

Change of Leadership at HRLC



Professor Michael O'Flaherty.

Professor Michael O'Flaherty has left the University of Nottingham School of Law and HRLC following his appointment as Professor of Human Rights Law at the National University of Ireland Galway.

He will also serve as Director of the University's Irish Centre for Human Rights. Michael will combine these positions with his present position of Chief Commissioner of the Northern Ireland Human Rights Commission.

Michael made an immense contribution as Co-Director and then Co-Chair of HRLC during his nine years at Nottingham. The huge and impressive expansion of HRLC's activities during those years is largely due to his energy, vision and commitment to human rights. We will miss him tremendously.

Dominic McGoldrick, Professor of International Human Rights Law in

the School of Law of the University of Nottingham, has been appointed to replace Michael as Co-Director of HRLC. Dominic is a leading international human rights lawyer.

His publications include *The Human Rights Committee: Its role in the Development of the International Covenant on Civil and Political Rights* (Oxford University Press, 1994) and *Human Rights and Religion: the Islamic Headscarf Debate in Europe* (Hart, 2006) and many articles on human rights.

Dominic has also been actively engaged in human rights in practice and is eminently qualified to maintain and develop further HRLC's high reputation as a leading international human rights centre.

David Harris
Emeritus Professor and HRLC
Co-Director



Professor Dominic McGoldrick.

Religion and Human Rights: Religion in Public and Private Spaces



On 8 November 2012, HRLC hosted a one day conference on the topic of *Religion and Human Rights: Religion in Public and Private Spaces*, led by Prof. McGoldrick. A number of speakers, experts in their field, contributed to a rich and stimulating discussion around the contemporary issues surrounding religion and human rights.

The Conference considered the impact of religion on public and private spaces and

the religious controversies now commonplace at national, European and international levels. As authorities, religious believers, and institutions are making their case for the place of religion in both public and private spaces, questions of fundamental importance arise.

What is the proper place of religion in modern societies? What status, if any, should be given to religious claims? How is religious freedom experienced? How can dispute settlement mechanisms mediate religious claims? When are the consequences of acting on religious views socially unacceptable? When are the failures of religious authorities and institutions indefensible? Does a human rights perspective on religious freedom assist in addressing these issues?

These and other questions were addressed by four panels of eminent speakers. Professor Malcolm Evans (University of Bristol) reflected on

current controversies relating to freedom of religion and belief and freedom of expression. Annapurna Waughray (Manchester Metropolitan University) analysed the extent to which the current equality legislation in the UK captures caste discrimination. Dr. Samia Bano (University of Reading) considered the role and the reach of religious tribunals in the UK. Dr. Agnes Callamard (Article 19) assessed current developments in relation to defamation of religion and the return of blasphemy. Dr. Vanja Hamzić (City University London) reported on recent developments in Islamic law relating to sexual and gender identity. Other topics covered included discrimination based on dissent, religious claims in the legal sphere; and the role of law makers, politicians and other actors when debating religion in the public space.



Prof. Aoife Nolan (left) chairs Panel at Religion and Human Rights Conference with Prof. Malcolm Evans, Annapurna Waughley and Dr. David Keane (left to right).

Customary Law in International Courts and Tribunals

On 6 November 2012, His Excellency Judge Theodor Meron, President of the International Criminal Tribunal for the Former Yugoslavia (ICTY), delivered the inaugural lecture of HRLC's International Humanitarian Law Unit on *Customary Law in International Courts and Tribunals*. The lecture was introduced by Professor Dino Kritsiotis, Head of the IHL Unit.

President Meron reflected on the historic and current significance of customary law in *ad hoc* international criminal tribunals, the application of custom in international jurisprudence and the development of judicial dialogue between international courts.

President Meron discussed the extent to which the ICTY's increased focus on individual accountability for crimes committed during international and internal armed conflicts can be seen as a transformative moment in international criminal justice. In President Meron's view, this development is as significant as the adoption of the 1949 Geneva Conventions.

President Meron illustrated that the revival of customary international law in courts and tribunals means that it is no longer merely a matter for scholarly

consideration, but of judicial significance. The importance of customary international law was summarised by President Meron who commented that, "without customary international law, international criminal law would be a sparse field." Indeed, its recognition by other international courts and tribunals, regional courts, domestic courts, inter-governmental agencies, civil society and military forces worldwide, is indicative of the impact and value of the ICTY's jurisprudence.

Judge Theodor Meron has been the President of the ICTY since October 2011; he previously served as President between March 2003 and November 2005. He is also Presiding Judge of the Appeals Chamber of ICTY and ICTR. In February 2012, he was appointed President of the International Residual Mechanism for Criminal Tribunals.



President Theodor Meron.

How to Lobby Effectively for Human Rights at International Organisations



Yvonne Terlingen (left) with Dr. Olympia Bekou.

Yvonne Terlingen, former head of Amnesty International's Office at the United Nations in New York, visited Nottingham on 25 October 2012.

Yvonne delivered a talk to Nottingham students on *How to Lobby Effectively for Human Rights at International Organisations*. The presentation considered effective human rights lobbying strategies, both at the international and the domestic level.

She highlighted the most common obstacles that

NGOs and other stakeholders are likely to face when lobbying international organisations and how to overcome these. Examples of success stories from her long career provided students with practical insight.

Before working for Amnesty International's Office in New York she was Head of the Belgrade Office for the High Commissioner for Human Rights in the former Yugoslavia, and in 1995 was appointed as Coordinator of the first Victims and Witnesses Unit at the International Criminal Tribunal for the former Yugoslavia at The Hague.



Sangita Myska, BBC correspondent, presenter and journalist, moderates the FRA Annual Conference. Picture: © FRA 2012

Justice in Austerity - Challenges and Opportunities for Access to Justice

On 6-7 December 2012, HRLC Co-Chair Prof. O'Flaherty and HRLC Co-ordinator Agnes Flues participated in the Fundamental Rights Conference 2012, the main annual event of the European Union Agency for Fundamental Rights (FRA).

The conference explored the effects of the economic crisis on judicial systems and those seeking justice; how access to justice can be maintained for everyone, including vulnerable people whose situation has become even more precarious due to the economic crisis; how this time of austerity might offer an opportunity for innovation, harmonisation and reform.

The conference was attended by approximately 400 decision makers, practitioners and experts from across the EU. The conference discussions drew on the findings of the FRA's on-going work in the field and will inform future projects.

HRLC was one of the few FRA National Focal Points represented. In that capacity, HRLC has recently completed a social study on practices and procedures regarding child participation in criminal and civil justice proceedings.

HRLC FRANET Expert on FRA Panel for Data Protection Redress Mechanisms

On 23-25 January 2013, HRLC's FRANET expert, Dr Ian Brown (Oxford Internet Institute) joined a panel hosted by the European Union Agency for Fundamental Rights (FRA) at the 6th *Computers, Privacy and Data Protection International Conference: Reloading Data Protection*.

In 2012, the FRA undertook social fieldwork research which sought to identify the reasons why data protection redress mechanisms are little used. Dr. Brown coordinated the UK's contribution to this research project, the fieldwork for which was carried out by HRLC. The project looked at existing procedures and the redress mechanisms available to individuals following a protection violation, in the UK and the other EU Member States.

The panel presented the preliminary findings of this research. It discussed issues including the usage of redress mechanisms in the area of data protection in the EU Member States, the barriers and incentives that exist for using and applying particular redress mechanisms, the need to improve accessibility and effectiveness of redress mechanisms, the importance of the independence of data protection authorities and the availability of resources necessary to implement redress mechanisms effectively.



Details of FRANET's on-going projects are available at: <http://fra.europa.eu/en/research/projects>.

International Criminal Law Course for Members of the Thai Judiciary

In September 2012, HRLC welcomed a delegation of 36 judges from the Office of the Judiciary of Thailand who participated for a two week long course on *International Criminal Law*. The course gave participants an in-depth knowledge and understanding of international criminal law principles and standards.

The delegation was led by Judge Ingkaninanda, Vice-President of the Supreme Court of Thailand. He was accompanied by Justices of the Supreme Court, Appeal Court Judges and Judges from the Provincial Courts of Thailand.

The course programme was designed by Dr. Olympia Bekou, Head of HRLC's International Criminal Justice Unit Unit, who led the training team comprising Professor Rob Cryer (University of Birmingham), Dr. Annika Jones (University of Exeter), Dr. Dapo Akande (University of Oxford), Professor Kai Ambos (University of Göttingen) and Carla Ferstman (Director of Redress, London).

The course culminated with a two-day trip to The Hague, where the group visited the International Criminal Court and were met by President Judge Sang Hyun Song. The group also had the opportunity to discuss the development of the International Criminal Tribunal for the former Yugoslavia with Judge Agius and were welcomed to the International Court of Justice by Judge Greenwood.



Dr. Olympia Bekou and Participants outside the International Criminal Court.



Dr. Olympia Bekou, Dr. Annika Jones with participant.



Judge Ingkaninanda, Vice-President of the Thai Supreme Court (middle) and Judge Susaoraj, Assistant to the Vice-President (left) present a gift to Judge Greenwood (right) at The Hague.

Professor McGoldrick leads Advanced Course on Laws of War

From 10-21 September, HRLC hosted the 23rd *Annual Advanced Course on the Laws of War*. The course was specifically designed for legal advisers in the British armed forces. The participants, drawn from the UK and Canada, came with a wide range of practical experience in international humanitarian law, having served at central headquarters, as well as at post in conflict zones such as Iraq and Afghanistan. The advanced course was taught by Prof. McGoldrick, Dr. Bekou and Sandesh Sivakumaran along with external speakers from the University of Cardiff and Cranfield University.



Professor Dominic McGoldrick (front, centre) with LOAC participants

Consolidating the Space for Civil Society

On 18 September 2012, HRLC Co-Chair Prof. O'Flaherty chaired a side event at the 21st session of the UN Human Rights Council on *Consolidating the Space for Civil Society*.

The event aimed to further an exchange of views and dialogue on the role and space for civil society working to promote and protect human rights. As the High Commissioner stated: "A dynamic and autonomous civil society, able to operate freely, is one of the fundamental checks and balances necessary for building a healthy society, and one of the key bridges between governments and their people". However, there is growing concern over the shrinking space and increased restrictions that non-governmental organisations and other civil society actors are confronted with in many countries of the world.

The event explored how to underline and consolidate the legitimate role of civil society actors as human rights defenders, and how to help protect their space of action. It was organised by the Permanent Missions of Ireland and Zambia.

Empower human rights! 13th Annual AHRI Conference

On 10-12 September 2012, Co-ordinator Agnes Flues represented HRLC at the 13th Annual Association of Human Rights Institutes (AHRI) Conference in Vienna. *Empower human rights!* was the final conference of COST Action ISO702, "The Role of the EU in UN Human Rights Reform", in which HRLC has actively participated since the opening conference in Nottingham in 2009.

The Action has seen human rights experts across Europe engaged in three years of research and debate on how the EU can positively influence the promotion and protection of human rights within the UN system and beyond.

Areas of focus have included reform of the UN human rights machinery, with HRLC playing a crucial role through contributions based on the Dublin Process regarding the strengthening of the treaty body system; strengthening systems for human rights based development (WG2) and developing partnerships with civil society and non-state actors (WG3).

Within WG3 considerable attention was given to the area of business and human rights - Professor Mary Footer, Head of HRLC's Business, Trade and Human Rights Unit, played an active role in the research and other activities of the working group.

The Vienna Conference brought together the results of the action of the action, providing a platform for experts to present and discuss its recommendations to high-level representatives of the European Union and the United Nations.

The tone of the event was set by keynote addresses by the new EU Special Representative for Human Rights Stavros Lambrinidis, UN Deputy High Commissioner for Human Rights Kyung-wha Kang, Croatian Minister of Foreign and European Affairs Vesna Pusić and Austrian Federal Minister for Foreign and European Affairs and Vice-Chancellor Michael Spindelegger.

In Focus: Talking Human Rights in Burma

In September 2012, HRLC was honoured to welcome Aung Mow Nyo as a participant on the International Human Rights Law Short Course. Aung is a Member of Parliament in his home country Burma, elected in the legendary by-elections of April 2012, when Aung San Suu Kyi's National League for Democracy won 43 out of 44 contested seats. We took the opportunity for a brief conversation with Aung about the human rights situation in Burma. The interview was conducted by Amy Weatherburn, HRLC Research Assistant.

HRLC: Thank you for agreeing to be interviewed. With your permission, I would like today to talk a bit with you about your professional experience before you came to Nottingham, the reason why you decided to participate in our international human rights short course and what you hope your next step to be in the future.

AMN: My purpose for coming here to HRLC and learn international human rights law is to help Burmese people in different branches - not only at the executive, but also in the legislative and judicial sector - to value human rights and to help the Burmese people to enjoy such rights.

HRLC: Would you mind telling us more about your background?

AMN: At the moment I am a Member of Parliament, representing Aung San Suu Kyi's National League for Democracy party. I trained and graduated as a medical doctor, I earned my degree in 1982-1983. I was elected as an MP in the 1990 general election, but instead of serving the people, I was detained and arrested again and again by the military dictators and generals. The intention of detention was to have me give up my status and position as an elected MP. They don't want to call on a parliament based on the 1990 election, where Aung San Suu Kyi's Democratic Party won a landslide victory. They never relinquished power to the elected bodies.

HRLC: What do you think about the current situation of human rights in Burma?

AMN: Frankly speaking Burma is a state where no rule of law exists. We will have to try for generation after generation to be able to enjoy human rights.

HRLC: What do you think are the most important steps for the future?

AMN: It is not only for the legislative branch to respect human rights, we need to educate the Burmese citizens, including ethnic minorities. Burma is a country where people don't realise even the existence of the United Nations Universal Declaration of Human Rights. Human rights values are very strange for them.

HRLC: How would you envisage educating the Burmese citizens?

AMN: I would visit the villages in my constituency and then I explain human rights to people in my constituency.

HRLC: What do you think are the core values that need to be conveyed?

AMN: There is the principle of interdependence and indivisibility between this right and that right, each and every human right is important for the peace and tranquillity of each and every nation. From my own point of view, what I value most is equality and non-discrimination. For instance in England, at football matches, some coloured football players are degraded by the audience shouting at them and the supporters of the opposite teams fight. Valuing and practicing equality and non-discrimination will lead to the peace and tranquillity of the nation, having less and less disputes.

HRLC: In Burma, what do you think are the biggest problems in terms of equality and non-discrimination?

AMN: The role of ethnic minorities is less in comparison to Burmese citizens. In the public sector, if you are Muslim or Christian you cannot hope to earn Director General posts, Minister posts. It is discriminatory, and the nation



Above: Aung Mow Nyo (left) with Professor David Harris and short course participants.

Left: Aung San Suu Kyi Speaks to Press in Geneva in June 2012. Picture: © UN Photo/ Violaine Martin 2012

Below: Local residents in Kyaik Ka Char, Shan State, Myanmar – April 2012. Picture: © UN Photo/ Mark Garten 2012

must pay for the costs of such discrimination.

HRLC: Why did you, a doctor, decide to get involved in human rights?

AMN: There are many things I admire here in the United Kingdom, one of them is the National Health Service: without any discrimination each and every individual can take treatment. No such system exists in Burma. This is failure to apply right to life, sustainable development and the right to health.

HRLC: Why did you decide to participate in HRLC's International Human Rights Law Short Course?

AMN: I am one of the MPs who have been elected since 1990, who value capacity building in areas such as human rights; I have attended such courses at the American Centre and the British Council. This programme was arranged by the National League for Democracy, I was nominated to attend a course here in Nottingham.

HRLC: Why is it important to develop your knowledge of human rights?

AMN: I think human rights, the rule of law, having checks and balance and a governance system are values that are essential for the growth and development of each and every nation, that is why I decided to attend the course here in Nottingham.

HRLC: What do you plan to do with the knowledge you have attained, in the future?

AMN: I have to share the knowledge via our media, set up by our National League for Democracy when I go back to Burma to educate our party members and students. To educate the people in different villages and towns in Burma.

HRLC: Thank you very much for your time and best of luck.



Participants of HRLC course for the Sudanese National Human Rights Commission (SNHRC) members, with the British Ambassador in Sudan Dr Peter Tibber (5th from left), Chairperson Mrs Amal Hassan Babiker El Tinay (4th from left), Deputy Chairperson Mr Joseph Suliman Khalil (far left standing), Ziad Abdel Tawab (2nd from right) and Agnes Flues, HRLC Co-ordinator (far right).

The Challenge of Sudan's National Human Rights Commission

From 13-17 January 2013, HRLC convened a training workshop for Sudan's National Human Rights Commission in Khartoum. The training was sponsored by and organised in collaboration with the British Embassy in Sudan. HRLC's training team, led by HRLC Co-ordinator Agnes Flues, was composed of Mervat Rishmawi - HRLC Fellow, Randa Siniora - Executive Director of the Independent Commission for Human Rights, Palestine and Ziad Abdel Tawab - Deputy Director of the Cairo Institute for Human Rights.

The Human Rights National Commission Act was adopted by Sudan's National Assembly in 2009. It was one of the requirements included in the Comprehensive Peace Agreement of 2005. In 2011, President Omar al-Bashir issued a republican decree for the formation of the Commission, appointing as Chairperson Mrs Amal Hassan Babiker El Tinay and Mr Joseph Suliman Khalil as Deputy Chairperson, together with 13 other commissioners from different backgrounds. The Commission started work in early 2012.

The Commission is mandated to protect and consolidate human rights in Sudan by – among others - serving as an advisory body on all matters relating to human rights for State institutions; raising awareness about human rights throughout society; monitoring, reporting and issuing recommendations about human rights issues to the competent national bodies, also on its own initiative, including on revision of legislation and administrative decisions; encouraging the ratification of international and regional human rights instruments and compliance therewith; receiving complaints by individuals and other bodies and issuing recommendations.

It is therefore a comprehensive mandate for a country seven times the size of the United Kingdom that has recently emerged from Africa's longest civil war, which ultimately resulted in the independence of South Sudan in summer 2011. Fighting between government forces and armed opposition groups is still a regular occurrence in Southern Kordofan and Blue Nile states. A difficult political climate, exacerbated by an increasingly deteriorating economy, adds to the challenges faced by the newly-

established Commission. HRLC's training course intended to convey practical knowledge and skills that will support the Commission in carrying out their mandate.

The focus was on roles and responsibilities of an NHRI, with particular attention on how to work with and establish effective relationships with civil society and non-governmental organisations. To this end, a joint session was arranged with the participation of approx. 25 civil society representatives, during which mutual expectations and joint activities were identified. Other main sessions addressed interaction with State actors – the executive, Parliament and the judiciary and the effective use of media and relationships with journalists.

While in Khartoum, HRLC trainers engaged in a number of side events with different stakeholders. On Monday evening, Randa Siniora delivered a public lecture on women's rights at Afhad University for Women. The next morning she talked about the SNHRC to a large group of postgraduate students at the Faculty of Law, University of Khartoum. Mervat Rishmawi met with the Advisory Council on Human Rights of the Government of Sudan, which is composed by representatives of different ministries, as well as civil society and has the main task of advising and streamlining government policy on human rights. The trainers also met informally with civil society and journalists to further discuss the objectives of the training, the work and the future of the Commission.

Feedback from the Commission and others was very positive. The training contributed to an improvement of the human rights dialogue in Sudan. Any achievement in this regard is attributable in the first instance to the commitment of SNHRC's Chairperson, Mrs Amal El Tinay and her commissioners and to HRLC's great training team. Having three trainers from the Arab region, with first-hand experience of the work of an NHRI in a difficult environment and of human rights and civil society work in the region has proven crucial. Our thanks to Mervat, Randa and Ziad for the excellent work. We hope there will be soon further occasions for collaboration.



Randa Siniora speaks at opening ceremony of training for SNHRC members.



Students at Afhad University for Women listen to public lecture delivered by Randa Siniora.



Opening of HRLC training for SNHRC. From left to right: Dr Peter Tibber, Ustaza Amal Eltinay; Randa Siniora and Agnes Flues.

Working Group Meeting on Human Rights and the Financial Crisis



John Ruggie and Navi Pillay at the first annual UN Forum on Business and Human Rights, December 2012. Picture: © UN Photo/ Jean-Marc Ferre 2012

(University of Essex and Centre for Economic and Social Rights) examined the evolving economic crisis and its impact on economic and social rights (ESR) arising from sovereign indebtedness, government austerity measures and the lack of economic growth in many societies. Professor Aoife Nolan, (School of Law and HRLC, Nottingham) considered the challenges posed in undertaking ESR-based budget analysis as a

On 15-16 November 2012, HRLC hosted the final meeting of Working Group 3 of EU COST Action ISO702 on "The Role of the EU in UN Human Rights Reform". The meeting focussed on *Human Rights and the Financial Crisis* and was convened by Prof. Footer, Head of HRLC's Business, Trade and Human Rights Unit.

Two main topics were addressed through presentations and discussion by six WG members and ten invited experts. During the first session, Ms Sally-Anne Way

methodology for monitoring the implementation of human rights more generally. Professor Tom Sorell and Dr. James Dempsey (Department of Philosophy and Centre for Study of Global Ethics, University of Birmingham) reflected on how banks could be monitored and held accountable according to human rights standards. Finally, Dr. Aurora Voiculescu (University of Westminster and Vrije Universiteit Brussel) gave a presentation on how to use the EU competence in negotiating Bilateral Investment Treaties (BITs) to take human rights and environmental measures better into account.

During the afternoon session, Professor Jeremy Moon (International Centre for Corporate Social Responsibility - ICCSR, UoN Business School) focused on the role of global financial institutions and the importance of addressing social vulnerabilities. Dr. Mary Dowell-Jones (HRLC Fellow) highlighted the importance of a human rights impact assessment of austerity measures, the necessity of human rights policies for banks and the implications of the Ruggie framework in dealing with human rights risks in this context.

Antony Crockett (Clifford Chance, London) provided insight from a practice perspective about the challenges of creating awareness among lawyers and the financial sector about the UN Guiding Principles. Dr. Rieneke Slager (ICCSR, UoN Business School) made the case for ethical investment and CSR, arguing how adherence to the Guiding Principles is of advantage both financially and in terms of image, through avoiding complicity in human rights violations.

Dr. Michael Addo (University of Exeter), a Member of the UN Working Group on Human Rights, Transnational Corporations and Other Business Enterprises, commented on the presentations from the perspective of the UN Working Group.

The UN Human Rights System & Freedom of Religion or Belief: Gaps and Perspectives

On 14 December 2012, Prof. O'Flaherty was a keynote speaker at an expert Seminar on the UN human rights system and Freedom of Religion or Belief. The event took place in Geneva where a group of experts gathered to identify gaps and potential improvements in the UN human rights system concerning freedom of religion or belief.

A summary of the seminar, authored by Willy Fautré for Human Rights Without Frontiers International, can be accessed at: <https://iarf.net/wp-content/uploads/2012/12/Freedom-of-religion-or-belief-in-the-UN-HR-system.pdf>

Wilton Park Annual Conference 2013 on Transitional Justice

From 17- 19 January 2013, Prof. O'Flaherty joined the annual Wilton Park January Human Rights Conference, this year on the topic of *Integration of Transitional Justice, Security and Development* as part of the continued discourse on conflict prevention, peace building and state building and human rights, democracy and governance. Discussion considered the preliminary work of the Special Rapporteur for the promotion of truth, justice, reparations and guarantees of non-recurrence, the World Bank's 2011 World Development Report: Conflict, Development and Security and the relevance of the topic to the post-2015 UN development agenda. The conference dialogue outlined possible mechanisms for improving the interconnectedness between human rights, justice, including transitional justice, security and development and how to ensure that tangible policy and strategies are developed including the need to contribute to the work of the Special Rapporteur and the High Level Panel on the post-2015 UN development agenda.



UN Photo, Outdoor class runs by the local community for the children of squatters in Negril, Jamaica. Picture: © UNICEF Video 2012

Professor O'Flaherty Participates in Launch of New Handbook on Protection of Education

On 21 September 2012, the British Institute of International and Comparative Law launched the *Protecting Education in Insecurity and Armed Conflict: An International Law Handbook* in New York. The event was organized by Education Above All (EAA) in the presence of Her Highness Sheikha Moza bint Nasser, Queen of Qatar.

Prof. O'Flaherty joined a panel of high level representatives of governments, UN bodies and international NGOs, who analyzed and responded to the main themes of the handbook. The experts considered ways in which the protection of the right to education could be assured through the implementation of relevant international human rights, humanitarian and criminal law, greater co-ordination and coherence amongst legal regimes and monitoring bodies and the identification of suitable redress mechanisms.

HRLC and the School of Law

Professor Kenner Participates in 22nd EU-China Human Rights Seminar on behalf of HRLC

On 30-31 October 2012, the Irish Centre for Human Rights at the National University of Ireland, Galway hosted the 22nd EU-China Human Rights Seminar. HRLC has been part of the EU-China Human Rights Dialogue since 2009. This year, HRLC was again represented by Professor Jeffrey Kenner, who joined more than 50 Chinese and European human rights experts to discuss two main themes: *Human Rights, the Environment and the Right to Development* and the *Protection of the Rights of Migrant Workers*. The seminar provided a forum for discussion and the exchange of ideas and practices, based on experiences of all participants concerning the global challenges in both areas.

The working group on Human Rights, the Environment and the Right to Development considered the need to balance rights, the role and rights of non-State actors as well as national and international responsibilities. The discussion took a comparative approach to law and practice in both Europe and China and stressed the importance of reinforcing of public participation and consultation on issues concerning human rights, the environment and development.

The working group on *Protecting the Rights of Migrant Workers* compared the law and practice in Europe and China, with particular focus on access to social benefits, multicultural integration and different ways of managing migration flows.



Professor van Zyl Smit Actively Engages in Penal Law Reform during Sabbatical

During the first semester of the 2012/2013 academic year, Professor Dirk van Zyl Smit, Professor of Comparative and International Penal Law has been actively engaged in a number of law reform initiatives throughout his sabbatical.



In December 2012, Prof. van Zyl Smit, (pictured left), attended, as an independent expert at the invitation of the United Nations Office on Drugs and Crime, the Intergovernmental Expert Group meeting on the reform of the United Nations Standard Minimum Rules for the Treatment of Prisoners. This is an important initiative in international penology as the Rules have remained virtually unaltered since their initial adoption in 1955. At the meeting, which was held in Buenos Aires, he spoke on the particular problems of regulation of segregation and solitary confinement of prisoners in ways that meet basic international standards.

In January 2013, Prof. van Zyl Smit addressed, in his capacity as member of the board of the International Centre for Law and Legal Studies (I-CeLLS), a

conference on the Transformation of Security and Fundamental Rights legislation in Kuala Lumpur, Malaysia. In his address he outlined the Criminal Justice Audit which I-CeLLS has undertaken in order to provide an empirical basis for systematic reform of the Malaysian criminal justice system.

On 21 January, Prof. van Zyl Smit also gave a presentation (by video link) to a conference in Seoul organised by the Delegation of the European Union to the Republic of Korea on European experiences in dealing with violent crime. His presentation dealt with alternative sentences that can be imposed following the abolition of the death penalty. Currently South Korea still has the death penalty on its statute book, but a moratorium on its implementation has in place for several years. This controversial topic elicited many questions from the audience and Prof. van Zyl Smit was able to explain how many countries both in Europe and outside it, such as South Africa, managed the transition away for the death penalty.

The Juridification of CSR and Institutionalization of Human Rights Responsibilities of the Business Sector

On 28 September 2012, Prof. Footer, Head of HRLC's Business, Trade and Human Rights Unit, was a panelist at the *Stateless Law: The Future of the Discipline* conference, organised by the Paul-André Crépeau Centre for Private and Comparative Law at the Faculty of Law, McGill University, Montreal. Prof. Footer's panel examined the juridification of corporate social responsibility (CSR) and the institutionalization of human rights responsibilities of the business sector. Prof. Footer examined 'The challenge of complex transnational regulation and the developing relationship between human rights and CSR'. A full journal article on the subject is due to be published in 2013.

Challenges to Advancing Economic Social and Cultural Rights

In November 2012, as part of the Regional seminar series of the International Law Association (British Branch), Meghna Abraham, Head of the International Economic, Social and Cultural Rights Team at the International Secretariat of Amnesty International delivered a seminar on *A Unified Bill of Rights? Progress and Gaps in Advancing the Economic, Social and Cultural Rights*. In her talk, Meghna critically analysed and confronted the status of ESCR protection and fulfilment vis-à-vis civil and political rights. While certainly there has been significant progress since the entry into force of the Covenants in 1976, gaps still persist. Meghna effectively exemplified these by presenting the case of forced evictions and violations of housing rights of Roma communities around Belgrade.

New School of Law Postgraduate Facebook Page

The School of Law has launched a new official Facebook page for all postgraduate law applicants, students and alumni.

Available at:

<https://www.facebook.com/groups/273957399381825/>



Forthcoming events

Human Rights and Democracy: Two Sides of the Same Coin? Fourteenth Annual Student Human Rights Conference

HRLC is pleased to announce its 14th Annual Student Human Rights Conference 2013, *Human Rights and Democracy: Two Sides of the Same Coin?*

- Mr Alfred de Zayas - UN Independent Expert on the Promotion of a Democratic and Equitable International Order
- Ms Louise de Sousa - Head of Human Rights and Democracy Department, United Kingdom Foreign and Commonwealth Office
- Professor Todd Landman - Professor of Government and Director of the Institute for Democracy and Conflict Resolution, University of Essex
- Ms Mervat Rishmawi - Human Rights Consultant and HRLC Fellow

This excellent line-up of prominent speakers brings together a wealth of expertise combining the international, regional and national perspectives as well as practitioner and academic experience.

The conference will discuss, among others, issues and matters concerning the political participation of marginalised groups, the consequences of limiting rights for democratic processes, human rights and democracy and the Arab Spring and the impact of new technologies on freedom of expression.

The keynote addresses will be supplemented by 13

postgraduate student panellists who will be presenting their research relating to human rights and democracy.

The panels will discuss, among other issues, the interrelatedness of human rights and democracy and the global issues that are at the forefront of human rights and democracy discourse.

Online registration is now open!

For more details please visit www.nottingham.ac.uk/hrlc/annualstudentconference.



Professor Philip Alston to deliver HRLC Annual Lecture

On Monday 4 March 2013, Professor Philip Alston, John Norton Pomeroy Professor of Law at New York University School of Law will be delivering the HRLC Annual Lecture 2013.

Prof. Alston will be talking about 'The Prohibition on the Use of Force - Death by a Thousand Strikes: Drone Strikes and the activities of Special Operations Forces'.

The event will be held in B63 Law and Social Sciences Building at 5.30pm and is open to all staff, students, alumni and members of the public.

Recent Publications

- Human Rights Law Review (Volume 12 Issue 4 December 2012, Oxford University Press);
- International Human Rights Reports - Volume 19 Issue 4 -October 2012; Volume 20 Issue 1 - January 2013;
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Professor Nolan awarded Kevin Boyle Book Prize 2012

In 2012, Professor Aoife Nolan, Professor of International Human Rights Law and HRLC member was awarded the Kevin Boyle Book Prize 2012 for her book *Children's Socio-Economic Rights, Democracy and the Courts* (Hart, 2011). The award is given to a book that is deemed to have made an outstanding contribution to the understanding of law.

Prof. Nolan's monograph focuses on the circumstances in which the courts can and should give effect to social and economic rights of children. The author brings together and addresses a wide range of issues that have never previously been considered together in monograph form. These include children's socio-economic rights; children as citizens and their position in relation to democratic decision-making processes; the implications of children and their rights for democratic and constitutional theory; the role of the courts in ensuring the enforcement of children's rights; and the debates surrounding the litigation and adjudication of social and economic rights. This book thus represents a major original contribution to existing scholarship in a range of areas including human rights, legal and political theory, and constitutional law.



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