



Middlesex
University
London

Confidence Crisis in Human Rights:

Implications for the UK

Intensive Course on Challenges Faced
by the International Human Rights Regime

30 June to 4 July 2014

Director: Dr. Elvira Domínguez Redondo

Overview

The promise posited by human rights, derived as a concept inspired by the intrinsic dignity of human beings, and as an effective tool to combat inequality and the abuse of power, is in crisis. The daily news on the use of human rights to protect persons who are a threat to the survival of the State and its citizens, the alleged misuse of human rights to consolidate rather than fight undue privileges, the portrayal of human rights mechanisms as a 'foreign regime' hampering national democratic processes, and the antagonisms of States such as Brazil and the United Kingdom towards regional human rights systems of protections they once helped to create and embraced, denotes that it is not only the economy facing a confidence crisis.

Today we are confronted with unfair consequences of structural adjustment programmes, uneven impact of trade liberalisation, side effects of the protection of intellectual property regimes, and in the midst of this, a renewed perception of human rights as a neo-colonial tool to implement hidden political agendas. Mistrust of the international human rights regime, often voiced by countries in the South as attempts to undermine their sovereignty, are increasingly being augmented by the voices of Western States such as the UK and the USA. This is illustrated by the reluctance of the United States to ratify the UN Convention on the Rights of the Child, the UN Convention on the Rights of Persons with Disabilities and the failure to allow unfettered access to human right mechanisms, or to investigate the situation in Guantanamo Bay. More recently it underpins British posturing towards human rights treaties and their implementation, with the latest opposition being its resistance to implement the European Court of Human Rights' decision regarding prisoners' rights to vote.





Objectives:

The objective of this course is to provide participants with an understanding of the legal basis underpinning the creation of human rights standards and organs through the prism of topics considered a priority on the international human rights agenda. By the end of the course participants will be able to analyse the impact of international and national politics on the structures and functions of human rights mechanisms, be able to critically evaluate the existing system, and identify current and potential strategies for effective functioning within it.

Structure:

The five-day course is divided into three parts. On the first day, students will be introduced to the events and ideologies that have resulted in a situation where countries that once led the creation of human rights norms and monitoring mechanisms at international level, are now distancing themselves from these. Days two, three and four, forming the second part, will focus on incendiary and divisive human rights topics that dominate intergovernmental agendas, in particular: (i) the rights to freedom of expression

and freedom of religion; (ii) the consequences for human rights of austerity measures and migration policies; (iii) a critical examination of the role of the United Nations Security Council and international law in conflict zones. The third part will focus on emerging themes and challenges represented by the applicability of the human rights framework, with the activities undertaken by corporations, and the relationship between development projects, the environment and human rights driving the discussion during the last day.

Recommended for:

The course is aimed at undergraduate and postgraduate students with an interest in human rights, international and domestic civil servants, and organisations engaged with international and national human rights monitoring bodies and processes. It would be of particular interest to journalists and those interested in understanding the different strategies for the promotion and protection of human rights.



Course schedule:



Day 1 - What is the future for human rights?

- 09.30-09.45: **Welcome Address**
Professor Joshua Castellino, Dean School of Law
- 09.45-10.30: **Objectives of the Course, Reading Materials, Introductions**
Dr. Elvira Domínguez Redondo
- 10.30-11.00: **Coffee Break**
- 11.00-13.00: **The End of the Liberal State**
Professor Joshua Castellino
- 13.00-14.00: **Lunch**
- 14.00-17.30: **Debunking the myths: the UK and the European Court of Human Rights**
Prof. Philip Leach and Alice Donald.

Day 2 - Incendiary Issues of International & Domestic Human Rights: The Freedoms of Expression & Religion

- 09.30-13.00: **Freedom of Expression and Hate Speech**
Dr. David Keane
- 13.00-14.00: **Lunch**
- 14.00-17.30: **Freedom of Religion**
Dr. Erica Howard
- 17.30-18.30: **Round table** (addressing a set of specific set questions and others from the audience which could be fed in from day one)

Day 3 - Incendiary Issues of International & Domestic Human Rights: Austerity and Migration

- 09.30-13.00: **Austerity and Human Rights**
Alice Donald
- 13.00-14.00: **Lunch**
- 14.00-17.30: **Migration**
Dr. Helena Wray

Gathering: Greyhound Pub

Day 5 - Emerging themes

- 09.30-13.00: **Business & Human Rights**
Dr. Nadia Bernaz
- 13.00-14.00: **Lunch**
- 14.00-16.00: **The role of 'Free Prior and Informed Consent' to protect indigenous peoples' rights**
Dr. Cathal Doyle
- 16.00-18.00: **Environment and Human Rights**
Marc Limon
- 18.00: **Wrap up**
Dr. Elvira Domínguez-Redondo

Day 4 - Incendiary Issues of International & Domestic Human Rights: Can International Law Deliver Justice?

- 09.30-11.00: **International Law in Conflict Zones: Is International Humanitarian Law really Humanitarian?**
Prof. William Schabas
- 11.30-13.00: **From invading Iraq to supporting the Arab Spring: the lights and shadows of intervening in third countries**
Prof. William Schabas
- 13.00-14.00: **Lunch**
- 14.00-17.30: **Security Council and Human Rights: the role of the UK**
Dr. Elvira Domínguez-Redondo



Biographies of Lecturers:



Dr. Nadia Bernaz is Senior Lecturer in law at Middlesex University, Programme leader of the pioneering MA Human Rights and Business and Adjunct Lecturer of the Irish Centre for Human Rights. She holds a PhD in international law from Paul Cézanne University (Aix-Marseille, France). She has extensive teaching and research experience in comparative constitutional law, public international law, international criminal law and human rights law, as well as a range of publications in these areas. Her current research focuses on human rights and business, especially on issues such as corporate complicity in human rights violations, and United Nations work on business and human rights. She co-authored a report on Business and Human Rights commissioned by the Equality and Human Rights Commission, which served as a basis for the development of human rights guidance for local and global British businesses.

Prof. Joshua Castellino is Professor of Law & Dean of the School of Law at Middlesex. He has engaged in legal and diplomatic fora on questions of international human rights law and policy, including in China in the context of the European Union Expert and Diplomatic Dialogue, the Middle East, India, Nigeria and Latin America. Joshua is currently completing a book series on comparative constitutional law with Oxford University Press and is regarded as one of the leading experts on minority rights. He is on the Leadership Council of the United Nations Sustainable Development Solutions Network chaired by Professor Jeffrey Sachs under the auspices of the UN Secretary General Ban Ki-Moon.

Dr. Elvira Domínguez-Redondo's research focuses on the best strategies for the implementation of human rights within intergovernmental bodies. She has worked as a consultant for the United Nations Office of Human Rights working with the Special Rapporteur on Torture. She has authored two books in human rights and published extensively on human rights mechanisms. Dr. Domínguez has engaged with the German, Irish and European Union-China human rights dialogue and the Latin American and European Human Rights Network. She has led the project implementing the first Masters programme in Iraq, at Duhok University.

Alice Donald is a Senior Research Fellow at the School of Law, Middlesex University. She has published widely on the impact and implementation of human rights law, particularly in public services,

and the use of human rights to address poverty and inequality, both inside and outside the courtroom. She was co-author of the 2009 Joseph Rowntree Foundation report, Poverty, Inequality and Human Rights: Do Human Rights Make a Difference? She is a Trustee of Just Fair, the campaign for the realisation of economic and social rights in the UK. She previously worked as a commissioner, editor and broadcast journalist with the BBC World Service (1991-2005) and is currently working on a book entitled 'The role of Parliaments in the Implementation of Judgments of the European Court of Human Rights' (co-authored with Philip Leach, Oxford University Press, forthcoming 2014).

Dr. Cathal Doyle has extensive experience in collaborative work with indigenous peoples' organizations engaging with UN human rights and OECD mechanisms. He has published journal articles and NGO reports addressing indigenous peoples' developmental rights, is a member of International Journal of Human Rights editorial board and sits on the board of Indigenous Peoples Links a London/Manila based NGO. He has worked as a consultant of the United Nations Special Rapporteur on the rights of indigenous peoples, and has authored an international recognized report entitled 'Making Free Prior and Informed Consent a Reality'.

Dr. Erica Howard is an expert on equality and non-discrimination and has presented and published widely on this subject. As well as a number of articles, she has published two recent books: on racism and racial discrimination in the EU, and on bans on the wearing of religious symbols in Europe, analyzing such bans as a possible breach of the fundamental rights to freedom of religion and to non-discrimination. Dr Howard has also been involved in two major European projects on multiple and intersecting discrimination.

Dr David Keane is a human rights specialist with an expertise on minority rights and racial discrimination. He has written extensively on issues of racial discrimination including two books on the issue. In addition, he has published a number of journal articles on a range of human rights and minority rights issues, including freedom of expression, genetics and the rights discourse, climate change migration and regional systems

Prof. Philip Leach is Professor of Human Rights Law at Middlesex University, a solicitor, and Director of the European Human Rights Advocacy Centre (EHRAC), also based at Middlesex University. He has extensive experience of representing applicants before the European Court, in particular against the UK, Turkey and Russia. His recent human rights research projects have been commissioned, or supported, by the Nuffield Foundation, the Leverhulme Trust, the Equality and Human Rights Commission, the OSCE and the Council of Europe. He is the author of 'Taking a Case to the European Court of Human Rights', 3rd ed., Oxford University Press, 2011. He is a member of the Independent Advisory Panel on Deaths in Custody (which provides advice to the Ministerial Board on Deaths in Custody). He is on the Editorial Board of European Human Rights Law Review, and is a Trustee of the Media Legal Defence Initiative (MLDI) and the Human Dignity Trust. He has conducted human rights training for the Council of Europe, the OSCE, the British Council, the Foreign & Commonwealth Office, the Law Society of England and Wales, the Arab Lawyers' Union and for various NGOs.

Marc Limon is the Director of the Universal Rights Group (URG), an independent think-tank dedicated to international human rights policy. Prior to the establishment of the URG, Marc served for six years as a diplomat at the United Nations Human Rights Council. His particular focus during this time was on climate change and human rights, and on human rights obligations relating to the enjoyment of a safe, secure, healthy and sustainable environment. Regarding the latter, he played a key role in the establishment of the new Special Procedure mandate on human rights and the environment. Marc also worked for seven years for the Government of the Republic of Maldives to help implement the country's democratic and human rights reform agenda - an agenda which saw the country move from a thirty-year long autocracy to a functioning liberal democracy. Earlier, Marc worked as a government relations consultant in Brussels where he advised a range of government and corporate clients on EU policy and public relations. He has written a wide-range of articles on human rights for academic journals and for international newspapers.

Prof. William Schabas is Professor of International Law and one of the most recognizable experts on global human rights, and more specifically on international criminal law. He was awarded the Order of Canada for his services to human rights, and served on the Sierra Leone Truth and Reconciliation Commission. He has published over 27 books and 300 articles on a range of issues concerning human rights and public international law.

Dr. Helena Wray is an expert on legal issues connected with migration, particularly as it affects families, and citizenship. She has published a book on the regulation of marriage migration and is currently working on an international comparative study funded by the Nuffield Foundation. She has published extensively on questions connected to migration, human rights and citizenship and has acted as a court expert on language testing and spousal migration. She is editor of Journal of Immigration Asylum and Nationality Law and the UK country expert for the European Union Democracy Observatory (Citizenship). At Middlesex, she teaches migration law to undergraduate and postgraduate students and was responsible for the LLM programme for many years, devising an extensive programme of training in postgraduate and dissertation research and writing skills.



The course at a glance:

Code: SUM3003

Fee:	£400 - discounted rate for Middlesex University students and alumni £200	Location:	Middlesex University Hendon Campus, room to be confirmed.
Dates:	30 June to 4 July 2014	Accommodation:	Rooms are available in our Halls of Residence (Platt Halls). For more information please visit our website: www.mdx.ac.uk/summer-accom .
Times:	09.30 - 17.00		
Lunch:	There will be an hour for lunch each day. There are several food outlets located on campus or in the local area. Please note that lunch is not included in the course fee.		

How to apply:

Please contact our Summer School team or visit our website to download a short course application form: www.mdx.ac.uk/summer.

For any administrative enquiries please contact the Summer School team:

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For any enquiries relating to academic course content please contact:

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