



Current Issues and Common Challenges for the Protection of Human Rights in Europe, Africa and the Americas

Friday 14th June 2019 | 10am–6.30pm

Travers Smith LLP, 2–3 Hosier Lane, London EC1A 9LX



Current issues and common challenges for the protection of human rights in Europe, Africa and the Americas

This conference will provide an opportunity for comparative dialogue and will consider current issues and common challenges facing the Inter-American Commission and Court of Human Rights, the African Commission and Court on Human and Peoples' Rights, and the European Court of Human Rights.

Conference programme:

9.30am Registration

10.00am Welcome from Murray Hunt, Director of the Bingham Centre for the Rule of Law

10.15am Opening Remarks – An overview of current issues and common challenges in the three systems

- Professor Rachel Murray (Human Rights Implementation Centre, University of Bristol and the Economic and Social Research Council (ESRC) Human Rights Law Implementation Project)
- Dr Par Engstrom (University College London)

11.00am Coffee Break

11.30am Panel 1 – The relationship between the national and regional levels

This panel will consider the impact of international human rights jurisprudence at the national level, the implementation of judgments and decisions by national authorities, and the broader domestication of international human rights law. It will also consider dialogues between the national and regional levels.

- Chair: Dr Alice Donald (Middlesex University and ESRC Human Rights Law Implementation Project)
- Professor Michael Addo (University of Notre Dame)
- The Rt. Hon. Lord Justice Singh (member of the Court of Appeal of England and Wales)
- Ms Ximena Soley (Max Planck Institute for International Law)
- Ms Anne-Katrin Speck (European Implementation Network and ESRC Human Rights Law Implementation Project)
- Q&A discussion

1.15pm Lunch

2.15pm Panel 2 – Institutional challenges and opportunities at the regional level

This panel will consider some of the major challenges facing the three regional human rights systems such as high caseloads, non-implementation of judgments, resistance to international human rights institutions and standards, and threats of withdrawal. It will also consider the current reform agendas and opportunities to strengthen the regional machinery that supports national implementation.

- Chair: Professor Sarah Cleveland (Columbia University)
- Judge Róbert Spanó (Judge and Vice President of the European Court of Human Rights)
- Mr Joseph Whittal (Commissioner of Ghana's Commission on Human Rights and Administrative Justice)
- Professor Philip Leach (Middlesex University/ European Human Rights Advocacy Centre and ESRC Human Rights Law Implementation Project)
- Professor Clara Sandoval-Villalba (Human Rights Centre and School of Law, University of Essex and ESRC Human Rights Law Implementation Project)
- Q&A discussion

4.00pm Coffee Break

4.30pm Panel 3 – Regional responses to violations of economic, social and cultural rights

This panel will consider how each of the three regional human rights systems addresses violations of economic, social and cultural rights. It will consider whether a clear body of international human rights law is emerging and where there are points of difference or tension between the three systems.

- Chair: Dr Annelen Micus (Bonavero Institute of Human Rights, University of Oxford)
- Dr Pablo González-Domínguez (Inter-American Court of Human Rights)
- Mr Gaye Sowe (Executive Director, Institute for Human Rights and Development in Africa)
- Professor Aoife Nolan (European Committee of Social Rights / Nottingham University)
- Dr Isaac de Paz González (The Autonomous University of Baja California, Tijuana)
- Q&A discussion

6.15pm Closing remarks

- Professor Kate O'Regan (Director of the Bonavero Institute of Human Rights and former Judge of the South African Constitutional Court)

6.30pm Reception

Speaker Biographies

Murray Hunt



Murray Hunt joined the Bingham Centre for the Rule of Law as Director in June 2017. From 2004–2017, he was the Legal Adviser to the UK Parliament’s Joint Committee on Human Rights. Before that, he was a practising barrister, specialising in public law and human rights. Murray was one of the founders of Matrix Chambers in London where he remains an Associate Member. He is also a Visiting Professor at the University of Oxford and was recently appointed as the UK’s Alternate Representative on the Council of Europe’s Venice Commission. Since joining the Bingham Centre, Murray has established an ‘EU (Withdrawal) Bill and the Rule of Law’ Expert Working Group bringing together parliamentarians, NGOs and academics. He has also become an Adviser to the Scottish Parliament’s Equalities and Human Rights Committee.

Rachel Murray



Rachel Murray is Professor of International Human Rights Law at the University of Bristol and Director of its Human Rights Implementation Centre. Rachel undertakes regular work on the African human rights system, implementation of human rights law, OPCAT and torture prevention, among other areas. She also advises national, regional and international organisations as well as governments and individuals on human rights law. She has held a number of grants, including a major grant from the ESRC on implementation which tracked decisions from the regional and UN treaty bodies to examine the extent to which the States have complied with them. She is on the board of the Institute for Human Rights and Development in Africa, and is a Fellow of the Human Rights Centre at the University of Essex and a member of Doughty Street Chambers. She is also a magistrate.

Par Engstrom



Par Engstrom is Associate Professor in Human Rights at the Institute of the Americas, University College London and Visiting Professor at the Paris School of International Affairs (PSIA), at Sciences-Po. His research focuses on the politics of human rights and transitional justice, with a geographical focus on Latin America. Dr Engstrom is the academic coordinator of an International Network on the Inter-American Human Rights System. He has worked with a range of human rights organisations and as a consultant for the Association for the Prevention of Torture and for the Foreign and Commonwealth Office. Dr Engstrom recently completed a study for the European Parliament on the human rights and rule of law situations in Cuba and Venezuela, respectively. Prior to entering academia, Dr Engstrom worked at the United Nations Office of the High Commissioner for Human Rights in Geneva.

Alice Donald



Alice Donald is Senior Lecturer, leader of the PhD programme for Law and Co-chair of Ethics within the School of Law at Middlesex University, London. She has been a co-investigator in the Economic and Social Research Council-funded Human Rights Law Implementation Project (2015–19). Alice is co-author with Philip Leach of *Parliaments and the European Court of Human Rights* (OUP, 2016) and with Anne-Katrin Speck of 'The European Court of Human Rights' Remedial Practice and its Impact on the Execution of Judgments', *Human Rights Law Review* (2019) 19(1): 83–117.

Michael Addo



Michael Addo is Professor of Law at the University of Notre Dame and a member of the Ghana Bar. He is an international lawyer with specialist expertise in international human rights law and human rights and international business policy. Between 2011 and 2018, he was appointed to the United Nations Working Group on Business and Human Rights with a mandate to promote the implementation of the United Nations Guiding Principles on Business and Human Rights. This role involved preparing policy papers and thematic reports for the United Nations Human Rights Council and the General Assembly, as well as policy advice for governments, companies and advocacy groups. From 2015 to 2016, he served as chairperson of the Coordination Committee of the United Nations Special Procedure Mandate Holders.

Rabinder Singh



The Right Honourable Lord Justice Singh is a judge of the Court of Appeal of England and Wales and President of the Investigatory Powers Tribunal.

He was called to the Bar by Lincoln's Inn in 1989 (becoming a Bencher in 2009) and appointed as a QC in 2002. His practice was in public law, human rights and employment law. He was appointed as a Deputy High Court Judge in 2003 and a Recorder of the Crown Court in 2004. He became a High Court Judge in 2011 and was a Presiding Judge of the South Eastern Circuit from 2013 to 2016. In 2017, he was also the Administrative Court liaison judge for Wales and the Midland and Western Circuits.

Lord Justice Singh has been an Honorary Professor of Law at Nottingham University since 2007 and a Visiting Fellow at Lady Margaret Hall, Oxford since 2016.

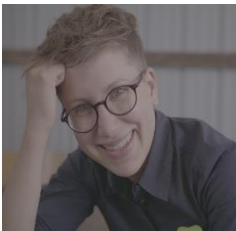
He is the author of *The Future of Human Rights in the UK* (Hart, 1997) and co-author of *Human Rights: Judicial Protection in the UK* (Sweet & Maxwell, 2008).

Ximena Soley



Ximena Soley is a Research Fellow at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg and a doctoral candidate at Goethe University, Frankfurt. She studied law at the University of Costa Rica and at the University of Geneva. Her research focuses on the Inter-American system, particularly on socio-legal approaches to its human rights norms and institutions, as well as on transformative constitutionalism. She was also the managing editor of *Transformative Constitutionalism in Latin America* published in 2017 by Oxford University Press.

Anne-Katrin Speck



Anne-Katrin Speck is a Co-Director of the European Implementation Project, an NGO based in Strasbourg (France) which works with civil society actors from across the Council of Europe region to promote the full and timely implementation of judgments of the European Court of Human Rights. Anne previously worked as a Research Associate on the Human Rights Law Implementation Project at Middlesex University London, and within the Secretariat of the Parliamentary Assembly of the Council of Europe (PACE). She holds an LL.M. in International Human Rights Law from the University of Essex and is currently an MPhil/PhD candidate at Middlesex University, where she researches the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence.

Sarah Cleveland



Sarah Cleveland is the Louis Henkin Professor of Human and Constitutional Rights and Faculty Director of the Human Rights Institute at Columbia Law School. She is a noted expert in international law and the constitutional law of US foreign relations, with particular interests in the status of international law in US domestic law, international and comparative human rights law, international humanitarian law, and national security.

Professor Cleveland recently completed a four-year term as Vice Chair and Member of the UN Human Rights Committee. She is currently appointed as the US independent Member of the Venice Commission; as a member of the International Bar Association's Human Rights Institute Council; as a Commissioner for the International Commission of Jurists; and she acts as a legal adviser to the US State Department.

Professor Cleveland has written widely on issues of international law, human rights, and US foreign relations law. She is a co-author of Louis Henkin's *Human Rights* casebook.

Róbert Spanó



Judge Róbert Spanó was elected to the European Court of Human Rights in 2013 with respect to Iceland and is currently Vice-President of the Court. Before taking up his judicial office he served as Parliamentary Ombudsman of Iceland from 2009–2010 and again in 2013. He served as Dean of the Faculty of Law, University of Iceland, from 2010–2013, and was appointed professor of law in 2006. He was chairman of the Standing Committee of Experts in Criminal Law in the Ministry of Justice from 2003–2009 and from 2011–2013. He was also the Icelandic delegate to the European Committee on Crime Problems and an Independent Expert to the Lanzarote Committee of the Council of Europe. He was appointed an *ad hoc* judge of the EFTA Court in 2012. Judge Spano is a graduate of the University of Iceland and of the University of Oxford.

Joseph Whittal



Joseph Whittal, a lawyer by profession having been called to the Ghana Bar in 1990, is the Chair of the Commission on Human Rights and Administrative Justice (CHRAJ).

The Commission performs three broad mandates: it is the National Human Rights Commission of Ghana, with observer status at the UN Human Rights Council; it is equally the Ombudsman of Public Services of Ghana responsible for ensuring administrative justice; and thirdly an anti-corruption agency with power to investigate the conduct of public officials.

Mr Whittal is also currently the Representative of the Network of African National Human Rights Institutions (NANHRI) on the Global Alliance of National Human Rights Institutions (GANHRI) Working Group on the 2030 Agenda on Sustainable Development Goals (SDGs) at the global level, and also the Chair of the Working Group of NANHRI on the 2030 Agenda on Sustainable Development (SDGs) and Agenda 2063 on the "Africa we Want" at the regional level.

Philip Leach



Philip Leach is Professor of Human Rights Law at Middlesex University, a solicitor, and Director of the European Human Rights Advocacy Centre (EHRAC). He has extensive experience of representing applicants before the European Court of Human Rights. He researches and publishes widely in the field of international human rights law. He was a member of the Independent Advisory Panel on Deaths in Custody from 2009–2015 and a member of the Harris Review (2014–2015). He was appointed Specialist Adviser to the Joint Committee on Human Rights for its inquiry into mental health and deaths in prison in 2016–2017. He is Vice-Chair of the European Implementation Network (EIN), a member of the Advisory Board of the Open Society Justice Initiative, and a former trustee of the Media Legal Defence Initiative and the Human Dignity Trust. He is the author of *Taking a Case to the European Court of Human Rights*, 4th ed., Oxford University Press, 2017.

Clara Sandoval-Villalba



Clara Sandoval-Villalba is Professor at the School of Law/Human Rights Centre at the University of Essex. She also teaches at the Geneva Academy. She has written widely on the Inter-American System of Human Rights, transitional justice and reparations for victims of mass atrocities including gross human rights violations. She is a co-investigator on the ESRC funded project on *Human Rights Law Implementation* and on the AHRC funded project on *Reparations, Responsibility and Victimhood in Transitional Societies*. In both projects she looks at regional human rights systems (particularly the Inter-American System), reparations and implementation. Clara has advised the ICC on reparations and has acted as a consultant for the UN (OHCHR, UN women and IOM) and REDRESS among others. She is co-author of *Doctrine, Practice and Advocacy in the Inter-American Human Rights System* (co-authored with J Cavallaro, C Vargas, B Duhaime) to be published by Oxford University Press in August 2019.

Annelen Micus



Annelen Micus is the Head of Programmes of the Bonavero Institute of Human Rights. Previously, Annelen worked for two years with a Colombian human rights organisation, the Lawyers' Collective "José Alvear Restrepo" (CAJAR), as international advisor on transitional justice as well as on business and human rights issues. Before going to Colombia, she was a Legal Advisor at the Berlin-based European Center for Constitutional and Human Rights (ECCHR), focusing on strategic litigation projects aiming for accountability for international crimes committed in Latin America by state and non-state actors.

Annelen studied law at the Bucerius Law School in Hamburg and the Universidad Torcuato di Tella in Buenos Aires. In her doctoral thesis, published in 2015 by Brill, she analysed the importance of the Inter-American Human Rights System for transitional justice processes in Latin America, with a focus on Argentina, Chile and Peru.

Pablo González-Domínguez



Pablo González-Domínguez earned his J.S.D. in International Human Rights Law from the University of Notre Dame (U.S.A.), his LL.M. in International Legal Studies from the Georgetown University Law Center (U.S.A.) and his LL.B. from Universidad Panamericana (Mexico). He works as a Staff Attorney at the Inter-American Court of Human Rights and as a Guest Lecturer and Researcher in Human Rights at Universidad Panamericana (Mexico). Recent works include the book *The doctrine of conventionality control. Between uniformity and legal pluralism in the Inter-American Human Rights System* (Intersentia, 2018). His research and professional interests concern the Inter-American Human Rights System, Comparative Legal Systems and Public International Law.

Gaye Sowe



Gaye Sowe is Executive Director of the Institute for Human Rights and Development in Africa. He specialises in international human rights law and has conducted human rights training in many countries. He is an experienced litigator, called to the Gambian and Nigerian Bars, and has worked as an in-house counsel for different trials involving human rights violations. He is an Expert Member of the African Commission Working Group on Economic Social and Cultural Rights. Mr Sowe worked for the Gambian Judiciary from 1998 to 2005.

He was a member of the Steering Committee that set up the Law Faculty of the University of The Gambia and has been a lecturer at the faculty since its inception. He is a member of the Constitutional Review Commission of The Gambia and is also part of a team of three lawyers currently reviewing and redrafting the criminal justice laws of The Gambia.

Aoife Nolan



Aoife Nolan has been Professor of International Human Rights Law at Nottingham University School of Law since 2012. She was elected to the Council of Europe's European Committee of Social Rights in November 2016. She has published extensively in the areas of human rights and constitutional law, particularly in relation to economic and social rights, children's rights and regional human rights law. She was the founding coordinator of the Economic and Social Rights Academic Network, UK and Ireland (ESRAN-UKI). Professor Nolan has acted as an expert advisor to a wide range of international and national organisations and bodies working on human rights issues, including numerous UN Special Procedures, UN treaty-monitoring bodies, the Council of Europe, multiple NHRIs and NGOs. She has held visiting positions at academic institutions in Europe, Africa, the US and Australia. She is an Academic Expert member at Doughty Street Chambers.

Isaac de Paz González



Isaac de Paz González teaches Human Rights Law and Constitutional Law at the Autonomous University of Baja California. His research is focused on social rights and constitutional justice. His most recent book, *The Inter-American Social Rights jurisprudence* (Edward Elgar, 2018) is a comprehensive piece of work on the progressive categories developed by the Inter-American Court in the fields of labour rights, environmental rights and children's rights. He is now co-leading the research group "Social and Alternative Justice" to look at the relationship of education and human rights in contexts of poverty.

Isaac holds a PhD in Fundamental Rights and Public Liberties from Castile-La Mancha University (Spain). He currently supervises research students in the areas of Human Rights, International Law, and Constitutional Justice, within Latin American contexts. He serves on the editorial boards of several Latin American journals.

Kate O'Regan



Kate O'Regan is the inaugural Director of the Bonavero Institute of Human Rights and a former judge of the South African Constitutional Court (1994–2009). She was previously an academic and a practising lawyer, specialising in Labour and Land Law during the final years of apartheid. Since her fifteen-year term at the South African Constitutional Court ended in 2009, she has, amongst other things, served as an *ad hoc* judge of the Supreme Court of Namibia (2010–2016); Chairperson of the Khayelitsha Commission of Inquiry into allegations of police inefficiency and a breakdown in trust between the police and the community of Khayelitsha (2012–2014); and as a member of the boards or advisory bodies of many NGOs working in the fields of democracy, the rule of law, human rights and equality.

Special thanks

Conference Convenors

Mr Anthony Ellington Wenton — Bingham Centre for the Rule of Law

Dr Annelen Micus — Bonavero Institute of Human Rights, University of Oxford

Professor Clara Sandoval-Villalba — Human Rights Centre and School of Law, University of Essex and the Economic and Social Research Council Human Rights Law Implementation Project

Professor Rachel Murray — Human Rights Implementation Centre, University of Bristol and the Economic and Social Research Council Human Rights Law Implementation Project

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Ms Tricia Liedl – vocals

Mr Pete Watson – piano