden. They presented their paper on ‘The resilience of the General Principle of non-discrimination and the protection of the fundamental right to equality in the age of artificial intelligence: Has anti-discrimination law become unfit?’.

Citizen Participation

Diana Odier-Contreras participated in the workshop “Citizen Participation in Contexts of Crime-Related Violence and Institutional Fragility” hosted by the Centre for Citizenship, Civil Society and Rule of Law at the University of Aberdeen last 22nd November 2018. This workshop aimed to present multidisciplinary research on citizen participation within regions characterised by violence and fragile institutions, especially where related to organised crime. The workshop focused largely on the extraordinary violence that has characterized Mexico during the last decade, a topic in which Diana is currently working on.

Cities of Refuge at Mayors Conference

The Cities of Refuge team, led by Barbara Oomen, contributed to the Mayors Migration Forum during the Global Compact on Safe, Orderly and Regular Migration in Marrakesh. They presented research on transnational city networks in the field of refugee and migration policy. On the wider relevance of the Global Compact, she was interviewed by news stations like BNR and Bureau Buitenland. The team also produced a small video on the rise of mayors in relation to migration governance.

An NHRI for Italy?

On 5 and 6 November 2018, Antoine Buyse participated in a conference organised by the University of Trento in Italy, entitled ‘A National Human Rights Institution for Italy. Challenges and the Way Forward’. Antoine delivered the keynote conclusions of the conference together with the president of the Italian Inter-Ministerial Committee for Human Rights. The event explored how Italy could create a national human rights institution, and included comparative experiences from other countries. The conference was co-organised by Chiara Antoniazzi, former visiting researcher at SIM.

Webinar Berkeley Equality and Anti-Discrimination

Alexandra Timmer presented a paper entitled ‘Sex discrimination under Article 14 ECHR: oscillating between principle and pragmatism’ at Berkeley University in California on 8 January 2019. The presentation was streamed live to the members of the Berkeley Comparative Equality and Anti-Discrimination Law Study Group. This group, of which Alexandra forms part, consists of scholars from multiple academic disciplines, activists, equality body legal professionals and private lawyers from six continents, joined together by an interest in the study of comparative anti-discrimination law and working together to address the equality issues of the day.

UC Guidance Network Workshop

Diana Odier-Contreras participated in the “UC Guidance Network workshop” last 15th January 2019 hosted by UC Tilburg. This workshop provided a platform for university lecturers across University Colleges to discuss how they can guide transgender students, and help build a more inclusive community as well as how to guide students who experience bereavement/loss. These are two important issues that are relevant for all faculties.

Cities of Refuge at Mayors Conference
**Stakeholder Meeting of the Gender and Diversity Hub**

SIM members **Alexandra Timmer, Marjolein van den Brink, Franka van Hoof** and **Raphaële Xenidis** participated in the first stakeholder meeting of the Gender and Diversity Hub on 20 November 2018 in Utrecht. The meeting gathered UU researchers from various disciplines and stakeholders from a wide range of public and private organisations around a central question: how can academics and stakeholders fruitfully collaborate to remedy gender equality and diversity problems? The programme featured presentations from different disciplines showcasing some concrete tools and strategies for academic research to help improve inclusiveness and diversity on the ground. In this framework, SIM member Marjolein van den Brink presented the ‘GIRARE’ (Gender Identity Registration and Human Rights Effects) project. Presentations were followed by an open floor chaired by law professor and Hub co-director Linda Senden, in which stakeholders presented business and organisations’ practices, tools and strategies for inclusiveness and diversity. The stakeholder meeting provided researchers and stakeholders with further opportunities to exchange and network through a speed-dating session and closed with a reception.

**About the Gender and Diversity Hub**

The main aim of the Gender and Diversity Hub is to serve as a platform for stakeholders to (1) access the multidisciplinary expertise of UU scholars in gender, diversity and processes of inclusion and exclusion, and (2) to join forces with societal partners in solving complex gender and diversity issues and develop strategies for the implementation of diversity in order to achieve societal inclusion and change. The Hub is chaired by Rosemarie Buikema (Humanities), Belle Derks (Social sciences) and Linda Senden (Law) and coordinated by Francesca Manzi (Social Sciences), Rosa Wevers (Humanities) and Raphaële Xenidis (Law). For more information, please visit the Gender and Diversity Hub’s website.

**Annual Internal Meeting European Equality Law Network**

On 29 November 2018, the Network held its annual internal meeting gathering the coordination teams including Utrecht University Linda Senden, Susanne Burri, and SIM members **Alexandra Timmer, Franka van Hoof and Raphaële Xenidis**, who chaired the gender equality law stream’s session with the gender equality national legal experts from the 36 European countries which participate in the Network.

On 30 November 2018, the Network’s annual legal seminar gathered almost 200 participants including the Network’s national legal experts and coordination teams, and representatives of the European Commission, members of national equality bodies and Equinet, as well as members of various European and national NGOs and government representatives. The programme featured a keynote speech by Eleanor Sharpston QC, Advocate General at the CJEU, and an introduction by the European Commission DG Justice and Consumers’ director Tiina Astola during a plenary session opened by SIM member Alexandra Timmer. Various high-profile workshops followed: an update on European case law by Colm O’Cinneide and Janneke Gerards, a workshop on trans and intersex equality rights by Marjolein van den Brink and Peter Dunne, a talk on enforcement issues in relation to the uptake of family-related leave by Prof. Annick Masselot as well as presentations on the prohibition of harassment as tool to tackle hate speech, equality bodies making a difference, and the United Nations’ and the EU’s approach to disability equality. All reports are available here.

**New SIM Member and Appointments**

**Raphaële Xenidis** joined the International and European Law Department of Utrecht University in September as a postdoctoral researcher in EU gender equality law. She is a member of SIM and RENFORCE and works for the European Network of Legal Experts in gender equality coordinated by Prof. Linda Senden and Dr. Alexandra Timmer. Raphaële is also part of the managing team of the interdisciplinary Gender and Diversity Hub. Raphaële has been working on issues of intersectionality, discrimination and equality law in the framework of her Ph.D. dissertation at the European University Institute since 2014. Her research interests are intersectionality and the law, European anti-discrimination law, critical and feminist legal studies and legal mobilisation issues. She also recently started to work on the topic of algorithmic discrimination and EU law together with Prof. Linda Senden.

**Alexandra Timmer** has been appointed associate professor at SIM and the Utrecht School of Law as of 1 November 2018.

**Felisa Tibbitts** has been appointed Unesco Chair in Human Rights in Higher Education at Utrecht University. The main purpose of the newly established chair is to promote and integrate system of research, training, information and documentation on human rights education and human rights-based approaches within universities. Find more information here.
Netherlands Quarterly of Human Rights

The newest issue of NQHR of December 2018 features the following articles:

- Article by Eva Brems, Saïla Ouald Chaib and Katrijn Vanhees, “Burkini” bans in Belgian Municipal Swimming Pools: Banning as a Default Option.’
- Article by Morten Kjaerum, ‘Human Rights: Early Days or Coming to an End?’
- Recent Publications on International Human Rights.

Publications

Articles

Book Chapters

Books

Towards a Sustainable Human Right to Water is a timely examination of a critical and time-sensitive subject in the field of human rights law. The book poses the critical question how the concept of sustainable development can contribute to the sustainable realisation of the human right to water for vulnerable people. It takes a three step approach in providing an answer to this fundamental question of our time.

Reports
On 20 November 2018, to mark the Transgender Day of Remembrance, the European Commission (DG Justice and Consumers) published a new survey on transgender (trans) and intersex equality rights. The report – entitled Trans and intersex equality rights in Europe – a comparative analysis – was co-authored by Marjolein van den Brink and Peter Dunne (Bristol Law School). It considers the existence (or lack thereof) of gender recognition and non-discrimination guarantees for trans and intersex populations in 28 European Union and three European Free Trade Association countries (EFTA). The report can be found here. A short blog introducing the report can be found here.

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SIM Publications

SIM Publications

SIM Publications

SIM Publications
SIM SUMMER SCHOOLS

**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.

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**The Politics of Human Rights:**
**Narratives and Counter-Narratives**
15 July - 19 July

‘The politics of human rights’ is an international and interdisciplin ary course; mixing together the nuances, ambiguities and need for accommodation of the field of ‘politics’ with the absolutes of legal claims to rights, the use of normative justification and the often underlying binary of right and wrong of the field of human rights. Every session focuses on concrete and real-life human rights issues, applied academic knowledge as well as practical skills. Sign up here.

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**Massive Online Open Course on the ECHR**

In 2019, our MOOC ‘Human Rights for Open Societies. An introduction to the ECHR’, made by Antoine Buyse, Janneke Gerards, and Paulien de Morree, will run again several times. New editions of the course start on 6 May, 2 September, and 4 November 2019. Registration is possible here at any time. Interested? Watch the introductory video here. This is what the course is about:

In this course, we will introduce you to one of the world’s most intricate human rights systems: the European Convention on Human Rights. You will see when and how people can turn to the European Court of Human Rights to complain about human rights violations. You will learn how the Court tries to solve many of the difficult human rights dilemmas of today. We will look, amongst other things, at the freedom of expression and demonstration, the right to vote, and the prohibition of discrimination. And we will address the rights of migrants, refugees, and other vulnerable groups. And, of course, we will see whether it is possible to restrict rights and if so under what conditions. You will even encounter watchdogs and ice cream in this course. We invite you to follow us on a journey of discovery into the European Convention!

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**Upcoming Events**

5 March 2019, 20:00-21:30: Studium Generale Lecture **Daphina Misiedjan**
Who’s got the right to water?, Academybuilding Utrecht University.

5 April 2019, 15:00-17:00: Artikel 1 Lezing: Discrimination by algorithms, Academybuilding Utrecht University.

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