

# Activity Report

## 2003-2004



**The Accountability for Atrocity Conference was held at the Irish Centre for Human Rights in July 2004. From left: Professor Leila Sadat, Professor William Schabas, Ian Martin, Mary Robinson, David Crane, Luc Cote, Vice-Rector Ramesh Thakur, Ola Olusanyo, Edel Hughes.**

The fourth full year of operations of the Irish Centre for Human Rights of the National University of Ireland, Galway, was a year of consolidation of teaching programmes, productive research projects, and several prestigious conferences with distinguished international partners. In July 2004, the Centre co-hosted, with the United Nations University of Tokyo, a major international conference on accountability that brought together leading scholars and practitioners in the field. The Centre also organised the commemoration conference to mark the 100<sup>th</sup> anniversary of the birth of Sean Mac Bride, the great Irish human rights advocate. It was held in Paris at the premises of the Irish Cultural Centre. Philippe Kirsch, President of the International Criminal Court, was awarded an honorary doctorate by the National University of Ireland, Galway, in June 2004. At the close of the academic year 2003-2004, two PhD students had deposited their doctoral theses, completing their research work; the defence of these theses took place successfully in October 2004.

The Irish Centre for Human Rights completed a Quality Review, which was conducted by three external academics as well as members from within the NUI Galway community. In its conclusions, the panel said: *'This is a centre of very high international standing and regard, which it has achieved in a remarkably short period of time. In many ways the centre is a global model of its kind and the reviewers were tremendously impressed with the energy, commitment, work rate and entrepreneurial approach adopted throughout the centre. Its contribution to the University, to the country and to the global understanding and promotion of human rights is significant and unique. The centre has very clear aims and objectives and a very highly motivated staff and student body. The range of activities is impressive and its primary focus is and should remain research. There is also a natural focus on teaching, which complements good research. The teaching focus brings with it a continuous and uninterrupted need for the delivery of quality teaching and pastoral care of students.'*

## 1

## Structure and Personnel

Officially opened in February 2000, by August 2004 the Irish Centre for Human Rights had a staff of twelve full-time academic, research and support personnel, plus several part-time employees. Nationals of ten different countries – Ireland, Canada, China, Nigeria, United States, India, South Africa, Australia, Cyprus and Sweden – are employed at the Centre.

Five academic members of the University's Faculty of Law are located at the Irish Centre for Human Rights and teach in its programmes: Professor William Schabas, Dr. Ray Murphy, Dr. Vinodh Jaichand, Dr. Kathleen Cavanaugh and Dr. Joshua Castellino. Three research fellows, Dr. Olaoluwa Olusanya (Bank of Ireland fellow), Dr. Luke McNamara (visiting scholar) and Dr. Terry O'Neill, together with two sessional lecturers, Patrick Twomey and Dr. Ursula Kilkelly, complete the roster of academic personnel. In addition, a team of professionals, Zhao Haifeng, Sinead Beacom and Peter Fitzmaurice, are engaged full time on the EU-China Network project. Fiona Gardiner provides administrative support services to the Centre.

**Professor William A. Schabas** is director of the Irish Centre for Human Rights. A specialist in the areas of international criminal accountability for human rights violations and the abolition of capital punishment, over the course of the academic year 2003-2004 Professor Schabas lectured in Austria, the



**Professor William Schabas, second from right, top row, with colleagues of the Sierra Leone Truth and Reconciliation at the final working meeting, March 2004**

United States, Canada, Syria, Israel, China, France, the United Kingdom, Germany, Switzerland, Belgium, Sweden, Greece, the Netherlands, Spain and Italy. Since July 2002, Professor Schabas has been the only non-African member of the Sierra Leone Truth and Reconciliation Commission. During 2003-2004, much of his time was devoted to completing the work of the Commission, and preparation of its report for presentation to the President of the country in late 2004. Professor Schabas published several books and articles, including the second edition of his best-selling *Introduction to the International Criminal Court* (Cambridge: Cambridge University Press) and a collection of essays that he co-edited with Peter Hodgkinson: *Capital Punishment: Strategies for Abolition*, (Cambridge: Cambridge University Press). A German translation of his book on genocide, *Genozid im Völkerrecht*, was published; it has already been cited in a judgment of the Appeals Chamber of the International Criminal Tribunal for Rwanda.

During the academic year, **Dr. Ray Murphy** was a featured lecturer at an international training course on peacekeeping operations, delivered by the Pearson Peacekeeping Centre in Toronto, Canada in November 2003. Dr. Murphy also directed a course on Peacekeeping and Human Rights on behalf of the Pearson Peacekeeping Centre to participants from Argentina, Chile, Peru, Great Britain, and Ireland at the Argentine Joint Peacekeeping Operation Training Centre (CAECOPAZ), Buenos Aires, Argentina, during August 2004. Dr. Murphy directed the LLM in peace support studies. In Spring 2004, Dr. Murphy lectured on International Criminal Law and International Humanitarian Law at the University of Leiden, in The Hague as part of the Institute for International Criminal Investigations training courses. Dr Murphy also participated in the Amnesty International Training courses in Dublin and Galway, and lectured on the International Criminal Court Summer School and the Summer School conducted by the New England School of Law. Dr. Murphy also

had a number of articles published in The Irish Times, and he was interviewed for national radio in relation to human rights and related issues.

**Dr Vinodh Jaichand** joined the Centre as College Lecturer in January 2003. Dr Jaichand has a doctorate in human rights law from Notre Dame University in the United States, and a distinguished career in his native South Africa, both in academic life and in the NGO sector. He has published a book on "The Restitution of Land Rights". He was appointed Deputy Director of the Centre in November 2003 and is the director of the PhD programme. In addition to assuming a full complement of teaching and research responsibilities, Dr. Jaichand represented the Centre at meetings, presentations and lectures in China, Sicily, Austria, Cyprus, South Africa, Belgium, Morocco and Malta. He conducts seminars on Economic, Social and Cultural Rights and the African and Inter-American Regional Systems of Protecting Human Rights in the LLM programme and teaches in the Minority Rights and New England summer schools.

The activities of **Dr Kathleen Cavanaugh**, lecturer, included several guest lectures on human rights to practitioners in Syria (lawyers and judges) and in Jordan (for both Jordanian and Palestinian lawyers and judges), as part of a joint programme run by the Law Society of England



*Ulysses and Human Rights conference, May 2004. Professor Vincent Cheng, left, chats with Professor Kevin Barry and PhD student David Keane at the post-conference reception hosted by Kenny's Bookshop.*

and Wales and the Arab Lawyers Union. As part of the ongoing Programme of Support for Arab Lawyers, she presented a keynote speech on States of Emergency, trainings on incorporating human rights on a domestic level and, additionally, a lecture on the topic of 'New Laws, New Wars'. Dr. Cavanaugh also continued participation as a Visiting Lecturer with Cornell University and Sorbonne (Paris) as part of their Summer Programme on International and Comparative Law. When reports of torture in American-run prisons in Iraq and Guantanamo became public, Dr. Cavanaugh was regularly interviewed on television and radio both within Ireland and internationally.

**Dr Joshua Castellino** completed the editing of *International Law & Indigenous Peoples Law* with co-author, NUI Phelen fellow Niamh Walsh. This edited collection brought together well-established experts in minority rights law, along with several new authors whose doctoral work focussed on the various case studies presented. In addition, Dr. Castellino actively participated in the *EU-China Experts Seminars* and in the "Lawyers for the Millennium Project" organised jointly by the *Law Society of England & Wales* and the *Arab Lawyers Union*. He also obtained funding from the *Irish Research Council for Social Sciences and the Humanities* to research minority regimes in Asia. In addition he presented 'The Convention for the Elimination of All Forms of Racial Discrimination: Concepts and Jurisprudence' at *Iberoamericana Universidad Curso Derecho Humanos* (four-day training programme for judges organised in conjunction with the Office of the High Commissioner for Human Rights, Geneva), Mexico City, Mexico, 26 August 2004. He has been invited to sit on the editorial board of the *Revista Internacional Derechos Humanos*.

The research work of Bank of Ireland fellow **Dr. Kwadwo Appiagyei-Atua** focused on examining the human rights reforms introduced in the New Economic Partnership for Africa's Development (NEPAD) in contributing to a human rights-centred approach to holistic sustainable development in Africa. In the course of the academic year, Dr Appiagyei-Atua was active in a range of teaching, lecturing, publishing and research activities. He represented the Irish Centre for Human Rights at sessions of the European Master's in Human Rights, in Venice.



*Philippe Kirsch, president of the International Criminal Court, with Professor Schabas, left, and PhD student Nicolaos Strapatsas*

In April 2004 **Peter Fitzmaurice** joined the staff of the Irish Centre for Human Rights as the Project Officer of the EU-China Project and the Project Manager of the Refugee and Asylum Legal Support Unit. Peter's undergraduate law studies were at Kings College London and Leiden University in the Netherlands and he holds a Masters degree in Human Rights law from Queens University Belfast. He is a qualified solicitor and has previously practiced in the fields of employment, equality, immigration, and human rights law in Northern Ireland.

# 2

## Premises and Equipment

The Centre is located in a detached two-story building on Earl's Island, facing the Galway Cathedral, and in between the bridges linking the town of Galway with the University Campus. The building was constructed in 1820 as the Galway Fever Hospital. It was purchased by the University early in the twentieth century and was used for many years as a sports facility. The building was entirely renovated in 1999 to a very high standard. It now consists of thirteen individual offices, a seminar room, a documentation centre and a dedicated workroom for doctoral students.



*PhD work room now has twelve units available for researchers.*

In the first years of activity of the Centre, the building was partially used by the University for other purposes. Since 2002, with growth in activities of the Centre, the entire building has been devoted to activities of the Irish Centre for Human Rights.

In 2003, work was completed on a major refitting of the documentation centre within the building, creating twelve new work spaces for PhD students. Each work space is equipped with a computer and internet access. A specialised library is in the course of being created for the work room.

Major expenditures resulted in an upgrading of the computer facilities. The Irish Centre for Human Rights is a 'hot spot' offering wireless internet access.

## 3

## Post-Graduate Education

The fourth full year of the LLM in international human rights was completed in August 2004. Of the \*\*\* students who registered in the programme in September 2003, thirty-five graduated in December 2004:

Katrin Adams  
Adrienne Anifant  
Fahad Ansari  
Lauren Bari  
Maeve Barry  
Ruth Barry  
Anthony Behan  
Louise Beirne  
Anna Borro  
Heather Burns  
Anne Donnellan  
Catherine Fitzgerald

Geraldine Fitzgerald  
Gaston Gramajo-Chapman  
Denise Hobson  
Dmytro Karapish  
Taji Kommineni  
Julia Kozma  
Sinead Lynch  
Patricia Mac Eoin  
Aine Magee  
Jean McGrath  
Elaine Morris  
Thomas O'Donnell

Catherine O'Dwyer  
Caron O'Grady  
Brigid O'Malley  
Seena Perumal  
Yury Shcherbich  
Mikayla Sherlock  
Jennifer Smith  
Kim Turcotte  
Illan Wall  
Vanessa Zarec  
Patricia Zilliox

Of the twelve students who registered in the LLM in international Peace Support Operations programme in September 2003, six graduated in December 2004:

Anne-Marie Quinn  
Laura Ni Fhlannara

Jessica Nash  
Istvan Lipniczki

Margaret Hourihane  
Jesus Gamero Rus

The remainder are completing the LLM degree on a part-time basis. Students in the 2003-2004 cohort came from throughout the world, including Germany, Canada, the United States of America, Ireland, the United Kingdom, Pakistan, France, Nigeria and Libya. It is a diverse group in terms of gender and age, and includes several older students with rich field experience in justice, development and human rights.

Teaching for the LLM programmes was delivered by the Centre's faculty. Courses offered included: Introduction to International Human Rights Law (Dr. Cavanaugh), Minority Rights (Dr. Castellino), European Convention on Human Rights (Dr. Cavanaugh), International Humanitarian Law (Dr. Murphy), International Peace Support Operations (Dr. Murphy and Dr. O'Neill), Conflict Studies (Dr. Cavanaugh), International Criminal Law (Prof. Schabas), Abolition of the Death Penalty (Prof. Schabas), Economic, Social and Cultural Rights (Dr. Jaichand), African and Inter-American System (Dr. Jaichand), International Relations and International Organisations (Dr. Castellino). Dr. Patrick Twomey of the University of Nottingham delivered a course in International Refugee law. The programme was directed by Dr. Joshua Castellino.

During 2003-2004, the Centre participated actively in the European Master's Programme, offered by a consortium of universities from European Union countries. Dr. Castellino and Professor Schabas delivered lectures in the programme during the year, and representatives of the Centre participated in a number of administrative meetings. Six students in the programme spent the second semester in Galway attending seminars and preparing their dissertations.



**Professor Rene Provost of McGill University, delivering a lunch-hour seminar at the Irish Centre for Human Rights.**

During the year the Centre also participated in the Mediterranean Master's in Human Rights and Democratisation taught in Malta. Five students enrolled in the Mediterranean Master's, from Palestine, Libya, Lebanon and Morocco, attended the second semester at the Irish Centre for Human Rights, where they participated in seminars and completed their dissertations. Dr Jaichand represented the Centre at administrative functions of the programme.

In partnership with Queen's University in Belfast, the Centre successfully launched its one-year 'cross-border' LLM in international human rights and criminal justice. Students spend the first semester at Queen's and the second semester at the Centre. Over the summer months they write their dissertation, under the supervision of faculty members in one or other of the two institutions. Five students enrolled in this second year of the programme, three of whom graduated at NUI Galway after completing their dissertations (the other two graduated at Queen's). Students in the programme came from the United States (George Mitchell Scholar), Italy, and the United Kingdom. The programme is directed by Dr. Kathleen Cavanaugh.

The LLM degree in peace support operations entered its second year, with an increased enrolment. Twelve students registered for the programme, of whom six graduated; the others are studying part-time. This programme draws upon on the resources of the LLM in international human rights, but adds specialised courses in peacekeeping-related matters. The programme is directed by Dr. Ray Murphy. Dr. Terry O'Neill assisted in the delivery of the programme. The programme provides academic credit for practical experience in the field, and several of the students enrolled had worked previously in peace support operations with the Irish Defence Forces.

Twenty-five students are now pursuing PhD studies at the Centre. Six PhD students received bursaries from the Irish Centre for Human Rights (Shane Darcy, Vivienne O'Connor, Daniel Aguirre, Mohammed El Zeidy, Edel Hughes and Megan Fairlie); in addition to their doctoral studies, they participate part-time in research projects and other activities of the Centre. Several PhD students were in receipt of Higher Education Authority post-graduate scholarships permitting them to pursue full-time studies at the Centre (Nicolaos Strapatsas, Jérémie Gilbert, Anthony Cullen, Clémentine Olivier, Michael Kearny, David Keane and Shane Darcy). Niamh Walsh completed her second year as the first recipient of the prestigious NUI Galway EJ Phelan Postgraduate Fellowship in International Law.

By the end of the academic year 2003-2004, two PhD students had completed their theses, and begun the formalities for defence and graduation. Jérémie Gilbert completed his thesis on 'Seek the Fair Land: Indigenous Peoples' Land Rights Under International Law'. Alexander Knoops completed his thesis on 'Prosecution and Defense of International Peacekeepers before International and Internationalized Courts, Judicial Effects of article 98 Agreements and other International Instruments on International Criminal Responsibility of Peacekeepers'. The defences were held successfully in October 2004. The two are the first graduates of the PhD programme, which began in late 2001.

For the third consecutive year, the Centre held an intensive one-week 'doctoral seminar' in April 2003, for students enrolled in PhD studies. Distinguished academics from around the world present seminars or lectures on their current research, and comment on research presentations by doctoral students. In 2004, the visiting faculty consisted of three prominent scholars in the field of international human rights: Professor Andrew Clapham (Graduate Institute of International Studies, Geneva), Professor Douglas Cassel (Northwestern University, Chicago), and Professor Ronald Slye (University of Seattle).

## 4

## Summer Schools

For the fifth year, in July 2004, the Centre organised a summer course on the International Criminal Court. Several world-renowned specialists participated in the course, including Judge Sharon Williams, Professor Leila Sadat, John McManus, Professor Diane Amann, Professor Michael Scharf, Haken Friman, and Professor William Schabas. Approximately eighty students attended the course, which is increasingly recognized as the best programme of its kind. They included post-graduate and undergraduate students, practising lawyers, diplomats and public servants, journalists and members of the judiciary. The course will be offered again in 2005.

For the fourth year, in June 2003, the Centre offered a one-week summer course on minorities and international human rights law. The focus was on minority rights in Asia: one of the first instances of the week being devoted to this question outside the continent. Organised by Dr. Castellino, the course drew several of the world's leading specialists. Approximately fifty students from around the world attended the course. It will be offered again in June 2005, this time with a focus on minorities and conflict.

A consortium of four universities in the United States, led by the New England College of Law, Boston, offered a five-week summer school in international human rights at the Centre. The programme has been in existence since 2001. Courses are credited towards American Bar Association-approved law degrees in the United States. The Centre provides the venue for the school, and several of its faculty deliver courses. Approximately fifty students from United States law schools attended. Members of the Irish Centre for Human Rights participate in delivering courses, including Dr. Ray Murphy, Dr. Vinodh Jaichand and Professor William Schabas. The programme will be repeated in June-July 2005.

## 5

## Research

A busy year of conferences, publishing and contract research helped build the reputation of the Irish Centre for Human Rights as one of the premier institutions of its kind.

During 2003-2004 the Irish Centre for Human Rights hosted several important international conferences. The first was hosted in October 2003, entitled Global Trade and Human Rights and was organised by *Human Rights for Change*, a Galway-based human rights group. The panel included Mr. Michael D. Higgins, T.D, Jim Loughran of Amnesty International Irish Branch, Professor William Schabas, Director, Irish Centre for Human Rights, and Angela Hegarty, University of Ulster. Papers were presented by Professor Schabas, Dr. Josha Castellino and PhD student Daniel Aguirre and the Conference panel addressed various issues, including the enforcement of economic and social rights and the impact of trade on development in Africa.

The second, in January 2004, was actually held in Paris at the premises of the Irish Cultural Centre, in cooperation with the Centre des droits de l'homme of the Université de Paris II (Panthéon-Assas). The conference was held to commemorate the birth, in January 1904, of Sean Mac Bride, the famous Irish human rights lawyer who was awarded the Nobel Peace Prize in 1974. The Paris conference addressed the issue of abolition of the death penalty. Each panel consisted of one speaker from Ireland and one from France. In addition, a dramatic representation of Victor Hugo's *Dernier jour d'un condamnée* was presented. Speakers at the conference included: Senator Robert Badinter, Paolo Sergio Pinheiro, Ambassador James Sharkey, Professor Emmanuel Decaux and Dean Tom O'Malley,

In May 2004, the Centre was the co-host of a conference entitled 'Ulysses and Human Rights', held to mark the 100<sup>th</sup> anniversary of Bloomsday. Its partners in the conference were the English Department of NUI Galway and Kenny's Bookshop, the world famous Galway bookseller. Speakers at the conference included: Professor Vincent Cheng of the University of Utah, Professor Kevin Barry of the English Department, NUI Galway and Irish poet Anthony Cronin.

The highlight of the academic year was the international conference on 'Accountability for Atrocity', organised jointly by the Irish Centre for Human Rights and the United Nations University, Tokyo. Speakers at the event included Mary Robinson, former President of Ireland and United Nations High Commissioner for Human Rights, Lloyd Axworthy, former Foreign minister of Canada, and Theodor Meron, President of the International Criminal Tribunals for the former Yugoslavia and Rwanda.

In addition The Centre also hosted a number of visiting lecturers who spoke to faculty, students and the general public: On 19 February 2004, Professor René Provost of McGill University delivered a lecture entitled 'Culture Clash in International Law'. Professor Provost is well known as the author of *International Human Rights and Humanitarian Law* (Cambridge: Cambridge University Press, 2002). On 3 March 2004, the Centre hosted a talk by George Bizos on accountability in South Africa. Barrister George Bizos is one of South Africa's most distinguished human rights advocates. He has acted on behalf of Nelson Mandela since the 1960s.



**George Bizos, distinguished anti-apartheid activist, who spoke to students at the Irish Centre for Human Rights in March 2004**

Members of the faculty of the Irish Centre for Human Rights, as well as a growing number of students, published widely during the academic year 2003-2004.

## Books and Monographs

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## Conference Papers, Lectures

### Joshua Castellino

- The Wall in the Occupied Palestinian Territories: Legal Questions and ICJ Jurisprudence. Lawyers for the New Millennium: Jordanian Bar Association, Palestinian Bar Association & Law Society of England and Wales, Amman, Jordan (May 2004).
- International Human Rights Law: Domestic Application of Norms. Lawyers for the New Millennium: Jordanian Bar Association, Palestinian Bar Association & Law Society of England and Wales, Amman, Jordan (May 2004).
- The Issue of Travellers and Ethnicity. Special Address to the *Joint Oireachtas Committee on Human Rights* (Houses of Parliament) Dublin (December 2003).
- The Challenges of Minority Rights in an Irish Context. Special Workshop on Minority Rights and Security, organised by *Minority Rights Group* (International), Dublin (November 2003).

### Kathleen Cavanaugh

- Contemporary Conflict Situations and the Erosion of International Humanitarian Law. University of Limerick, Joint Women's Studies and Department of Politics & Public Administration Public Lecture Series (October 2003).
- States of Emergency. Law Society, Damascus (October 2003).
- New Law, New Wars. Law Society, Damascus (October 2003).
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### Shane Darcy

- What Future for the Doctrine of Belligerent Reprisals? Annual Conference of the Association of Human Rights Institutes, University of Essex, United Kingdom (September 2003).
- The Concept of Criminal Organisations: A Human Rights Perspective. Annual Conference of the Irish Association of Law Teachers, Derry (April 2004).
- International Humanitarian Law and the Question of Collective Responsibility. European Society of International Law, Florence, Italy (May 2004).

### Vinodh Jaichand

- Pre and Post Apartheid South Africa: Some Reflections. Atlantic College, Wales (October 2003).
- Minority Rights and Affirmative Action. EU-China Network Seminar, Beijing (November 2003).
- Public Interest Litigation. Second Annual Student Human Rights Conference, University College, Dublin (March 2004).
- Human Rights Implications of Hungary's Accession to the European Community. Brethren Colleges Abroad, Austria (June 2004).
- Economic, Social and Cultural Rights. International Human Rights Academy, Utrecht (August 2004).

### Ray Murphy

- Emerging Trends in the International Protection of Human Rights. Argentine Joint Peacekeeping Operation

Training Centre (CAECOPAZ), Buenos Aires, Argentina (August 2004).

### ***Clementine Olivier***

Some issues regarding applicability of human rights in exceptional situations. Nordic Human Rights Research Course and Conference, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Lund, Sweden (May 2004).

### ***William A. Schabas***

The Interrelationship between Truth Commissions and Courts: The Case of Sierra Leone. Conference on Truth Commissions and Courts, Galway (October 2002).

Human Security and the International Criminal Court. International Summer School on Human Rights and Human Security, Graz, Austria (September 2003).

Economic Aspects of the Conflict in Sierra Leone. Conference on Global Trade and the Implications for Human Rights, Irish Centre for Human Rights, Galway (October 2003).

Gender Crimes In Sierra Leone and the Work of the Truth and Reconciliation Commission. War Crimes Research Symposium, Case Western Reserve University School of Law, Cleveland (October 2003).

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Comparative Law and the Death Penalty', Conference for Universal Abolition of the Death Penalty. Irish Cultural Centre, Paris (January 2004).

Genocide and Law: The Mysteries Remain. Oxford University Public International Law/International Law Association (UK) Discussion Group, New College, Oxford (February 2004).

Lessons from Abroad (and from history): Bills of Rights Deliver Results. Conference on Protecting Human Rights through Bills of Rights, Northern Ireland Human Rights Commission, Belfast (February 2004).

International Law and the Rwandan Genocide. Evangelische Akademie Loccum, Loccum, Germany (March 2004).

Transitional Justice: Rwanda, Sierra Leone, Iraq. San Francisco Bar Association, San Francisco (March 2004).

The Sierra Leone Truth Commission and Lessons for Transitional Justice. University of California at Davis (March 2004).

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Genocide and International Law. Mary Washington College, Fredericksburg, Virginia (March 2004).

Le TPIY à 10 ans. Société québécoise pour le droit international, Montréal (March 2004).

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Extradition, Diplomacy and Capital Punishment. William & Mary College, Williamsburg, Virginia (April 2004).

The International Criminal Court: The Secret of its Success. Raoul Wallenberg Institute for Human Rights, Lund, Sweden (April 2004).

Developments in the Law of Genocide. Marangopoulos Foundation for Human Rights, Athens (May 2004).

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Ulysses and Censorship. Centenary Conference on Joyce's Ulysses and Human Rights, Galway (May 2004).

Introductory Report on Corporate Social Responsibility. EU-China Dialogue on Human Rights, Beijing (June 2004).

Prosecutorial Discretion and International Criminal Law. International Conference on Accountability for Atrocity, Galway (July 2004).

Report on the International Criminal Court. International Law Association, Berlin (August 2004).

### ***Mohamed El Zeidy***

First State Party Referral to the ICC. International Committee of the Red Cross Expert Meeting, Cairo (February 2004).

# 6

## Other Projects and Activities

### EU-China Network

Since 2001, the Irish Centre for Human Rights has been the lynchpin of the EU-China Network on Human Rights, which is funded by the European Commission and supported by the Chinese Ministry of Foreign Affairs. Originally supported for the 2002-2003 period, in 2003 the European Commission agreed to fund the activity for an additional year, until the end of 2004.

Within Europe, the Irish Centre for Human Rights coordinates a steering committee composed of the University of Essex, the University of Paris II, and the University of Milan. Its principal partner within China is the Law Institute of the Chinese Academy of Social Sciences, in Beijing. Thirty academic institutions, fifteen in Europe and fifteen in China, participate in the programme. During the course of 2004, this was expanded to take account of the ten accession States in the European Union. Activities of the Network consist of seminars on human rights topics that bring together specialists from Europe and China, exchanges of visiting academics, training courses for Chinese practitioners and publications.

The 2003/04 academic year was extremely busy for the network as a number of events which had been postponed due to the outbreak of the SARS virus were re-scheduled. In addition from May 2004 with the accession of ten new countries of the European Union the number of universities in the programme was expanded from 15 to 25 in Europe with a corresponding increase in Chinese partner universities.

The over-arching aim of the project is to provide China with human rights expertise at the highest academic level in order to support the process of ratification of the ICCPR and the implementation of both human rights covenants within China. The Network enables European human rights specialists to share expertise with their counterparts in China, as part of a two-way exchange of experience and views. Activities include Network Seminars, research, development of training materials, delivery of training and other follow-up activities, as well as a series of exchanges and internships.

There were four seminars that took place in 2003/04. At the beginning of September, the third EU-China Network Seminar was held in Galway on the topic of Freedom of Association. Eleven countries and 16 human rights institutions in all were represented at this Seminar, which was characterised by exceptionally open and frank discussions. Valuable insight on the growth and current state of civil society in China was provided by Chinese experts.

During November 2003 a Network Seminar and Training Session on the Rights of Minorities was held in China. There was a particular focus on the challenges facing States as they seek to create legislative systems that can fully accommodate minority groups. In discussion, it became clear that China and European States face many of the same kinds of problems in this connection. A comparative approach was adopted, with an examination of legal remedies in Europe, as well as in the Inter-American and African systems. Methods and strategies for the possible development of an Asian human rights system were also discussed.

The next seminar to be held was the EU-China Human Rights Dialogue Seminar in Venice, Italy, under the Italian Presidency of the EU. The Seminar took place from 15-16 December and focused on the topics of Judicial Guarantees of Human Rights, and Capacity Building of NGOs. This event built on the results of previous Network Seminars on Freedom of Association and Access to Justice.

The fifth Expert Network Seminar of the EU-China Human Rights Network was held on 27-28 April 2004 at the Human Rights Centre at Essex University in Colchester, United Kingdom. This seminar addressed the topic of Right to Health and the Right to Social Security. This seminar was previously due to have taken place in May 2003 but was postponed due to the outbreak of Severe Acute Respiratory Syndrome (SARS).

The Chinese Delegation was led by Professor Liu Hainian, Director of the Centre for Human Rights Studies of the Chinese Academy of Social Sciences; while Professor William Schabas, Director of the Irish Centre for Human Rights, led the European delegation. The Seminar was addressed by Professor Paul Hunt, the United Nations Special Rapporteur on the Right to Health and Co director of the Human Rights Unit at the University of Essex.

Full documentation on the events of the network is posted on the web-site at <http://www.eu-chinahumanrights.org>.

## Applicable Law Project

Since 2001, the Centre has taken the lead in organising a project entitled *Applicable Law in Complex Peacekeeping Situations*. This project is a component of the United States Institute of Peace's *Project on Peacekeeping and the Administration of Justice*. It is aimed at the construction of a transitional system of criminal justice, including 'quickstart' packages to be implemented in humanitarian emergencies. The project is an outgrowth of the United Nations 'Brahimi Report' on peace support operations.



***William Schabas and project director Vivienne O'Connor presented the codes to the United Nations Commission on Crime Prevention, in Vienna, in April 2004.. They are shown here with Eduardo Vetere, right, director of the United Nations Office for Crime and Drugs in Vienna.***

The Irish Centre for Human Rights coordinates an international team of experts drawn from the major legal systems of the world, including Professor Hans-Jorg Albrecht of the Max Planck Institute in Fribourg, Germany, Professor Diane Marie Amann of the University of California at Davis, and Professor Cherif Bassiouni of St. Paul University in Chicago. Representatives of international organisations also participate, including the Office of the High

Commissioner for Human Rights and the International Committee of the Red Cross.

After being 'unveiled' at an international conference held in Geneva in June 2003, a series of expert consultations were held in Europe, Africa and Asia in order to obtain input from regional experts. The codes will be published in 2005.

## Refugee Law Clinic

In 2004 the Refugee and Asylum Legal Support Unit at the Irish Centre for Human Rights began operations. The pilot project is funded by the Joseph Rowntree Charitable Trust. The Unit was

established in June 2004 and after some months of planning and consultation with many of the local actors involved in the provision of services to the refugee population in the West of Ireland began training of post-graduate and under-graduate law students from September 2004.

The Unit team is headed by Professor William Schabas. The unit manager is Mr Peter Fitzmaurice and the postgraduate researcher is Ms Catherine Kenny. The purpose of the unit is to develop a group of students who are able to provide research and other support to the legal representation of asylum seekers and refugees in the West of Ireland. This provides a practical framework for the students of the Masters Programme in Human Rights and undergraduate law students with a framework to volunteer their time and growing expertise as a practical compliment to their studies.

Members of the Unit have also been involved with the Irish Refugee Council, the Galway Refugee Support Group and the Women's Human Rights Alliance in providing legal training on aspects of Ireland's new citizenship laws to asylum seekers and refugees. This project is to be extended throughout the West of Ireland and student members of the Unit will be able to provide teaching. The Unit has strengthened the links that already existed between the Irish Centre for Human Rights and local civil society groupings. In addition the provision of mixed classes with local practitioners has allowed students to interact with legal practitioners in this area and apply theoretical knowledge to legal practice.

## Judicial Training in Central Europe

The Irish Centre for Human Rights together with the European Training and Research Centre for Human Rights and Democracy at the University of Graz, Austria have partnered with organisations in Austria, Slovenia, Slovakia and Hungary to develop and implement a training programme on non-discrimination for pre-service and in-service judges and prosecutors. The planning phase of this work was concluded in a number of meetings in Graz attended by Dr Vinodh Jaichand in 2004. It is intended to hold four trainings in each of the partner countries. The whole project will take three years to complete. The performance and achievements of the project will be evaluated by the Irish Centre for Human Rights.

## Internship Programmes

The Centre provides its students at the LLM and PhD levels with a number of opportunities to conduct internships with human rights non-governmental organisations (NGOs) throughout the world.

Since 2002, the Irish Centre for Human Rights has provided internship opportunities to its postgraduate students, in Northern Ireland, Israel/occupied Territories, India and other regions. The internship programme allows students from the LLM programme to engage with human rights organisations as well as law firms affiliated with locally-based human rights groups. The regional focus of the internship programme is on Northern Ireland, where the Centre has developed and seeks to expand its work with locally-based as well as international human rights group working on issues in this region. Additionally, internship links have been established in Israel/occupied Territories and New Delhi, India.

The underpinning of this project is twofold: the project allows students to put into practice some of the foundational work provided by the LLM programme, as well as to provide much needed assistance to both local and international groups working on pressing human rights issues. The results of research undertaken by the student have served as the basis for reports for NGOs and, as well, served as the basis for the student's minor dissertation.

During 2003-2004, students were placed in internships with the United Nations Office for the Coordination of Humanitarian Affairs in Jerusalem, Al Haq in the West Bank, Palestine and in several organisations in Northern Ireland. The Centre assisted with funding for these internships.

## 8

## Community Outreach, NGO Activity

The Irish Centre for Human Rights is involved with a number of Irish and international non-governmental organisations (NGOs) engaged in the promotion of human rights.

First and foremost among them is Amnesty International. Faculty member Dr Kathleen Cavanaugh sits on the board of Amnesty International Ireland. She has been regularly called upon as an investigator by the International Secretariat of Amnesty International, and in May 2003 was part of the organisation's research team in Iraq. In 2004, the Faculty and PhD students from the Irish Centre for Human Rights together with Amnesty International Ireland provided a joint training programme on international human rights law. The programme was open to practitioners, NGO staff, Activists and interested others who identified a need (or simply a desire) to have an overview of human right law. Over the course of five days, Faculty and PhD students presented sessions which ranged from very basic overviews of treaty based and non treaty based human rights mechanisms to subject specific issues including states of emergency, refugees, human rights education, international criminal law, to name but a few. The sessions offered in Galway and in Dublin and were undertaken by ten PhD students, with supervision provided by the Centre's staff including Dr. Joshua Castellino, Dr. Ray Murphy, Dr. Vinodh Jaichand and Dr. Kathleen Cavanaugh.

Dr Murphy and Professor Schabas were active within the Institute for International Criminal Investigation, an NGO that is working to develop professional standards and training in the area of the investigation of serious violations of international human rights.

The Centre continues to promote the development of the International Criminal Court. It was represented at the Third Annual Meeting of the Assembly of States parties by three post-graduate students, Nicolaos Strapatsas, Mohamed Zeidy and Claus Molitor.

## 9

## Media Coverage

In the course of 2002-2003, the Irish Centre for Human Rights was regularly in both the national and international media with respect to activities undertaken at the Centre and by its faculty. Here is a sampling of some of the coverage:

- NUI Galway's Irish Centre for Human Rights Conference 'Global Trade and the Implications of Human Rights, *Connacht Sentinel*, 30 September 2003
- NUI Galway's Irish Centre for Human Rights Conference 'Global Trade and the Implications of Human Rights, Radio na Gaeltachta, 'Cursaí an Lae', 3 October 2003
- Lecturer speaks about impact of war in Iraq, Interview with Dr. Kathleen Cavanaugh, Irish Centre for Human Rights, *The City Tribune*, 17 October 2003
- Dr. Joshua Castellino, Irish Centre for Human Rights interviewed on the Report on Asylum Seekers in Ireland, commissioned by the Refugee Council of Ireland
- RTE, Radio 1, Vincent Browne Show, 20 October 2003
- Professor William Schabas, Dr. Ray Murphy, Dr. Kathleen Cavanaugh (ICHR) & Dr Donncha O Conaill, School of Law, RTE Radio 1, Tonight with Vincent Browne, 6 November 2003
- Focus on Human Rights in the National & Global context, Professor William Schabas, RTE 1 - 'Primetime', 6 November 2003
- Professor James Browne, Deputy President, as guest speaker & Haifeng Zhao, of the Irish Centre for Human Rights to attend launch of William Schultz's book Tainted Legacy -9/11 and the ruin of Human Rights at Kenny's Bookshop, *Galway Advertiser*, 6 November 2003
- Dr Ray Murphy, Irish Centre for Human Rights on Irish troops being sent to Liberia, *Irish Times*, 26 November 2003
- Dr. Vinodh Jaichand, Irish Centre for Human Rights & member of the Human Rights Commission challenges Government's method of assessing poverty, *Irish Times*, 18 November 2003
- Capture of Saddam Hussein and structure of trial for the former Iraqi President, Interview with William Schabas, Morning Ireland, 15 December 2003
- Capture of Saddam Hussein and structure of trial for the former Iraqi President, *Globe and Mail* (Canada), 15 December 2003
- Comment by Professor William Schabas, Galway Bay FM, 20 January 2004
- Amnesty International's human rights course at the Centre for Human Rights, NUI Galway, *Galway Advertiser*, 12 February 2004
- Interview, Developments in Kosovo, William Schabas, BBC World Service, 'Newshour', 18 March 2004
- Prof William Schabas, Director, Irish Centre for Human Rights to present prize for humanity to Rwandan hero, Swissinfo, 20 March 2004
- Dr. Hanna Beate Shopp-Schillin, International Women's Human Rights expert to give public talk, *Connacht Sentinel*, 27 April 2004

- Dr. Kathleen Cavanagh, Irish Centre for Human Rights speaks of her visit to Iraq on behalf of Amnesty International. Report on American detention centres, Morning Ireland, RTE Radio 1, 4 May 2004
- Dr. Kathleen Cavanagh, Irish Centre for Human Rights speaks of her visit to Iraq on behalf of Amnesty International. Report on American detention centres, Keith Finnegan Show, Galway Bay FM, 4 May 2004
- Interview, Professor William Schabas, Keith Finnegan Show, Galway Bay FM, 10 May 2004
- Interview on prisoners in Iraq, Professor William Schabas, Cork FM, 10th May 2004
- Dr Kathleen Cavanaugh, Irish Centre for Human Rights speaks about torture of Iraqi prisoners, *Irish Examiner*, 5 May 2004
- US hand-over of authority to Iraq, Interview with Professor William Schabas, RTE Radio 1, Morning Ireland, 29 June 2004
- Photograph of Philippe Kirsch, Dr. Garrett Fitzgerald & Professor William Schabas, *Galway Advertiser*, 1 July 2004
- Irish Centre for Human Rights, NUI Galway co-hosts 'Accountability for Atrocity' Conference, *Galway Independent*, 14 July 2004
- Irish Centre for Human Rights, NUI Galway co-hosts 'Accountability for Atrocity' Conference, *Irish Times*, 15 July 2004
- Irish Centre for Human Rights Conference - 'Accountability for Atrocity', Radio na Gaeltachta, Athmhaidin, 15 July 2004
- David Crane, Prosecutor, Special Court for Sierra Leone, RTE Radio 1, Tom McGurk's programme, 15 July 2004
- Irish Centre for Human Rights, NUI Galway co-hosts 'Accountability for Atrocity' Conference, City Tribune, 16 July 2004
- Former President of Ireland, Mary Robinson attends 'Accountability for Atrocity' conference, *Galway Independent*, 21 July 2004
- Professor William Schabas, Irish Centre for Human Rights, *Galway Independent*, 26 August 2004