Leverhulme Inter-American Human Rights Network

Workshop

The Good, The Bad and The Ugly and Moving Forward:
What to Learn From International Human Rights Systems?

29th – 30th January 2016
Human Rights Centre
Ghent University
Belgium

Workshop Programme

Friday 29 January

08:30 – 09:00 Registration and Coffee

09:00 – 09:20 Welcome

- Welcome: Michel Tison, Dean of the Law Faculty (Ghent University), Clara Burbano-Herrera (Ghent University), Pär Engström (University College London)
- Logistics: Peter Low (University College of London)
- Presentation of participants

09:20 – 10:05 Session 1:

International Human Rights Decisions and Their Implementation at the National level

Chair: Clara Sandoval, Essex University (UK), Executive Member IAHR Network

- Jo-Marie Burt, George Mason University (US), The Inter-American Court of Human Rights and the Creation of Domestic Prosecution Policies for Grave Human Rights Violations in Latin America: The Case of Peru (15 min)
- Bruno Boti Bernardi, Universidade Federal da Grande Dourados (Brazil), ‘Ganhei na loteria! Mas e o prêmio? [I have won the lottery! What about the prize?]’: empowerment, obstacles and overjudicialization in the relationship between the IAHRS and the victims of the Gomes Lund case (15 min)
- Sabrina Ragone, Max Planck Institute (Germany), IASHR and Domestic Institutions: Reflections in Light of the Ius Constitutionale Commune in the Field of Human Rights (15 min)

10:05 – 10:30 Questions & Answers

10:30 – 11:00 Coffee break
11:00 – 11:45 Session 2:

International Human Rights Decisions in the Context of Persons in Situation of Vulnerability

Chair: Rossana Rocha Reis, University of Sao Paulo (Brazil), Executive Member IAHR Network

- Thomas Antkowiak, Seattle University (US), A Dark Side of Virtue: The Inter-American Court and Reparations for Indigenous Peoples (15 min)
- Lucy Claridge, Head of Law at Minority Rights Group International (UK), Implementing Minority and Indigenous Peoples’ Rights (15 min)
- Kinga Janik, Member of the Hans&Tamar Oppenheimer Chair in Public International McGill University (Canada), Unity into the Interpretation of Human Rights: Promoting Best Welcoming Practices for Smuggled Migrants (15 min)

11:45 – 12:15 Questions & Answers

12:15 – 14:15 Lunch

14:15 – 15:00 Session 3:

International Human Rights Decisions in the Context of Persons in Situation of Vulnerability (continuation)

Chair: Alexandra Huneeus, University of Wisconsin-Madison (US), Executive Member IAHR Network

- Laura Clerico and Celeste Novelli, Erlangen-Nürnberg University (Germany) and Consejo Nacional de Investigaciones Científicas y Técnicas (CONICET) (Argentina), The Inclusion of the Social Question within the Gender Perspective: Notes to Rewrite ‘Cotton Fields’ (15 min)
- Enzamaria Tramontana, University of Palermo (Italy), Implementing the Right to a ‘Dignified Life’: Potential, Constraints and Challenges (15 min)
- Carlos Zelada, Pacifico University (Peru), Is International Law the Best Way to Gain Recognition of Equal Marriage? (15 min)

15:00 – 15:30 Questions & Answers

15:30 – 16:00 Coffee break

16:00 – 16:45 Session 4:

Implementation of Decisions of Human Rights Bodies in the Context of Women’s Rights

Chair: Clara Burbano Herrera, Ghent University (Belgium), Executive Member IAHR Network

- Lorena Sosa, Utrecht University (The Netherlands), Case Law on Violence against Women: New Grounds, New Challenges (15 min)
- Ciara O’Connell, University of Sussex (UK), Women’s Reproductive Rights and Reparations: Lessons from the Inter-American System of Human Rights (15 min)
- Carlos Herrera Vacaflor, University of Toronto (Canada) Framing of Rights and the Transformational Power of International Law: a Study from Reproductive Rights Litigation (15 min)

16:45 – 17:05 Questions & Answers

17:05 – 17:15 Presentation Book ‘The Inter-American Court of Human Rights: Theory and Practice, Present and Future’, followed by a drink offered by Ghent University’s Department of Constitutional Law & Human Rights Centre

19:30 Dinner
Saturday 30 January

08:45 – 09:15 Coffee

09:15 – 10:00 Session 5:

Human Rights Decisions from a Comparative Perspective

Chair: Courtney Hillebrecht, University of Nebraska-Lincoln (US), Executive Member IAHR Network

- Stephanie Law, Max Planck Institute (Luxembourg), Interlegality Within and Beyond Europe, Human Rights Protections and the Promise of Judicial Dialogue (15 min)
- Oscar Parra, Oxford University (UK), Some Procedural and Substantive aspects of the Recent Dialogue between the Inter-American Court and the European Court of Human Rights (15 min)
- Caroline de Lima e Silva and Solomon Ebobrah, iCourts, University of Copenhagen (Denmark), Exploring Socio-political factors in Latin America and Africa: Challenges for Developing Human Rights Systems and International Courts (15 min)

10:00 – 10:30 Questions & Answers

10:30 – 11:00 Coffee break

11:00 – 11:30 Session 6:

International Human Rights Decisions: Suggestions to improve implementation

Chair: Pär Engström, University College London (UK), Executive Member IAHR Network

- Ayseguiz Uzun Marinkovic and Kresimir Kamber, Legal Officers, European Court of Human Rights, Fostering implementation of human rights adjudications at the domestic level by strengthening and clarifying the rules on exhaustion of domestic remedies: A lesson learned from the ECtHR leading and pilot judgment procedures (15 min)
- Christian de Vos, Open Society Foundation (US), Ensuring effective interaction between actors and institutions at the national-level—the site where implementation occurs—and the international and regional human rights bodies that monitor those decisions (15 min)

11:30 – 12:00 Questions & Answers

12:00 – 14:00 Lunch

14:00 – 14:30 Session 7:

Human Rights Decisions and Political Context

Chair: Clara Sandoval, Essex University (UK), Executive Member IAHR Network

- Jorge Contesse, Rutgers School of Law-Newark (US), The Politics of Compliance in Inter-American Human Rights Law (15 min)
- John Wadham, Human Rights Consultant, prev. Executive Director, INTERIGHTS (UK), Bending the jurisprudence and UK threats to leave the ECHR (15 min)

14:30 – 15:00 Questions & Answers

15:00 – 15:30 Coffee break

15:30 – 16:30 Session 8:
Concluding Reflections and Regional Comparisons

Chair: Alexandra Huneeus, University of Wisconsin-Madison (US), Executive Member IAHR Network

- Laurence Burgorgue-Larsen, Judge Constitutional Court of Andorra and Université de Paris I–Panthéon Sorbonne (France) (20 min)
- Paulo Pinto de Albuquerque, Judge European Court of Human Rights (20 min)
- Frans Viljoen, Director of the Centre for Human Rights, University of Pretoria (South Africa) (20 min)

16:30 – 17:25 Questions & Answers

17:25 – 17:30 Final words, Yves Haeck, Ghent University, Pär Engström, University College London

17:30 – 18:15 Network Meeting