



Daphina Misiedjan (right) receiving a Black Achievement Award October 2017



In this issue

## Moving Ahead and Staying Vigilant

by Antoine Buyse, SIM Director



Although the new year has already taken its first steps, permit us to wish all our friends and colleagues a very good 2018 from all of us at SIM! For ourselves, the year started with the move to a

new building. For the first time in decades all departments of Utrecht Law School are now based within one office building, for the duration of the renovation of the historic Achter Sint Pieter premises, to which we will return in a few years from now. Changes have also occurred within the editorial team of our Netherlands Quarterly of Human Rights, to which we have welcomed a new managing editor and new board members.

We look back with pride to the past year in which a number of PhD researchers defended their doctoral dissertation, including in the past few months Ingrid Roestenburg-Morgan on the International Criminal Court and Africa, and Daphina Misiedjan on the human right to water and sustainability. Daphina was also awarded one of the national Black Achievement Awards. And earlier, one of our lecturers, dr Alexandra Timmer won the law school's Wiarda prize for her research (two other SIM researchers being runners-up), and a prestigious national Veni research grant. Finally we start the new year, by welcoming back to Utrecht Javier Couso, this time as visiting professor, as a reinforcement of our team.

Beyond the walls of academia, matters look much less promising for hu-

man rights. In the face of continuing crack-downs on citizen's initiatives, the media, the judiciary, NGOs and many other actors, and of unending attacks on the infrastructure of human rights globally, we need new ways and a vigilant and pro-active attitude to defend human rights.

Academics like us can add our small part. At SIM, we try and engage with these challenges in various ways, including by continuing our free online education efforts, and by a new community service initiative set up by associate professor Brianne McGonigle Leyh and her students. We further contribute via research into the ways to use the power of human rights education (Felisa Tibbitts); into human rights at the local level and the refugee issue (Barbara Oomen and her 'Cities of Refuge' theme); into the pressures on civic space (Antoine Buyse); and on the judiciary and the rule of law in general (Javier Couso and Janneke Gerards amongst others). We also contribute by continuing cooperation with societal partners, such as with the Shelter City initiative to host human rights defenders (Katharine Fortin) and the linkages with the Dutch NHRI (Marjolein van den Brink), to mention just a few. We are very open to sharing our experiences with and learning from our international partners and fellow scholars. For if there is one thing that the current global predicament shows is that cooperation is key to defend and strengthen human rights.



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## UN CEDAW Seminar



On 16 October 2017, Julie Fraser and Dr Marjolein van den Brink hosted Ms Hilary Gbedemah of the UN Committee on the Elimination of Discrimination Against Women (CEDAW Committee) at Utrecht University. Ms Gbedemah presented a Masterclass for students, and was the keynote speaker at a seminar entitled: Gender-related Dimensions of Disasters in a Changing Climate. The seminar addressed the topic of climate change from a gender perspective, focusing on the UN CEDAW Committee's draft General Recommendation on the Gender-Related Dimensions of Disaster Risk Reduction in a Changing Climate. Ms Gbedemah was joined in this discussion by a number of experts in the field: Marlies Hesselman (Groningen University); Irene Dankelman (Radboud University); Richard Harvey (Greenpeace); and Dr Joke van Wensem (Dutch Ministry of Infrastructure and Environment).

## Launch of Katharine Fortin's Book and Discussion on Armed Non-State Actors



On 9 November 2017, Geneva Academy of International Humanitarian Law and Human Rights hosted a panel to celebrate the launch of Katharine Fortin's book 'The Accountability of Armed Groups Under of Human Rights Law', which

was published by Oxford University Press in August 2017. The panel consisted of Katharine Fortin, Professor Andrew Clapham (Graduate Institute of International and Development Studies), and Ezequiel Heffes (Geneva Call), and was chaired by Sandra Kraehenmann and Tom Gal. Also on 9 November 2017, Katharine Fortin took part in a seminar of experts hosted by the Geneva Academy of International Humanitarian Law and Human Rights, comprising academics, civil servants, as well as governmental representatives, to discuss the issue of the human rights responsibilities of armed non-state actors (ANSA).

## Inaugural Lecture Prof Dr Felisa Tibbitts



On 23 October, Professor at SIM and the Carla Atzema Chair in Human Rights Education Dr Felisa Tibbitts gave her inaugural lecture entitled: Human Rights Education: The Good Surf and Reclaiming Human Rights. She addressed the evolution of human rights education within the international human rights movement and how current debates about human rights pedagogy address wider questions within the movement concerning the effectiveness and transformative potential of the human rights project. The inaugural lecture will be published in the forthcoming issue of the Netherlands Quarterly of Human Rights, and is freely available [online](#).

## Launch of the Netherlands Network for Human Rights Research



On 10 November, the Netherlands Network for Human Rights Research ([NNHRR](#)) was launched at the Asser Institute in the Hague. At a very well attended event, the new initiative was formally presented. The network is a cooperative endeavour of a large number of Dutch universities active in the field of human rights research and teaching (and is a successor to the former Netherlands School for Human Rights Research). As before, Utrecht University, through SIM, continues to participate. The network offers training for PhDs, organises an annual conference and is generally the conduit for information exchange among the Dutch academic human rights community. In addition, it will continue the famous [Human Rights Research Series](#) with Intersentia Publishers. Read a full report [here](#).

## Free Online Human Rights Course



The successful Massive Open Online Course ([MOOC](#)) 'Human Rights for Open Societies', made by Antoine Buyse, Janneke Gerards, and Paulien de Morree, has attracted over 12,000 participants from across the globe. Participation in this course focusing on the European Convention on Human Rights is free of charge (a fee is charged only for those participants working towards a certificate). New editions of the course start on 7 May, 3 September, and 5 November 2018. Registration is possible [here](#) at any time. Interested? Watch the introductory video [here](#)!

## Legal Gender Seminar in Argentina

On 12 December 2017 Marjolein van den Brink discussed recent global developments regarding the possibility to change one's legal gender with a group of staff members and students of the National University of Cordoba. Central to the presentation and the discussion was the question whether more gender boxes (m/f/x) should be aimed for, or that the worldwide practice of attributing legal gender markers should better be abandoned.

## Local Politics of Migration Lectures

In January, Prof. Barbara Oomen, SIM fellow, taught a series of guest lectures on the local politics of migration at the University of Milan, as part of the wider Cities of Refuge project.

## Teaching and Conference Presentations in China



In December 2017, Julie Fraser, PhD Candidate, spent three days teaching at the Central China Normal University in Wuhan in the international relations faculty. Julie gave four lectures on the topic of international criminal law (ICL), covering the history of ICL, the creation of the Rome Statute and the International Criminal Court, and its cases to date. The lectures were well received by an engaged and diverse student group.

Julie Fraser and Qiao Congrui presented their doctoral research at a conference in early December hosted by Shandong University in Qingdao, China. The conference brought together over 40 scholars from the Netherlands, China, Africa and Latin America who contributed to the discussions on the shared future for humankind in the area of human rights. Additionally, at the invitation of China's State Council Information Office and Chinese Ministry of Foreign Affairs, Qiao Cong-rui, Julie Fraser, and Professor Tom Zwart attended the "South-South Human Rights Forum: Building a Community of Shared Future for Humankind" on 7 December 2017 in Beijing, China.

## ECHR Training

On 23 November, Antoine Buyse gave a full day of introductory training into the European Convention for Human Rights in Rotterdam. The training is part of the programme organised by the Dutch training centre for the judiciary (SSR), which aims at life-long learning for the judges and registry staff in Dutch courts.

## Career Events



On 14 November, the first human rights career event at Utrecht University was organised. In a cooperation between the LLM in Public International Law, the study association for international and European law (URIOS) and UGlobe, three professionals from the fields of human rights offered their best advice on the labour market to a room full of students. The speakers included Pepijn Gerrits of the Dutch Helsinki Committee, Esther van Weele of the Dutch NHRI, and Alicia Dibbets an independent human rights consultant. The evening panel was moderated by Antoine Buyse.

On 13 November 2017 Dr. Brianne McGonigle Leyh spoke on continuing a career in academia at the 'PhD Activating Career Event' (PhACE). The aim of the two-day program was to help PhDs at the end of their doctorate to think about future careers.

## Honours Teaching

SIM Director Antoine Buyse was a guest lecturer in two different honours programs in November 2017. On 9 November he addressed a group of students within the honours programme on the topic of 'narratives of human rights' at the Free University Of Amsterdam. Antoine discussed the various pressures currently affecting civil society in Europe. On 22 November, Antoine discussed the idea of human rights within Utrecht University's interdisciplinary Descartes programme, which features the theme 'humanity' this year. The students creatively debated the future of human rights by imagining which ten rights would be crucial for a future human colony on Mars.



## Professional Ethics and the ICC

On 28 November 2017, Dr. Brianne McGonigle Leyh organised and moderated a UGlobe panel discussion on 'Corruption, Professional Ethics, and the International Criminal Court'. Panelists included Prof. Judith van Erp, Professor of Public Institutions at Utrecht University, Colleen Rohan, international criminal defence lawyer, and Hanneke Chin-A-Fo, an investigative journalist with the NRC Handelsblad, who broke the story about allegations of misconduct on the part of Luis Moreno Ocampo, former Prosecutor at the International Criminal Court.

On 10 November 2017, Katharine Fortin took part in a panel discussion on engagement with armed groups at the International Committee of the Red Cross. The panel formed part of a training programme for humanitarian professionals on international humanitarian law. On 22 November, Katharine Fortin took part in the second session of the Garance Talks on the topic of the administration of justice by armed non-State actors (ANSA). A former high-level military commander from the Revolutionary Armed Forces of Colombia–People's Army (FARC-EP), a judge from an area controlled by the Southern Front in Syria and a judge from the Sudan People's Liberation Movement-North (SPLM-N) were present and brought real-life examples directly from the field and faced by ANSAs.

## Panel Discussions on Armed Non-State Actors

On 11 January, Laura Henderson presented a paper at the conference Populism, Nationalism and Human Rights at the University of Maastricht. Her paper, "Populism as a Counter-Nationalist Strategy?" explored whether populism can ever have pro-democratic effects. Based on theoretical arguments, as well as on a case study of populist environmentalist discourse used by the South American ALBA countries, she argued that - under certain conditions - populism can undermine national boundaries and push toward fuller enjoyment of human rights. A peer-reviewed, edited collection of selected articles presented at this conference is scheduled to be published at the end of this year.

## Paper Presented at Populism, Nationalism and Human Rights Conference

Like last year, on 25 October, the two main Utrecht-based human rights institutions, SIM and the Netherlands Institute for Human Rights (the Dutch NHRI) co-hosted a session on their respective mandates and work for a group of human rights professionals from a wide range of countries. This programme, organised by the Dutch Government, annually invites a select group of professionals from all continents working in the field of human rights to visit key Dutch institutions and discuss their work. Marjolein van den Brink and Antoine Buyse presented the work of SIM.

## Dutch Visitors Programme

On 28 November 2017, Dr. Brianne McGonigle Leyh organised and moderated a UGlobe panel discussion on 'Corruption, Professional Ethics, and the International Criminal Court'. Panelists included Prof. Judith van Erp, Professor of Public Institutions at Utrecht University, Colleen Rohan, international criminal defence lawyer, and Hanneke Chin-A-Fo, an investigative journalist with the NRC Handelsblad, who broke the story about allegations of misconduct on the part of Luis Moreno Ocampo, former Prosecutor at the International Criminal Court.

HUMAN RIGHTS EDUCATION  
SUBMISSION TO THE UN MID-TERM REVIEW OF  
RECOMMENDATIONS FROM THE 22<sup>ND</sup> SESSION OF THE  
UNIVERSAL PERIODIC REVIEW

UNITED STATES OF AMERICA

Executive Human Rights Education USA (HRE USA) and University and College Consortium for Human Rights Education (UCCORE)

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Human Rights Education USA (HRE USA) is a national, virtual, or non-100 countries and organizations in the United States that promotes human rights education. The network was founded in 2002 and includes civil society organizations (CSOs), teachers and students, educational administrators, higher education faculty, the national education association and extensive representation of teachers, students, and other interested parties. HRE USA works with national and state level policy makers to integrate human rights education within curricula, standards and policies.

The University and College Consortium for Human Rights Education (UCCORE) is a national network of practitioners, researchers, advocates, educators, professionals, students, administrators, parents and other members of the university and college communities globally that are engaged in human rights education.

2017

## Human Rights Education and the Universal Periodic Review

From 1-3 December 2017, Dr. Felisa Tibbitts, Chair in Human Rights Education, participated in and presented at the 8th International Conference in Montreal. Felisa co-presented on the research methodology used to collect data on the status of human rights education in the curriculum of

U.S. military academies, teacher training institutions and schools of social work. These data were used to develop a Stakeholder Report for the Mid-Term Review of Recommendations from the 22nd Session of the Universal Periodic Review, United States of America, which was submitted to the UN Office of the High Commissioner of Human Rights and the U.S. State Department.

## ETHOS Historical Research in Florence

Alexandra Timmer and Barbara Oomen are two of the SIM-members involved in the project of formulating an empirically based theory of justice for Europe ([www.ethos-europe.eu](http://www.ethos-europe.eu)). In January 2018, they conducted research in the Archives of the European Union in Florence on the conceptions of justice prevalent in discussions on European integration in the post-War period.

## Community-engagement Learning Project

In 2017, Dr. Brianne McGonigle Leyh launched a community-engagement learning project (or service learning project). Her project seeks to bring service learning to Utrecht University and, more specifically, to students participating in the Law School's masters honors program as well as to students engaged with the Global Studies certificate program of the Utrecht Centre for Global Studies (UGlobe). Through service learning, students provide relevant and meaningful service in their communities. They identify and respond to specific community needs and learn by making meaningful connections with course content. Service learning enhances traditional academic learning because it emphasises linking theories to practice and broader global issues into local action. Engagement in the community deepens classroom experiences and often provides further context for discussion and analysis.

## Sexual Violence and the Trial of Hissène Habré

Aurélie Roche-Mair, PhD Candidate with SIM and the Director of the International Bar Association (IBA) Hague Office, was interviewed by UN Women regarding her experience as Gender Adviser to the judges in the Extraordinary African Chambers in Senegal where the former President of Chad, Hissène Habré, was tried. Habré was convicted of crimes against humanity and war crimes, including rape and sexual slavery. As the gender adviser, Roche-Mair provided technical advice through legal and factual analysis of the case, testimonies and the crimes charged.

# Upcoming Events

## 9 March: UGlobe Event: "Green People, Green Judges"

On 9 March 2018, SIM fellow Sybe de Vries and SIM researcher Laura Henderson are organising the UGlobe event "Green People, Green Judges" on the role of the citizen in pushing for realisation of the right to a healthy environment. Reflections from those involved with climate change legal action in the Netherlands and internationally will be joined by interventions on the ethical and governance implications of the role of the citizen and of the judge in combatting climate change. You can find the full programme and register here: [link](#).

## 23 March: Lecture on Article 1 of the Dutch Constitution 2018: 'Artikel 1 Grondwet en historische ongelijkheid' [Article 1 The Constitution and Historical Inequality]

The Article 1 lecture (in Dutch) takes place on 23 March 2018 from 15.00-17.00. More information [here](#).

## 2 May 2018: Conference 70 years UDHR: Leadership in Human rights, Diversity and Inclusion

In 2018 the Universal Declaration of Human Rights (UDHR) turns 70 years old. With celebrations and events taking place around the world, Utrecht University wants to draw specific attention to the notion of leadership in human rights today and aims to explore in what direction future leadership needs to go, bearing in mind the foundations provided by the UDHR. The event's keynote speaker will focus on one of the integral leaders who helped make the UDHR a reality: Eleanor Roosevelt. She was one of the most influential women of her day, working tirelessly on the UDHR and on promoting the role of women in society. Following the keynote, there will be a panel discussion on leadership, the purpose of which is to hear the views and experiences of experts on these themes from three specific sectors: education, law and politics.



## 28 March: Laura Henderson PhD Defence

On 28 March, SIM researcher Laura Henderson will defend her PhD thesis *Courts, Crisis and Contestation: Democratic Judicial Decision-Making in Times of Crisis*. The defence will take place in the Aula of the Vrije Universiteit Amsterdam and will start at 13:45.

## 31 May: Julie Fraser PhD Defence

On 31 May, SIM PhD candidate Julie Fraser will defend her PhD thesis *Every Organ of Society" Exploring the Role of Social Institutions in the Effective Implementation of International Human Rights Law*. The defence will take place in the Academiegebouw at 10.30am. Having completed her PhD, Julie Fraser join SIM as a lecturer in January 2018.

## June 2018: Summer Courses on Human Rights at University College Roosevelt

In June 2018, SIM fellow Prof. Barbara Oomen will host three UU summer courses on human rights in Middelburg, The Netherlands. The first, [human rights at the local level](#) is taught by Prof. Oomen from 11-15 June and provides students and practitioners with insight into the relevance of human rights for local government practice, and also its relevance for local authorities for rights realisation. In the second course on [human rights and the media](#), from 18-22 June, Dr Anya Luscombe discusses the way human rights and media are linked, both by tracing historical developments and discussing contemporary issues. A final course, taught by Prof. Felisa Tibbitts from 25-29 June is an Introduction to the Theory and Practice of [Human Rights Education](#) (HRE) and concerns theory-oriented sessions with an overview of the history, central concepts, scholarship, and practices of HRE.

## July 2018: Summer School on Human Rights and Gender

In the first two weeks of July, SIM is holding its annual [summer school](#), on Human Rights and Gender. The programme consists of two weeks which can be followed either separately or together. The first week includes a comprehensive introduction course focusing on the major features of international human rights law, delving into both theory and practice. The second week focuses on the theme of gender within international law, with a focus on international human rights law. Gender is understood here in a broad sense including cis, gay, trans and intersex perspectives. Through lectures, interactive working groups, expert panels and excursion(s), participants will gain an understanding of the various elements - and their interplay - involved in this field.

## Lorena Sosa Awarded Marie Skłodowska-Curie Global Fellowship

Dr Lorena Sosa, fellow at the Netherlands Institute of Human Rights (SIM), has been awarded a Marie Skłodowska-Curie Individual Global Fellowship for her research on gender-based violence. This three-year fellowship, funded by the European Commission will allow her to conduct research at the Instituto Interdisciplinario de Estudios de Género (IIEGE) of the University of Buenos Aires in the first two years and then return to Utrecht University in the third year. There, she will be based at SIM as well as be part of the Utrecht Centre for European Research into Family Law (UCERF). Lorena Sosa's project aims to address violence against individuals who challenge traditional gender norms and expectations.

## PhD Defence: Ingrid Morgan



On 12 January 2018, Ingrid Morgan defended her doctoral dissertation entitled *The Road to Reconciliation? Optimizing the Legitimacy and Efficacy of the International Criminal Court Within the African Union and Africa*.



## Fried van Hoof Award Handed Out

On 9 January 2018, the Belgian Children's rights organisation received the 3rd Fried van Hoof Award. Fried van Hoof was a professor in human rights law at Utrecht University, a lawyer, and one of the founders of SIM. He was the co-author of *The Theory and Practice of the European Convention on Human Rights*, and sadly passed away in 2013. This year's nominees also included Pim Fischer (a

lawyer working for socio-economic rights), Katinka Slump (a lawyer seeking to strengthen the right to education), and columnist and author Aya Sabi. The jury consisted of Belgian and Dutch members, and included Fried van Hoof's wife Marion van Hoof-Ward, Pieter van Dijk, and Barbara Oomen, SIM fellow.



## Black Achievement Award: Dr Daphina Misiedjan

On 29 October 2017, Daphina Misiedjan received a Black Achievement Award, specifically the Encouragement Award for young talent. The awards are an initiative of the National Institute Dutch Slavery History and Legacy. There were a total of 21 nominees in 7 categories. The award ceremony took place in the Tropenmuseum

as part of the Black Achievement Month, from 29 September to 29 October 2017. On 3 November 2017, Daphina J.E. Misiedjan successfully defended her PhD entitled *Towards a Sustainable Human Rights to Water: Supporting vulnerable people and protecting water resources, with Suriname as a case study*.



## REBO Faculty Societal Impact Award for SIM Fellow Paulien de Morree

SIM fellow Paulien de Morree and her colleague Herman Kasper Gilissen won the Social Impact Award 2017 for employees of the LEG faculty. Paulien and Herman Kasper raised money for the legal aid clinic in Rwanda that is funded by the Stichting Initiatives for Peace and Human Rights (SIPHR), a Dutch NGO that supports human rights education and awareness in Africa's Great Lakes

region. According to the jury, Paulien and Herman Kasper contributed to the fight against social inequality and fueled the empowerment of vulnerable people, thereby helping them to fully participate in society. For more information on the work of SIPHR and the legal aid clinic in Rwanda visit [www.siphr.nl](http://www.siphr.nl).



## Javier Couso Visiting Professor

As of 1 January 2018, Javier Couso has been appointed part-time visiting professor at Utrecht University. He will be based at SIM and also connected to the Utrecht Centre for Global Challenges (UGlobe). Professor Couso, of the University Diego Portales in Chile, is an old friend of SIM, as he was previously based in Utrecht a few years ago as the Prince

Claus professorial chair in development and equity. He is a specialist in the field of sociology of law and comparative law, with a focus on constitutional issues in Latin American countries including Chile, Mexico, Nicaragua, and Peru. His areas of interest include judicial independence and human rights. We are very happy to welcome him back to Utrecht!

Javier Couso with Queen Maxima

## Barbara Oomen Appointed Member of the Roosevelt Foundation

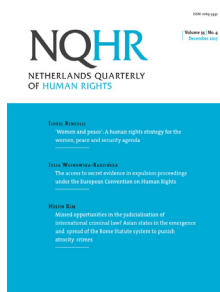
As of 1 January 2018, Prof. Oomen, SIM fellow, is a board member of the Foundation responsible for handing out the Four Freedoms Awards and the organisation of side events. The Roosevelt Foundation was set up in 1982 to strengthen the Roosevelt legacy and to biannually organise the Four Freedoms Awards. It is based in Middelburg as the family of Franklin, Eleanor and Theodor Roosevelt originated in the province of Zeeland. Former recipients of these awards include Nelson Mandela, Malala, and Angela Merkel. In the coming year, the Four Freedoms Awards will be handed out in Middelburg again in May.

## Constitutional Activism: Another Approach to Conscientization by Bas de Gaay Fortman

For human rights researchers, a commitment to realising fundamental freedoms and basic entitlements protected by law is the usual consequence of that academic focus. Yet, the lack of national constituencies with considerable impact in the world of decision-makers is often frustrating. For the past few years, SIM Emeritus Prof. Bas de Gaay Fortman has therefore shifted his activist focus to the Dutch Constitution. He started this research on 'our moral heritage' (Moreel Erfgoed), continuing with publications on the Dutch Constitution and its implications in political decision-making and civil awareness (De Grondwetwijzer). For those who read Dutch, the announcement of his latest book is here: Bas en Olivier de Gaay Fortman (met medewerking van Jeroen van Urk), [De Grondwetwijzer: Voor dialoog en praktijk in de gemeentepolitiek](#).

## Netherlands Quarterly of Human Rights

The newest issues of the NQHR ([Vol 35\(4\)](#)) features the following articles:



- T. McGonagle, "'Fake news': False fears or real concerns?"
- I. Renzulli, "'Women and Peace": A Human Rights Strategy for the Women, Peace, and Security Agenda'
- J. Wojnowska-Radzińska, 'The access to secret evidence in expulsion proceedings under the European Convention on Human Rights'
- H. Kim, 'Missed opportunities in the judicialisation of international criminal law? Asian states in the emergence and spread of the Rome Statute system to punish atrocity crimes'
- E. Nazarski, 'SIM Peter Baehr Lecture: "Shrinking space for civic space: The countervailing power of NGOs"'

## Articles

Leonie M. Huijbers, 'The European Court of Human Rights' procedural approach in the age of subsidiarity', [Cambridge International Law Journal](#), vol. 6, issue 2 (2017) pp. 177-201

Katharine Fortin, 'Armed Groups and Procedural Accountability: A Roadmap for Further Thought', [Yearbook of International Humanitarian Law](#), Vol 19, 2016, pp. 157-180

## Books

Pieter van Dijk, Fried van Hoof, Arjen van Rijn, Leo Zwaak, [Theory and Practice of the European Convention on Human Rights](#), 5th edition (contributions amongst other from Janneke Gerards and Antoine Buyse)

Janneke Gerards and Eva Brems, [Procedural review in European fundamental rights cases](#) (Cambridge University Press 2017)

Lorena Sosa, [Intersectionality in the Human Rights Legal Framework on Violence against Women: At the Centre or the Margins?](#) (Cambridge University Press 2017)

