

## Expert Workshop on Improving Engagement between the EU and Non-State Actors on Human Rights

In July 2015, HRLC organised an Expert Workshop in London to present preliminary findings of its FRAME research and to discuss ways of improving engagement between the EU and NSAs on the subject of human rights. The Workshop was convened by Professor Jeff Kenner, FRAME project leader at Nottingham, and Dr. Stuart Wallace, HRLC Research Fellow for FRAME. Mr John Morrison, Executive Director of the Institute for Human Rights delivered the keynote speech setting the tone for the day and three panels discussed the most pressing issues emerging from the research.

**The first panel**, entitled '*CSR Sprawl: Maintaining Control and Coherency over a Diverse Policy*', examined the critical issue of maintaining coherence and control within the EU's corporate social responsibility (CSR) policy. As CSR addresses a diverse range of human rights issues, from protecting the rights of indigenous people to promoting labour and environmental standards, it represents a challenging policy area. The subject concerns multiple policy actors within the EU who are engaging with business and civil society. The diversity of this policy area generates a significant risk of incoherence in the EU's CSR policy and this risk has, if anything, been exacerbated by recent re-configurations of the European Commission's Directorates General. The changes have led to some uncertainty over which DG has overall control over this policy area. The panellists discussed ways of improving the coherence of the EU's CSR policy and how to strengthen engagement so



Professor Jeff Kenner (left) and Mr Morrison

as to achieve the EU's human rights objectives more effectively.

Panellists: Mr Jerome Chaplier, Co-ordinator, European Coalition of Corporate Justice; Mr Matthias Thorns, Senior Adviser, International Organisation of Employers; Dr. Michael Addo, Member of the United Nations Working Group on Business and Human Rights, University of Exeter.

**The second panel** was entitled '*Bursting the Brussels Bubble – Diversifying EU Engagement with CSOs and human rights defenders*' (HRDs). FRAME research has already revealed that the EU tends to focus its engagement on large, professionalised CSOs with Brussels-based offices and CSO platforms, such as the European Coalition for Corporate Justice (ECCJ) and Business Europe. This process creates a risk that the EU will fail to recognise the diversity and heterogeneity of CSOs and the contribution of HRDs. Equally, seeing CSOs as a uniform group of actors may result in a system that excludes certain groups of organisations and a system where insufficient regard is paid to their resources, potential and capabilities. On this panel, the participants discussed their experience of engaging with the EU and whether the EU would benefit from diversifying the range of CSOs with which it engages both within and outside the EU. Panellists also examined the ways in which engagement can be diversified.

Panellists: Ms Marilyn Croser, Director, CORE (UK Coalition for Corporate Justice); Mr Andrew Anderson, Deputy Director, Front Line Defenders; Ms Glevys Rondon, Director, Latin American Mining Monitoring Programme.

**The final panel** was entitled '*Overseeing Human Rights Compliance in Financing Arrangements: A Shared Burden?*'. This panel considered ways of sharing the burden of monitoring human rights compliance between different actors,



Professor Jeff Kenner opening proceedings

sharing best practice between the IFIs, changes to project guidelines and building stronger relationships and communication channels with civil society. The panellists also discussed their experience of how IFIs monitor compliance with human rights and their thoughts on how this could be improved.

Panellists: Mr Luiz Vieira, Coordinator of the Bretton Woods Project; Ms Eleni Kyrou, Senior Social Development Specialist, European Investment Bank; Mr Guggi Laryea, International Affairs Officer, World Bank.

The final roundtable session summed up the key themes of the Workshop and facilitated further discussion of the topics addressed throughout the day. It was led by Professor Dominic McGoldrick, HRLC; Professor Robert McCorquodale, BIICL; Dr. Nara Ghazaryan, Brunel University; and Mr Nicolas Hachez, KU Leuven.



From left to right: Mr Hachez, Professor McGoldrick and Dr. Nara Ghazaryan

## Young Persons with Mental Health Conditions in Detention

In February 2015 HRLC was awarded a grant by the Equality and Human Rights Commission (EHRC) to conduct a scoping study concerning children and young people with mental health problems who are at risk of detention.

Professor Peter Bartlett, Nottinghamshire Healthcare NHS Trust Professor of Mental Health Law, carried out the above study, with the

support of Ms An Cuypers, HRLC Research Assistant. The Report, entitled *Improving the Life Chances of Children and Young People with Mental Health Conditions In Detention*, was submitted to the EHRC in March.

The Report consists of a literature review covering England, Scotland and Wales and is intended for internal use by the EHRC. It includes key qualitative and quantitative information in the

area of young people with mental health problems who are detained or at risk of being detained, both within and outside of the criminal justice system. It also reveals a lack of information regarding how decisions are taken between different care options available and a general absence of literature in the area. The Report is intended to inform further investigation by the EHRC.

## Fundamental Rights in the EU

As UK contractor of the European Union Agency for Fundamental Rights (FRA), HRLC contributed to several FRA reports published over the last months, providing data and information on fundamental rights in the UK. In January 2015, the report *Victims of crime in the EU: the extent and nature of support for victims* was published. It provides a comprehensive assessment of victim support services throughout the EU and includes data collected from all 28 EU Member States. In February 2015, HRLC contributed to two papers published by FRA, examining the responses to the attacks in Paris at the Charlie Hebdo offices and the kosher supermarket. *Embedding fundamental rights in the security agenda* examines the subsequent policy decisions to increase the EU's internal security. *Reactions to the Paris attacks in the EU: fundamental rights considerations* analyses the reactions to the attacks across the EU. In May 2015, *Child-friendly justice – perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States* was released. For this report, HRLC conducted qualitative research between 2012-2013, interviewing approximately 25 legal and social professionals across the UK about their experience of the participation of children in the justice proceedings. The research was led by Dr. Debbie Cooper. The UK report, *Child Participation in Justice in the*



*United Kingdom*, is also publicly available. In June 2015, FRA launched its Report *Severe labour exploitation: workers moving within or into the European Union*. This Report comprehensively explores all criminal forms of labour exploitation in the EU. For this Report, between October 2013 and January 2014 HRLC conducted 37 interviews with professionals from monitoring bodies, law enforcement, support groups, recruitment agencies, workers' organisations, employment organisations, lawyers and the national coordinator. The interviews were conducted by Dr. Alex Toft and former HRLC Research Assistant Ms Amy Weatherburn and the research was led by Professor Jackie Sheehan. The findings of the FRA EU comparative report show that criminal labour exploitation is widespread and that perpetrators are at little risk of prosecution. The Report includes recommendations to Member States and EU institutions for preventing labour exploitation and monitoring situations where it does occur. Finally, in June 2015, FRA released its Annual Report: *Fundamental rights: challenges and achievements in 2014*. The Report identifies key developments, promising practices, and challenges in many areas of fundamental rights across the 28 EU Member States. Information regarding the UK was supplied by HRLC.

## New Human Rights Centre and Library open in Khartoum, Sudan

In collaboration with HRLC, international scholarly publisher Brill donated over 300 books to the library of the newly-established University of Khartoum Human Rights Centre in Sudan.

HRLC has a long-standing collaboration with colleagues at the Faculty of Law at the University of Khartoum and in recent years has been delighted to support the establishment of one of the few centres in the region promoting and researching human rights. The donation is part of Brill's Adopt a Library Program and focuses on the areas of its international and human rights law imprint Brill Nijhoff.

At the inauguration of the Human Rights Centre and the opening of its new library at the end of May 2015, the Brill donation was symbolically handed over by Ms Agnes Flues, HRLC Co-ordinator, to Dr. Mohamed Abdelsalam Babiker, Director of the Khartoum Human Rights Centre. Mr Tony Simmonds, Senior Librarian for the Faculty of Social Sciences, University of Nottingham, delivered a



lecture on 'Open Access Movement to Articles, Journals and Literature' during the opening proceedings of the Khartoum Centre, highlighting the opportunities that open access regulations in the UK will open for researchers and students from developing countries. Professor Dominic McGoldrick, HRLC Co-Director, said of the collaboration with Brill Nijhoff: "Our Centre is proud to have helped facilitate the adoption by Brill of the library at the University of Khartoum Human Rights Centre.

Independent academic human rights institutions have a crucial role to play in developing and maintaining support for human rights standards. Brill Nijhoff's publications in international law and international human rights provide crucial resources for human rights activists, academics and students."

Dr. Mohamed Abdelsalam Babiker, Director of the University of Khartoum Human Rights

Centre believes that "the centre aspires to be a hub of knowledge and expertise in the areas of human rights, not only for Sudan, but also for the wider African region in contributing towards human rights debate. The Brill donation is the first step in this direction."



Opening proceedings of the Khartoum Centre

## HRLC holds 26th Annual Advanced Course on the Laws of War

From 15-26 June 2015, HRLC hosted the 26th Annual Advanced Course on the Laws of War, convened by Professor Dominic McGoldrick, HRLC Co-Director. The course was attended by legal advisers to the armed forces of the UK and Canada who came with a wide range of practical experience in international humanitarian law and provided in-depth and lively discussions during classes.

The course provided an introduction to international law including its sources and subjects, the law of treaties and the relationship between national and international organisations. Building upon these foundations, participants then were informed of the law relating to the use of force by states and its application.



Professor McGoldrick with course participants

## The African Prisons Project returns to Nottingham

In March 2015, HRLC once again had the pleasure of welcoming six Kenyan Fellows to Nottingham for a short course on human rights and imprisonment. Ms Mary Khaemba, Mr Bison Madegwa, Mr Patrick Isaboke Nyaachi, Mr Patrick Mwenda, Mr Aggrey Onyango and Ms Olivia Onyango were in the UK for nine weeks to complete a Professional Fellowship award funded by the Commonwealth Scholarship Commission.

As part of its work, the African Prisons Project (APP) organises capacity-building programmes for African prison officers.

The three-day course organised by HRLC addressed some human rights challenges related to imprisonment, such as mental disorder in detention, prisoners and the right to vote, access to legal advice and life imprisonment as a human rights issue.

The Fellows attended sessions led by Professor Dominic McGoldrick, Professor Dirk van Zyl Smit, Ms Sangeeta Shah, Professor Noel Whitty, Professor Peter Bartlett, Dr. Vicky Kemp and Ms Georgie Benford.

APP is a charity which focuses on improving the living conditions of prisoners in Africa. It was founded by Alexander McLean, a Nottingham University alumnus. HRLC will welcome six more fellows, this time from Uganda, in October 2015.



Professor Bartlett with APP Fellows



# Towards More Effective Engagement between the EU and Non-State Actors on Human Rights – FRAME Update

The world in which we live is increasingly dominated by powerful non-State actors (NSAs). International financial institutions, like the International Monetary Fund (IMF) and the World Bank, often hold the fate of states in their hands. Civil Society Organisations (CSOs) and businesses exert a strong influence on the policy agendas of states and international organisations, while human rights defenders play an increasingly important role in domestic and international fora.

The main objective of HRLC's contribution to the FRAME project is to study the interaction between the EU and NSAs and their influence on human rights. These actors possess great power to influence human rights both positively and negatively and the first report produced by the Nottingham FRAME team mapped those influences.

In the context of the EU, these actors have the potential to add much value to the EU's human rights policies and activities both internally and externally. However, there are a number of cross-cutting issues that need to be addressed in order to strengthen EU's engagement with

NSAs. The second report produced by Nottingham researchers provides an in-depth analysis of the EU's engagement with NSAs.

In March 2015, HRLC hosted the annual meeting of FRAME's Cluster 2. At the meeting, representatives from partner universities in Cluster 2, which examines the EU's multi-level and multi-actor human rights engagement and is led by HRLC, discussed the progress of their research to date and presented plans for their next reports. Professor Karen Smith of LSE made a keynote speech at the meeting entitled *The EU at the UN: Still Speaking with One Voice but having little Influence on Human Rights Issues?*

HRLC is also proud to announce the publication of the *Report on enhancing the contribution of EU institutions and Member States, NGOs, IFIs and Human Rights Defenders, to more effective engagement with, and monitoring of, the activities of Non-State Actors*. The Report examines EU engagement with businesses, civil society organisations, international financial institutions and human rights defenders on the subject of human rights. In general, the Report finds that engaging with NSAs would potentially add great value to the EU's human rights policies and activities both internally and generate greater political and financial leverage than the EU would be able to generate on its own. The Report also identifies a number of



HRLC's FRAME Team with Cluster Partners

cross-cutting issues that need addressing so as to strengthen engagement with NSAs, such as improving the quality and consistency of public consultations and improving the transparency of the process of EU engagement with NSAs.

The Report was co-authored by the Nottingham FRAME team – Professor Mary Footer, Professor Jeff Kenner, Professor Aoife Nolan and Dr. Stuart Wallace – and included contributions from partners at the University of Graz – Professor Wolfgang Benedek and Mr Reinmar Nindler – and the Abo Akademi University – Ms Maija Mustaniemi-Laakso.

The Report and further information can be found at [www.fp7-frame.eu/reports](http://www.fp7-frame.eu/reports)



## Iran and the Human Rights Council – UN Special Rapporteur delivers HRLC Annual Lecture

On 9 February 2015, HRLC was honoured to welcome Dr. Ahmed Shaheed, the UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran, to deliver its Annual Lecture.

In his lecture, Dr. Shaheed addressed the purpose of and the need for UN Special Procedures and discussed his mandate regarding the human rights situation in Iran. He explained that the effectiveness of Special Procedures is dependent upon various factors, such as flexibility, reach, accessibility and cooperation; implementation and follow-up; and the availability of resources and support.

He thereafter addressed an often voiced critique about country-specific mandates, namely that they are in essence 'naming and shaming operations'. Dr. Shaheed pointed out that the Universal Periodic Review within the UN Human Rights Council ensures that all States are subject to scrutiny. Country-specific mandates are established in case there is a lack of cooperation with the UN human rights mechanisms in place, in the presence of widespread allegations of mass human rights violations.

The Human Rights Council established the Special Procedures on Iran in 2011, after the widespread violence following the 2009 presidential elections. A previous attempt in 1984-85 failed due to lack of dialogue and cooperation from the government. The situation has not changed substantially since 2011, when Dr. Shaheed was appointed.

Even though cooperation and willingness of a state to work with Special Procedures are important structural



HRLC Co-Directors with Dr. Shaheed. From left to right: Professor Harris, Dr. Shaheed and Professor McGoldrick

determinants of the mechanisms' influence and impact, in reality these are often missing. For this reason, it is important to find ways to mitigate the consequences of a state's lack of cooperation. Dr. Shaheed provided examples of how this could be done, such as cooperating with other Special Procedures and the wider UN system; working with universities and the Iranian civil society; and using available technology and social media tools to raise awareness and to establish a safe channel for communications with human rights defenders and victims. In his work, Dr. Shaheed also aims to raise international awareness through appearances before parliamentary committees and bilateral meetings with UN Member States.

Dr. Shaheed believes that his mandate and his efforts have sparked dialogue and national discussions in Iran on human rights issues. The Iranian Government has responded to urgent appeals and requests for information on a number of occasions. Ultimately, Dr. Shaheed acknowledges that the solution to the human rights situation in Iran lies with the Iranian people, combined with international support.

## Human Rights Obligations on Businesses in Post-Conflict Situations and Fragile States

In May 2015 HRLC and the Nottingham International Law and Security Centre (NILSC) co-hosted a two-day seminar on *UN Guiding Principles on Business and Human Rights (UNGPs): Post-Conflict Situations and Fragile States*. The Seminar formed part of a series under an ESRC funded project run by the University of Sheffield entitled *From Rhetoric to Practice: Implementing the UN Guiding Principles on Business and Human Rights*.

Sessions were delivered by leading academics and practitioners in the field and focussed on the relationship of the UNGPs with private security companies, transnational corporations and other business enterprises operating in conflict-affected areas and fragile states. The Seminar was convened by Professor Mary Footer, Unit Head of HRLC's Business and Human Rights Unit and Co-Director of the Nottingham International Law and Security Centre.

# In Focus Migration and Human Rights: Perception v Reality



Professor McGoldrick opens Conference

The ever-increasing flow of migrants has led to the radical review of immigration policy at national, regional and international levels and the surrounding discourse raises concerns about the treatment of migrants. HRLC's 16th Annual Student Conference entitled *Migration and Human Rights: Perception v Reality*, challenged society's perception of migration and put forward the realities faced by many migrants across the globe.

The Conference was attended by more than 100 students from the UK and overseas universities and was opened by Professor McGoldrick, HRLC Co-Director, who explained how human rights can provide a universal discourse that allows us to discuss, in a unified way, the various legal, policy and practical issues born of migration that are multidisciplinary in nature. Ms Sumbul Rizvi, Head of the Asylum and Migration Unit of the United Nations High Commissioner for Refugees (UNHCR) delivered the first keynote address on Refugee Protection in Mixed Migration.

Ms Rizvi noted that one of the key challenges is the lack of mechanisms that provide regularised and safe access to asylum. The protracted nature of the asylum process poses problems for refugee protection, particularly in contexts with poor or no integration opportunities. Individuals feel that they need to move on in order to fulfil their basic human needs and desires. The dangers they face whilst crossing unknown territories are numerous and too often they have to place their trust in smugglers who subject them to ill-treatment and exploitation, with many cases of smuggling turning into trafficking.

The second main challenge is to keep track of the numbers of migrants and the routes they use. The industry is underground in nature, which results in a lack of data and information on migratory trends and movements.

Strong deterrence measures imposed by states with the intention of blocking migration pose a

serious threat to refugee protection and often force asylum seekers to take more dangerous routes on their journeys to safety. Protection on land and at sea are interconnected, as the European context shows, where a decrease in travel on land has led to an increased number of sea voyages, thereby engaging (often unfulfilled) obligations for protection at sea under maritime law.

Hostile reception policies which often lead to mass and prolonged immigration detention are an unseemly end to a dangerous journey. Professor Zoe Trodd, Professor of American Literature, University of Nottingham, gave the second keynote address about *The Slavery Lens: Migration, Human Rights and the Contemporary Antislavery Movement*. Slavery is not a thing of the past. There are 35.8 million people currently living in slavery, which means there are more slaves alive today than at any point in history. Slavery is "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised."

The demographic of enslaved persons across the globe is evenly distributed between men and women: 80% of the total of enslaved persons are subjected to labour slavery and 20% to sex slavery. These figures challenge the public perception of slavery, which often focuses on sexual exploitation. It is vital that the focus also be placed on labour exploitation which not only entraps the majority of the world's slaves, but also results in our goods and products becoming tainted by slavery through supply chains.

High numbers of migrant workers can be an indicator of slavery and available data shows that societies which place prejudice on certain categories of persons create fertile ground for exploitation, with direct links between

discrimination, including that of migrants, and the prevalence of slavery.

A slavery lens should be built into internal and external policies, including on migration, in order to create a systematic implementation of existing instruments against slavery. It is not only factors in the countries of origin that exacerbate the threat of slavery. The restrictive nature and complexity of labour and immigration regulations in receiving countries also leave individuals vulnerable to exploitation as they are forced to seek irregular channels of travel and access to the labour market. Conditions of exploitation are furthered by segregation and a lack of knowledge of local languages and labour rights. Broader structural issues such as the increasing demand for cheap labour and subcontracting employment by large corporations create significant barriers in the fight against contemporary slavery.

Dr. Maria Grazia Giammarinaro, UN Special Rapporteur on Trafficking in Persons, especially in Women and Children delivered the first afternoon keynote address on *Trafficking*,



Ms Rizvi (left) Mr Cholewinski (right)



# Perception v Reality

*Exploitation and Mixed Migration.* The three elements of the definition of trafficking in persons used by the Palermo Protocol comprise: i) the act(s) of recruitment, transportation, transfer, harbouring or receipt of persons; ii) the means by which the act is conducted, e.g. by the threat or use of force or other forms of coercion, for the purpose of exploitation; and iii) the occurrence of the intended exploitation under the second element.

This clear legal and conceptual definition of trafficking enables us to distinguish between trafficking and smuggling of persons. However, in reality the distinction is often blurred and in the modern context they are often intertwined.

The vital element upon which to focus is the exploitation which, in the migration context, can occur at any stage. Drawing a parallel between trafficking and slavery can be useful in identifying exploitation and could aid an institutional response.

All the concepts and tools of a human rights based approach should be used to join efforts to eradicate the trafficking of persons. Effective access to justice mechanisms and remedies for victims of trafficking as well as preventative actions to end trafficking should include working with businesses to help them clean their supply chains of exploitation.

Mr Ryszard Cholewinski from the International Labour Organisation (ILO) spoke on *Protecting Migrant Workers in a Globalized Labour Market*. Labour migration globally is not a south to north phenomenon. Many labour migration movements occur between developing countries.

Migrant workers can contribute positively to both destination and origin countries, to their own human development and to that of their families and communities in their home countries; however labour migration is often instead linked to abuse and exploitation across the world.

Mr Cholewinski suggested six targets to prevent the exploitation of migrant workers, the first four are highly inter-linked:

- i) set minimum standards globally;
- ii) utilise the non-discrimination and equality principle at the heart of international human rights law;
- iii) ensure minimum wages for migrant workers;
- iv) allow for collective bargaining;
- v) regulate recruitment; and
- vi) encourage international cooperation.

The final keynote was delivered by Professor Ryszard Piotrowicz, Professor of Law and UK member of the Group of Experts on Action Against Trafficking in Human Beings (GRETA) of the Council of Europe. Professor Piotrowicz spoke about *Trafficking in Human Beings: Justice for the Victims through Non-Punishment*. A human rights-based approach should be at the core of anti-trafficking actions.

However, trafficking in persons is not a human rights violation and it is a mistake to view it as such. In the absence of state involvement, the act of trafficking is a purely criminal enterprise. However, a significant human rights dimension emerges in relation to the response of the state, when it fails in its protection obligations.

With regard to non-punishment, a person should not be punished for committing an act which they had no choice but to commit, as he/she was not acting as a free individual. By taking a human rights based approach, alongside the basic principle of criminal law that there are exceptions to criminal liability, it is possible to argue that there should be a positive obligation



Storytelling event speakers, Jamal (left) and Ezedin (right) attend the Conference and join the social media campaign

on states not to prosecute individuals for offences they committed because they were victims of trafficking.

Conference attendees were also given the opportunity to attend two of the following student panels:

- Panel 1: The Costs of Migration Portrayal in Society and Media
- Panel 2: Redrawing the line: Borders and Security
- Panel 3: Discrimination in access to economic, social and cultural rights
- Panel 4: Modern Slavery: Combating Trafficking and Forced Labour

Further information about the papers delivered the student panels can be found at: <http://www.nottingham.ac.uk/hrlc/events/annualstudentconference/annualstudentconference.aspx>

## 'Water, water everywhere, nor any drop to drink' – Refugee Storytelling Event

The evening prior to the Conference, HRLC hosted a refugee story-telling event in conjunction with two local NGOs, the Nottingham and Nottinghamshire Refugee Forum (NNRF) and Rainbow Project. The event aimed to challenge the public perception of refugees by providing a first-hand account of the reality faced by those fleeing from persecution.

Moving testimonies and stories of hope and courage marked the evening, narrated by refugees and asylum seekers who had fled from Syria, Pakistan and Eritrea. They spoke about the troubles in their countries of origin, including restrictions on freedom of religion to forced and prolonged military conscription, to civil war.

They talked about their experiences of arriving in the UK and their perilous journeys to safety, with one person recalling the famous words of poet Samuel Taylor Coleridge after spending days without food or water on an unseaworthy vessel, "water, water everywhere, nor any drop to drink". Representatives of NNRF and Rainbow Project, Ms Barbara Spreiz and



Student Conference Committee with storytelling event speakers

Ms Sara Palacios Arapiles respectively, also spoke at the event, outlining the UK asylum process and the many problems asylum seekers experience even after reaching the alleged safety of British shores.

# HRLC Welcomes Short Course Students

In September 2015 HRLC will welcome new students to the University of Nottingham for our International Human Rights Law Short Course. We are delighted to be joined by participants from a range of countries spanning the globe including: China, Ethiopia, Greece, Laos, Pakistan, Sudan and Tanzania. Thanks to the generosity of the Anamax Charitable Foundation, we were able to offer two scholarships to attend the course. The three-month residential course is designed to provide an in-depth understanding of international human rights law. Whilst in Nottingham, students receive our tailored seminars and also have the opportunity to attend modules on the School of Law's LLM programme.

Ms Umut Masyikanova, who attended the Short Course in Spring 2015, told us about her experiences whilst studying in Nottingham.

## **What were you doing before undertaking HRLC's short course in human rights?**

I was working for the Office for Security and Co-operation in Europe (OSCE) Centre in Bishkek, Kyrgyzstan. I was working on projects for the prevention of torture and judicial and legal reforms. I was responsible for drafting projects, monitoring their implementation and conducting project evaluations.

## **Why did you decide to do this course?**

As I am responsible for analysing individual cases and legislative amendments, I felt a need to consolidate and expand on my existing knowledge of international human rights law. I was looking for a course that would provide me with an overview of the human rights framework, and after researching HRLC and the University of Nottingham and learning of their international reputation, I knew that this was the course for me.

## **What was your overall experience of the course?**

I felt that my initial objectives for coming to the course were achieved. Now I have the knowledge of the international human rights framework that will directly help me when I return to work.



HRLC Co-Directors with Short Course Students from the January 2015 intake

## **What was your highlight of the course?**

Having the option to attend LLM modules was a great opportunity and allowed me to really maximise my time here and provided a great experience should I apply for an LLM in the future. I attended the regional human rights module which, coupled with the diverse backgrounds of my colleagues on the short course, gave me a fascinating insight into the different human rights problems across the world as well as an opportunity to note the similarities. Also being able to attend the many events organised by HRLC and hearing from world leading academics and practitioners, such as the 2015 Annual Lecture of Ahmed Shaheed (UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran), gave a vital insight into how the human rights standards we learn about in class are applied in practice.

## **What did you take away from the course?**

Most importantly – inspiration. The course has inspired me to keep moving and keep learning. I acquired a good knowledge here and I will be going back to work with new questions and ideas.

## **Would you advise others to attend future HRLC short courses?**

I would definitely advise others to attend this course in the future; everyone can find what they need by coming here.

## The Human Rights Landscape in the United Kingdom: Is there really a case for change?

In March 2015 HRLC was pleased to welcome Sir Nicolas Bratza back to Nottingham to deliver a seminar entitled *The Human Rights Landscape in the United Kingdom. Is there really a case for change?* Sir Nicolas recently retired from his post as President of the European Court of Human Rights (ECtHR) and is the current Chairman of the International Advisory Panel on Ukraine and Honorary Professor at the School of Law.

During the Seminar Sir Nicolas discussed the proposals advanced by the UK Conservative Party regarding changing Britain's human rights legislation. He went on to outline and respond to criticisms of the current system for the protection of human rights in the UK and in doing so sought to dispel misconceptions about the European human rights regime.

Sir Nicolas expressed concern that if the UK were to withdraw from the European Convention system, a dangerous precedent could be set which would pose a significant threat to the whole European system of human rights.



Sir Nicolas (centre) with Professor Mowbray (centre right) and students

## Updates from the ICJ Unit

On 17 July 2015, the day of International Criminal Justice, ICJ Unit members took to social media alongside their CMN-ICJ Toolkits Project partners to reiterate their engagement in the fight against impunity of core international crimes and joined the ICC campaign to express why #Justicematters. Professor Olympia Bekou, International Criminal Justice Unit Head, noted that justice matters as it "is a voice for victims" whilst Mr Daley Birkett, HRLC Research Associate, asserted that "justice is reconciliation".

In May 2015, Professor Bekou presented her paper *International Criminal Law Perspectives on the Conflict in Syria* at the conference *The Syria Case and Challenges to International Law* organised by Kadir Has University in Istanbul. The paper addressed the prospects of justice for mass atrocities in Syria. Furthermore, in April 2015, Professor Bekou delivered a presentation at a symposium entitled *Rape: Challenging the Orthodoxy* at the University of Science and gathered over 30 experts to discuss current challenges to the mainstream perspective on rape and the legal responses thereto. Professor Bekou discussed her paper *Challenging the 'Rape Orthodoxy' in Conflict and Post-Conflict Situations*.

The publication has been prepared

with the support of research fellow Ms Katerina Katsimardou-Miariiti, who is a former summer intern at HRLC.

In February 2015, Professor Bekou delivered a keynote speech at Edge Hill University Ormskirk at the launch of the book *The International Criminal Court in Search of its Purpose and Identity*. Professor Bekou contributed a chapter on national capacity building.

The speech addressed the current challenges faced by the International Criminal Court (ICC). Professor Bekou introduced the Case Matrix Network ICJ Toolkits Project, including the Cooperation and Judicial Assistance Database which is being developed by HRLC, and highlighted how technology-driven tools can support national criminal justice actors in overcoming legal constraints in providing criminal accountability for international crimes.



#JusticeMatters – From Left to right: Ms Katsimardou, Professor Bekou and Mr Birkett



# HRLC in the School of Law

## School of Law Hosts Leading Socio-Economic Rights Expert

In March 2015 the School of Law was honoured to welcome Professor Sandra Liebenberg as this year's JC Smith Visiting Scholar.

Professor Liebenberg holds the HF Oppenheimer Chair in Human Rights Law in the Law Faculty of the University of Stellenbosch, and is Co-Director of the Faculty's Socio-Economic Rights and Administrative Justice Research Project (SERAJ). She is globally renowned for her research, litigation and advocacy in the area of socio-economic rights and in December 2014 received the University of Stellenbosch's top accolade, a Chancellor's Award, for her contribution to community service in the field of law in South Africa.

During her visit Professor Liebenberg presented her research at a number of events including a staff and postgraduate seminar chaired by Professor Aoife Nolan, HRLC Economic and Social Rights Unit Head, entitled *Social Rights and Transformative Constitutionalism: Three Frames*. Professor Liebenberg's visit culminated in an expert workshop on *New Directions in Socio-economic Research and Advocacy* which was also hosted by Professor Nolan and attended by a number of prominent scholars in the field of economic and social rights.

## Summer interns join HRLC team

This summer HRLC was delighted to welcome three University of Nottingham student interns to the team.

Monica Alam Carranza holds a Bachelor degree in International Relations with a minor in Economics from Boston University and is completing her LLM in International Law. During her Publications Internship, Monica assisted Dr. Anne Lister with the production of the International Human Rights Reports.

Katrina Sissins recently graduated with an LLB from the University of Nottingham and will be starting her LLM in September 2015. As FRAME intern, she assisted Professor Jeff Kenner and Dr. Stuart Wallace with the research and drafting of reports on the engagement between the EU and non-state actors (international financial institutions, businesses, civil society organisations and human rights defenders) in the area of human rights.

Emma Knight holds a LLB in Law and Criminology from the University of Sheffield, and is currently completing her LLM in Human Rights Law. As HRLC's Editorial Intern, she assisted Professor David Harris with the Nottingham Studies on Human Rights series.



From left: Ms Katrina Sissins, Ms Emma Knight and Ms Monica Alam Carranza.

## Raising Awareness about Human Rights Through Film

The Human Rights Film Series is a student-led initiative screening engaging and provocative films that bring challenging human rights issues to life. Each film is briefly introduced by a relevant expert.

The 2014-15 Student Committee Members were Ms Bridie Rollins, MSci International Relations and Global Issues; Ms Elysia Buchanan, LLM Human Rights Law and Mr Karl Albin Gustafsson, MSci International Relations and Global Issues.

The Series culminated in a special screening of *Rosewater* at Nottingham's Broadway Cinema. It tells the story of journalist Maziar Bahari's 118-day incarceration, torture and interrogation at the notorious Evin Prison after he travelled to Iran to cover the 2009 elections and subsequent protests.

The screening was followed by a Q&A with Mr Maziar Bahari and David Heinemann of London based NGO, Index on Censorship.

Films screened included:

- The First Grader
- God Grew Tired of Us
- Hunger
- Show Me Love
- Taxi to the Dark Side
- Black Power Mix Tape
- The Golden Dream
- It's A Girl
- Climate Refugees
- Aghet

## Advancing an Academic Perspective on the UN Special Procedures System

In November 2014, the Economic and Social Rights Unit hosted an Expert Workshop on the United Nations Special Procedures System, at the University of Nottingham (see previous Newsletter). The Executive Summary of the Workshop is now available on our website, anticipating an edited collection to be published in 2016 in Brill's Nottingham Studies on Human Rights series, curated by HRLC.

The Special Procedures system is at a crucial stage of its development and is facing challenges from within the UN system and from states. Special Procedures have largely been ignored by the academic community and the Workshop was an opportunity for in-depth discussions and analysis of the strengths and weaknesses of the system.

Special Procedures have developed in an ad hoc manner since the first one was created to investigate mass violations of human rights in South Africa under the apartheid regime in the mid-1960s. Nevertheless, their importance in the development of the UN's human rights system cannot be ignored.

Although the early Special Procedures were focussed on specific countries, most of the current mandates cover thematic issues such as safe water and sanitation, arbitrary detention and enforced or involuntary disappearance. The recent rapid proliferation of Special Procedures cannot continue indefinitely and the current number of mandates is unsustainable in terms of the quantity of reports being produced and the number of country missions undertaken by Special Rapporteurs and Working Groups.

Tensions in the relationship between Special Procedures and states, as well as between Special Procedures and UN bodies were identified during the Workshop. The Code of Conduct for mandate holders, adopted in 2007, has clarified their independence and defined the boundaries within which



From left to right: Professor Nolan, Professor McGoldrick, Professor Murphy and Dr. Freedman

mandate holders can act, but it has also emphasised the need for the accountability of Special Procedures within the UN's human rights system. However, it has not addressed the issue of states who do not cooperate or engage with Special Procedures. The Coordination Committee of Special Procedures has played a valuable role in enhancing the coordination between mandate holders and the relationship with the OHCHR. However, being a member of the Coordination Committee is very time consuming, especially for the Chair, and a number of participants were in favour of a former, rather than a current mandate holder serving as Committee Chair.

The funding of mandates is a perennial problem, with some mandate holders finding it easier than others to secure funding for their mandate, which ought to be an independent and transparent process. There is no easy solution to this issue and one of the challenges for mandate holders is to prioritise their work and focus on how their work will have the most impact on the ground.

The Workshop was convened by Professor Aoife Nolan, Professor Thérèse Murphy, Joint Heads of the ESR Unit and Dr. Rosa Freedman of the University of Birmingham, who are now editing the collection.

# Forthcoming Events

## HRLC Short Course in International Human Rights Law

HRLC's International Human Rights Law Short Course is a three-month residential course designed to give an in-depth understanding of international human rights standards through seminars, guest lectures, workshops, visits, tutorials and conferences. It provides valuable insight and contextual knowledge of the practical operation of human rights law for those interested in human rights protection, from civil society organisations, government, judiciary, police, charity or legal professions, academia, media and business.



Participants may also take modules from the LLM programme of the University of Nottingham School of Law. The course can be extended to six months with an internship (subject to eligibility) at a non-governmental organisation or a research option within the Centre.

The next course will start in January 2016: Anamax Charitable Foundation scholarships will be available and further information will be published soon on our website: [www.nottingham.ac.uk/hrlc/short-course](http://www.nottingham.ac.uk/hrlc/short-course)

### Course Content

- United Nations and regional human rights standards;
- The United Nations human rights system: the Human Rights Council, Treaty monitoring bodies and Special Procedures;
- Regional human rights systems;
- Implementation of human rights standards in national systems, human rights commissions and other bodies.

## HRLC Distance Learning Course in International Human Rights Law

This course is designed to give an in-depth understanding of international human rights standards and of the UN and regional systems that implement them. The course is taught by leading human rights academics and practitioners in the international human rights systems.

The course is aimed at individuals who require a deeper knowledge of the increasingly important subject of international human rights law in their professional life, or who wish to embark upon a career in human rights. It is particularly intended for those who cannot take on the commitment of a full-time course.

### Course Content

- UN Human Rights System
- Regional Human Rights Systems (African, European and Inter-American)



- Economic, Social and Cultural Rights
- International Refugee Law
- International Criminal Justice
- Current Human Rights Issues
- International Humanitarian Law
- Women's Rights
- The Rights of the Child

Course fees, dates and contact details for further information are available at: [www.nottingham.ac.uk/hrlc/distancelearning](http://www.nottingham.ac.uk/hrlc/distancelearning)

## Upcoming events

Upcoming public events in Autumn 2015 are as follows:

**Andrew Cayley CMG QC, Director Service Prosecutions, Ministry of Defence; former International Co-Prosecutor of the Khmer Rouge Tribunal – 5 – 6:30pm on Wednesday 21 October 2015**

**Barriers to Abolition: A Global Perspective on the Death Penalty, – 2 – 4pm on Thursday 22 October 2015**

Panellists:

- Professor Carolyn Hoyle, University of Oxford and Director of the Centre for Criminology
- Professor Jon Yorke, Birmingham City University and member of the Death Penalty Advisory Group
- Dr. Bharat Malkani, University of Birmingham
- Mr Abdul Rashid Ismail, practising lawyer in Malaysia and the former President of the Malaysian National Human Rights Society

If you would like to attend these events please RSVP to Laura Wills, HRLC Research Assistant, at [laura.wills@nottingham.ac.uk](mailto:laura.wills@nottingham.ac.uk).

## Opportunities for students

In 2015-16 we will offer once again opportunities for University of Nottingham postgraduate students. If you are interested in becoming involved in the work of the Centre and will be enrolled as a student this academic year, be sure to attend our session during the LLM induction week to learn more

about our student activities. Details can also be found on our website at <http://www.nottingham.ac.uk/hrlc/studentactivities/studentactivities>

We will be selecting Student Assistants in September/October 2015.

## HRLC Staff Updates

In March 2015 HRLC was pleased to welcome An Cuypers as our new Research Assistant. An is a University of Nottingham graduate, having completed her LLM in Human Rights Law in 2013. She went on to work at the Belgian division of the Registry of the European Court of Human Rights and then the European Institute for Gender Equality before returning to Nottingham to join the HRLC team earlier this year.



An Cuypers

### HRLC Updates

For all the latest updates on our activities, follow us on Twitter at @UoNHRCL or on Facebook at <https://www.facebook.com/hrlccentre>.



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