



National University of Ireland, Galway
Ollscoil na bÉireann, Gaillimh



IRISH CENTRE FOR HUMAN RIGHTS

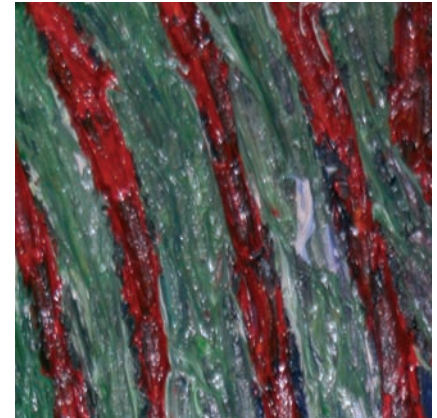
*promoting human rights through
teaching, research and advocacy*

Activity Report 2004-2006

Cover: Rivera Kalenzo (detail) - oil on canvas by American artist and human rights activist, Tom Block.

Rivera Kalenzo portrays a woman who fled civil-war-torn Burundi for a refugee camp in Tanzania after four of her six children were murdered. The work was exhibited at the Galway City Library during the Project '06 Arts Festival as part of the *Human Rights Painting Project* brought to Ireland by Amnesty International (Irish Section) and the Irish Centre for Human Rights. It now hangs in the Irish Centre for Human Rights, NUI Galway.

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MESSAGE FROM THE DIRECTOR



Professor William A. Schabas,
Director, Irish Centre for Human Rights

Now in its eighth year of operations, the Irish Centre for Human Rights has an established international reputation for excellence in the field of human rights teaching, research and advocacy.

Dear Friends,

I am pleased to introduce the 2004-2006 Activity Report for the Irish Centre for Human Rights, National University of Ireland, Galway.

Now in its eighth year of operations, the Irish Centre for Human Rights has an established international reputation for excellence in the field of human rights teaching, research and advocacy.

The Centre runs two widely acclaimed masters programmes in International Human Rights Law and Peace Support Operations, as well as a successful Cross Border programme in International Human Rights and Criminal Justice, in co-operation with Queens University, Belfast. More than 30 students are currently enrolled on the Centre's PhD programme. Of the five who have completed their PhDs to date, all have permanent teaching positions in universities, and have either published or are in the course of publishing their theses.

The commitment and dedication of both faculty and students has enabled the Centre to make a significant contribution to the development of a body of specialised human rights literature with the publication of 16 books and more than 100 articles during a two-year period. The expertise of faculty and students was also shared through the delivery of close to 200 guest lectures as well as participation in numerous conferences and training programmes in Ireland and overseas.

Since its foundation, the Centre has managed a portfolio of projects that seek to increase understanding of particular human rights issues. The conclusion of the EU-China Network for the Ratification of the International Covenant on Civil and Political Rights, funded by the EU External Relations Commission, led to the launch of the Ireland-China Academic Exchange, established with funding from the Irish Government in 2005. Also in 2005, the Refugee and Asylum Support Unit secured additional funding from the Joseph Rowntree Charitable Trust, which has enabled the Unit to continue and expand its activities. The findings of the Judicial Training in Central Europe Project, run in co-operation with the University of Graz, Austria, were published in a book co-edited by Dr. Vinodh Jaichand, Deputy Director of the Irish Centre for Human Rights, in June 2006. The Model Codes for Post Conflict Criminal Justice project, run in co-operation with the United States Institute of Peace, is on course to conclude at the end of 2006, with the launch of the 'Model Codes' themselves expected in early 2007. Work on a research project funded by the Irish Research Council for the Humanities and Social Sciences, which examines Ireland's participation in international human rights law and institutions, is expected to conclude in 2008.

Over the past two years, the Centre has submitted two special reports to the Government on separate human rights issues: the development of law and practice relating to equal employment opportunities for disabled people; and child rights and sexual assault. These research projects were concluded and their findings compiled in special reports submitted to the Government in December 2004 and August 2006 respectively. The findings of a third research project on institutional and state racism in Ireland, commissioned by Amnesty International (Irish Section), in the spring of 2005, were also published in 2006. A report on older people and international human rights law was submitted to the Human Rights Commission in 2006. A fifth project commissioned by Border Action, Monaghan, which aims to develop a framework for the implementation of a human rights approach in the Peace III Programme and future programmes, will be concluded in 2007.

The reputation of the Centre as one of the world's premier university-based institutions for the study of human rights has attracted a large number of renowned human rights experts and activists to Galway. Of the six conferences organised by the Centre during 2004-2006, two in particular stand out as highlights: *Reframing Islam*, held in September 2005, and *The Trial of Slobodan Milosevic*, which took place in April 2006. Faculty and students also had the pleasure of meeting more informally with a great many distinguished speakers including Nobel Laureate Seamus Heaney; journalist and author Robert Fisk; and UN High Commissioner for Human Rights, Louise Arbour.

In 2007, we at the Centre will bid a final farewell to two valued colleagues: Dr. Joshua Castellino and Dr. Elvira Domínguez Redondo. Dr. Castellino has been with the Centre since its commencement in 2000 and has contributed greatly to its growth and development since that time. Dr. Domínguez Redondo joined the Centre as a research fellow in 2005 and although only with us for a short time, she had a significant impact on the life of the institution. Both Dr. Castellino and Dr. Domínguez Redondo have accepted positions in the Transitional Justice Institute, University of Ulster. I am sure I

speak for all at the Centre when I say they will be missed and wish them and their daughter Rada all the very best in Derry.

Happily, in 2007 the Centre will also welcome a number of new lecturers onto the faculty and commence two new courses for masters students. Dr. Nadia Bernaz will be joining the faculty on a full-time basis in 2007. Dr. Bernaz holds a PhD from University Paul Cézanne (Aix-Marseille III, France) where she wrote her thesis on "International Law and the Death Penalty". She will begin teaching International Refugee Law at the Center in January 2007 before assuming a full teaching schedule in the autumn. Dr. Kwadwo Appiagyei-Atua, formerly Bank of Ireland Fellow at the Centre in 2003-2004, will teach a course on Gender and Human Rights. Dennis Driscoll, a senior lecturer with the NUI Galway Law Faculty, will teach a course on Business and Human Rights. Dr. David Keane, lecturer in law at Brunel University and a graduate of the Centre's PhD programme, will lecture on Minorities and Self-Determination. The Centre is pleased to be joined for a semester in 2007 by visiting academic and scholar Frederick Lorenz. Professor Lorenz served in the US Marine Corps for twenty-seven years as a judge advocate and will be giving a series of lunchtime lectures on peacekeeping operations. In addition, the Centre is also recruiting for another lecturer to join its permanent staff in 2007.

More information about the faculty and the activities of the Centre over the past two years can be found in the following pages. I hope you find it interesting.



William A. Schabas
Director

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STRUCTURE AND PERSONNEL



Members of the Irish Centre for Human Rights faculty: Dr. Vinodh Jaichand, Dr. Ray Murphy, Professor William Schabas and Vivienne O'Connor

The Irish Centre for Human Rights has a staff of ten full-time academic, research and support personnel, plus several part-time employees. Nationals of several different countries – Canada, France, Ghana, India, Ireland, Nigeria, Spain, South Africa and the United States – have been employed at the Centre during this period.

During 2004-2006, five academic members of the University's Faculty of Law were located at the Irish Centre for Human Rights and taught in its programmes: Professor William Schabas, Dr. Ray Murphy, Dr. Vinodh Jaichand, Dr. Kathleen Cavanaugh and Dr. Joshua Castellino.

Dr. Terry O'Neill, Dr. Ursula Kilkelly, research fellow Dr. Elvira Domínguez Redondo, and Aoife Daly also taught courses on the LLM in International Human Rights Law and the LLM in Peace Support Operations.

Peter Fitzmaurice is the Centre's Programme Manager and also teaches a course on the LLM in International Human Rights Law. Vivienne O'Connor is Rule of Law Project Officer and Co-Director of the Model Codes for Post-Conflict Criminal Justice Project.

Every year the Centre also hosts a Bank of Ireland fellow. At the start of the academic year in 2004 this position was taken up by Dr. Olaoluwa Olusanya. He was replaced by Dr. V. Adefemi Isumonah in 2005.

Fiona Gardiner provides full-time administrative support services to the Centre. She has been assisted by Aoife Harrington, Cindy Blundell, Carol Corbett and Louise Burke.

Professor William A. Schabas is Director

of the Irish Centre for Human Rights. He is a specialist in the areas of international criminal accountability for human rights violations and the abolition of capital punishment. Over the course of 2004-2006 Professor Schabas lectured in Armenia, Austria, Barbados, Belgium, Britain, Canada, China, Denmark, Ethiopia, Finland, France, Germany, India, Indonesia, Israel, Italy, Korea, Poland, the Netherlands, New Zealand, the Occupied Palestinian Territories, Sweden, Switzerland, Thailand, Turkey, Tanzania and the United States.

During this period Professor Schabas also published numerous articles and several books, including *The UN International Criminal Tribunals: the former Yugoslavia, Rwanda and Sierra Leone* (Cambridge: Cambridge University Press, 2006). His best selling book *Introduction to the International Criminal Court* (Cambridge: Cambridge University Press) was translated into Persian and Chinese while *Genocide in International Law: The Crimes of Crimes* (Cambridge: Cambridge University Press) was translated into Albanian.

During 2004, Professor Schabas completed his term as a member of the Sierra Leone Truth and Reconciliation Commission, a position to which he was appointed in 2002 by the President of Sierra Leone at the recommendation of Mary Robinson.

Professor Schabas was named an Officer of the Order of Canada, Canada's highest civilian honour, at a ceremony in February 2006. In June 2006, United Nations Secretary-General Kofi Annan appointed Professor Schabas to the Board of Trustees of the Voluntary Fund for Technical Cooperation in Human Rights. The Fund was established in 1987 to provide technical cooperation to countries upon request of their governments. The Board of Trustees assists in fundraising and provides expert advice to the Fund.

Dr. Vinodh Jaichand joined the Centre 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 was appointed Deputy Director of the Centre in November 2003. In 2006 he was also appointed director of the LLM in International Human Rights Law.

STRUCTURE AND PERSONNEL



Dr. Vinodh Jaichand and Dr. Ray Murphy

In September 2004, Dr. Jaichand led a delegation of European experts from twelve different European universities to Beijing and Guiyang where they met with Chinese academics and students to exchange views on the issue of 'Gender and the Law'. Dr. Jaichand also represented the Centre at meetings, presentations and lectures in Austria, China, India, Italy, Malta, Poland, Sicily and the United States.

In March 2006, a report written by Dr. Jaichand and Louise Beirne of Amnesty International (Irish Section) entitled, *Breaking Down Barriers: Tackling racism in Ireland at the level of the State and its institutions*, was published. Also in 2006, the findings of a two-year judicial training project implemented in Central Europe by the Irish Centre for Human Rights and the European Research Centre for Human Rights and Democracy, University of Graz, Austria were published in book form. The book, entitled *Anti-Discrimination and the Judiciary: Challenges to Access to Justice in Austria, Hungary, Slovakia and Slovenia*, was co-edited by Dr. Jaichand and Anke Sembacher and Klaus Starl of the European Training and Research Centre for Human Rights and Democracy.

Dr. Jaichand lectures on Economic, Social and Cultural Rights and the African and Inter-American Regional Systems of Protecting Human Rights on the LLM programme and teaches in the Minority Rights and New England summer schools.

Dr. Ray Murphy is a senior lecturer in Law at the Irish Centre for Human Rights. He is a former Captain in the Irish Defence Forces and served as an infantry officer with the Irish contingent of UNIFIL in Lebanon in 1981/82 and again in 1989. He completed his PhD in International Law at the University of Nottingham in England in 2001. A specialist in peace support operations, Dr. Murphy founded and directs the Master's level programme in the area of peacekeeping, which has been in place at the Centre since September 2002. In 2006 he was also appointed director of the Cross Border Programme run in partnership with Queens University, Belfast. Dr. Murphy lectures in International Peace Support Operations and International Humanitarian Law. In addition to his position at the Irish

Centre for Human Rights, Dr. Murphy is on the faculty of the Pearson Peacekeeping Center, Canada; the Institute for International Criminal Investigations, The Hague, Netherlands; and the International Institute of Humanitarian Law at San Remo, Italy. He also lectures on international humanitarian law for the International Committee of the Red Cross. In 2005, he directed a two-week course on human rights and peacekeeping on behalf of the Pearson Peacekeeping Centre for military, police and civilian participants from Latin America and the Caribbean, which took place in Argentina. In March 2005, he also represented the Irish Centre for Human Rights at the UN International Training School in the Curragh.

In 2006, Dr. Murphy traveled to Palestine where he was part of a team of European Union Election Observers deployed to observe and report on the conduct of the election process taking place there. He returned to Palestine in August 2006 where he conducted workshops organised by Al-Haq, an international law and human rights NGO based in Ramallah and affiliated to the International Commission of Jurists, on investigating war crimes in the Occupied Territories.

Dr. Murphy was awarded a Fulbright Fellowship in 2006 and worked with Human Rights Watch in New York as a resident scholar.

Dr. Kathleen Cavanaugh is from the United States. She obtained her PhD from the London School of Economics & Political Science in 1997. Her academic interests and specialisation include the study of nationalism, ethnic conflict, political violence and the application of international human rights and humanitarian law in ethnic conflicts. From September 2006-2007 she is on sabbatical from the Centre as a visiting scholar at the Centre for Socio-Legal Studies, University of Oxford. Her research focus, during this period, is Violence and the Liberal State. Dr. Cavanaugh was director of the LLM in International Human Rights Law from 2003-2006 and lectured LLM students on the Law of the European Convention of Human Rights as well as Conflict and Post Conflict Law. She also directed the Cross Border Programme run by the Centre in partnership with Queens

STRUCTURE AND PERSONNEL



Professor William Schabas with Dr. Domínguez Redondo and Dr. Castellino on the occasion of their book launch, July 2006

University, Belfast. During 2004-2006, Dr. Cavanaugh lectured in Amsterdam, Syria and the United States. She also contributed to specialized human rights training programmes in India, Jordan and Morocco.

For over a decade, Dr. Cavanaugh has been actively involved in both international, as well as locally based human rights groups. She is currently Chair of Amnesty International (Irish Section) and a member of the Amnesty International Policy Committee. She is also a member of the Al-Haq (Palestine) steering committee.

Dr. Joshua Castellino is from India. He completed his PhD in International Law at the University of Hull in the United Kingdom in 1998 and joined the Irish Centre for Human Rights in September 2000 at its commencement. He is a specialist in the area of minority rights and has published two books on the topic: *Minority Rights in Asia*, co-written with Dr. Elvira Domínguez Redondo and published by Oxford University Press in 2006; and *International Law and Indigenous Peoples*, co-edited with NUI Phelen Fellow, Niamh Walsh and published in 2005.

During 2004-2006, Dr. Castellino taught two courses in Public International Law and Minority Rights for the Centre's LLM programmes. Each year he hosts the *Annual Summer School on Minority Rights* at the Centre. He is also an Academic Director (Theme 5: Human Rights & Security) of the *European Masters in Human Rights & Democratization*, European Inter-University Centre, Venice, Italy.

Over the past two years, Dr. Castellino lectured in Britain, China, Mexico, Italy, Spain and Syria. In addition to active participation in the EU-China Network run by the Centre, in November 2005 he organised a four-day training programme in Human Rights for members of various Chinese Ministries, as part of a bilateral exchange between the Foreign Ministries of Italy and China, sponsored by the Italian Foreign Ministry. In April 2006, he delivered a series of nine human rights lectures and seminars in India during an intensive week of activities involving local NGOs, students, academics and judges organised by the Irish Centre for Human Rights in co-operation with the Human Rights Law Network (India).

Dr. Terry O'Neill is a former Colonel in the Irish Defence Forces. He has experience with United Nations peacekeeping missions in Lebanon, Angola and the Congo. He completed his M. Phil in Peace Studies with the Irish School of Ecumenics in 1992 and was awarded a PhD from Dublin University (Trinity College) for his thesis *The Adaptation of Peacekeeping in the Post-Cold War International System*. Dr O'Neill's area of research is peacekeeping, and he has co-authored a book, *United Nations Peacekeeping in the Post-Cold War Era*. The book is written by Dr. O'Neill and Nicholas Rees, Dean of Graduate Studies at the University of Limerick, and was published in 2005. Dr. O'Neill is a regular lecturer on the Irish Centre for Human Rights LLM in Peace Support Operations. In addition to his position at the Centre, Dr. O'Neill is an External Lecturer at Dublin City University, Department of Law and Government, and a Research Associate at Trinity College Dublin, Department of Modern History.

Dr. Elvira Domínguez Redondo is from Spain and was awarded a PhD for her study of Special Procedures at the United Nations at Universidad Carlos III de Madrid in 2004. In 2005 she was awarded a Post-Doctoral Fellowship by the Irish Research Council for Social Sciences and the Humanities, for research on new techniques developed by international human rights monitoring bodies at universal and regional levels, whose legal basis cannot be found in treaties or written international documents.

Her book *Los Procedimientos Públicos Especiales de la Comisión de Derechos Humanos de Naciones Unidas* [Public Special Procedures of the UN Commission on Human Rights] was published in 2005. In 2006 she published a second book, *Minority Rights in Asia*, co-written with Dr. Joshua Castellino.

Dr. Domínguez Redondo taught courses on the European Convention on Human Rights and on International Humanitarian Law for the Centre's LLM programmes. Together with other faculty from the Irish Centre for Human Rights she delivered a series of human rights lectures in India organised by the Human Rights Law Network (India) in April 2006. She also taught on The United Nations System for the Promotion and Protection of Human Rights for the Mediterranean

Masters Programme in Human Rights, University of Malta.

Aoife Daly teaches a course on International Law and the Rights of the Child for the LLM in International Human Rights Law at the Irish Centre for Human Rights. Ms. Daly received an undergraduate degree in Applied Psychology from University College Cork and is also a graduate of the Centre's LLM in International Human Rights Law. She took up her current position as Research Fellow at the Children's Research Centre in Trinity College Dublin in 2004. She is also researching a PhD in the Law School in T.C.D. on the child's right to be heard in court.

Ms. Daly is Vice Chair of the Executive Committee of Amnesty International (Irish Section).

Peter Fitzmaurice joined the staff of the Irish Centre for Human Rights in April 2004. He currently manages two major projects for the Centre, the Ireland-China Academic Exchange and the Refugee and Asylum Legal Support Unit. Mr. Fitzmaurice studied law as an undergraduate at Kings College London and Leiden University in the Netherlands. 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.

Mr. Fitzmaurice teaches an LLM course on International Refugee Law at the Irish Centre for Human Rights.

Vivienne O'Connor joined the Irish Centre for human rights as Rule of Law Project Officer in 2002. She is also the Co-Director of the Model Codes for Post-Conflict Criminal Justice Project run jointly by the Centre and the US Institute of Peace. Ms. O'Connor holds a Bachelor of Civil Law from University College Dublin and a Masters of Law in International Human Rights Law from the Irish Centre for Human Rights. She is also in the final year of her PhD studies at the Centre. In 2006, Ms. O'Connor was appointed Senior Fellow of the Law School at The University of Melbourne, teaching criminal law and development. Her expertise includes international human rights law, international and comparative criminal law and procedure

and the law of peace operations, with a particular emphasis on the rule of law.

Dr. Olaoluwa Olusanya joined the Centre as Bank of Ireland Nelson Mandela Fellow in 2004, replacing Kwadwo Appiagyei-Atua. Dr. Olusanya holds a Masters in International Law from the University of Cape Town and a doctorate from the University of Western Cape, South Africa. He was formerly a research fellow at the Georg-August-Universität Göttingen, Germany. Dr. Olusanya's research at the Centre focused on the crime of aggression.

Dr. V. Adefemi Isumonah replaced Dr. Olusanya as the Bank of Ireland Fellow in 2005. Dr. Isumonah holds a B.Sc., M.Sc. and PhD from the University of Ibadan, Ibadan, Nigeria, and a Diploma in Conflict Resolution from Uppsala University Uppsala, Sweden. His research during the fellowship examined "The Problem with the Language of Minority Rights". Dr. Isumonah is a Lecturer in the Department of Political Science, University of Ibadan.

STRUCTURE AND PERSONNEL



Peter Fitzmaurice and Vivienne O'Connor

PREMISES AND EQUIPMENT



The Irish Centre for Human Rights,
NUI Galway

The Irish Centre for Human Rights 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 study centre and a dedicated workroom for the Centre's doctoral fellows.

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

In 2003, work was completed on a major refitting of the study centre within the building, creating new dedicated work spaces equipped with computers and internet access for PhD students and a number of shared spaces for masters students. PhD students also have their own locked storage compartments in which to keep books and other valuables. To ensure a quiet working environment, printing and photocopying facilities for students have also been relocated to a separate office.

In order to enable students to work from personal laptops if preferred the Irish Centre for Human Rights is also on a wireless network.

In addition to the facilities available at the Centre, the James Hardiman Library on the main NUI Galway campus provides two dedicated postgraduate reading rooms on the first and second floors, with work spaces for up to 20 students in each.

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POSTGRADUATE EDUCATION

Masters Programmes

Students pursuing masters programmes at the Centre come from a broad range of countries including: Australia, Belgium, Canada, China, France, Germany, India, Iran, Ireland, Italy, Mexico, New Zealand, Poland, Russia, Scotland, Spain, South Africa, Syria and the USA. The diversity of the group in terms of culture, nationality, age, experience and gender greatly adds to the dynamism of the programmes and the life of the Centre in general.

The LLM in International Human Rights Law is the Centre's flagship postgraduate programme. Launched in September 2000, the course aims to prepare graduates for work in the field of international human rights, with international organisations, NGOs and as individual advocates. The course emphasises the communication, analysis and critique of international human rights law and legal regimes. While the main focus of the course is legal, it accepts suitably qualified candidates from other backgrounds in the firm belief that human rights itself is multi-disciplinary. From 2003-2006 the programme was directed by Dr. Kathleen Cavanaugh; in 2006, Dr. Vinodh Jaichand took over direction of the programme.

The LLM in Peace Support Operations was launched in 2002 and is now graduating students from its fourth year. The programme draws upon the resources of the LLM in international human rights, but adds specialised courses in peacekeeping-related matters. The LLM in Peace Support Operations is directed by Dr. Ray Murphy. Dr. Terry O'Neill assists in the delivery of the programme. The programme provides academic credit for practical experience in the field. Many of the students enrolled have worked previously in peace support operations with the Irish Defence Forces.

Teaching for the LLM programmes was delivered by the Centre's faculty, with additional support from adjunct and visiting lecturers. Courses offered include: Introduction to International Human Rights Law (Professor William Schabas); Introduction to Public International Law (Dr. Castellino); Minority Rights (Dr. Castellino); European Convention on Human Rights (Dr. Cavanaugh/Dr. Elvira Dominguez



Redondo); International Humanitarian Law (Dr. Murphy); International Peace Support Operations (Dr. Murphy and Dr. O'Neill); Conflict Studies (Dr. Cavanaugh); International Criminal Law (Professor Schabas); Abolition of the Death Penalty (Professor Schabas); Economic, Social and Cultural Rights (Dr. Jaichand); African and Inter-American System (Dr. Jaichand); Refugee Law (Peter Fitzmaurice); and Child Rights (Aoife Daly).

The fifth year of the LLM in International Human Rights Law was completed in August 2005. A total of 35 of the 36 full-time students who registered for the programme in September 2004 went on to graduate in December 2005, and one transferred to the part-time programme. A further eight students who registered for the programme on a part-time basis in 2003 also graduated in December 2005. In September 2004, 14 students registered for the LLM in International Human Rights Law on a part-time basis.

A total of five students registered full-time for the LLM in Peace Support Operations in 2004 and four students registered part-time. The full-time students graduated in December 2005 along with three students who registered part-time in September 2003.

In 2005, a total of 43 students registered full-time for the LLM in International Human Rights Law. They graduated in December 2006 along with 18 part-time students. A further 10 students registered part-time for the LLM in International Human Rights Law in September 2005 and are due to graduate in December 2007.

A total of 4 students registered for the full-time LLM in Peace Support Operations in 2005 and graduated in

LLM in International Human Rights Law,
Class of 2006 Graduation

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POSTGRADUATE EDUCATION



PhD graduates Dr. Shane Darcy, Dr. Michael Kearney and Dr. David Keane with faculty of the Irish Centre for Human Rights, June 2006

The Centre is proud to confirm that all of its PhD graduates now hold full-time permanent university teaching positions and have either published or are in the course of publishing their theses.

December 2006 along with four part-time students who registered for the programme in September 2004. An additional 4 students registered for the programme on a part-time basis in 2005 and are due to graduate in September 2007.

In partnership with Queen's University in Belfast, the Centre successfully launched a one-year Cross-Border LLM programme in International Human Rights and Criminal Justice in 2002. Students spend the first semester at Queen's and the second semester at the Centre. Over the summer months they write a dissertation, under the supervision of faculty members in one or other of the two institutions. Five students enrolled in the third year of the programme in September 2004 with six students enrolling in September 2005. From 2002-2006 the programme was directed by Dr. Kathleen Cavanaugh; in 2006, Dr. Murphy took over the direction of the programme.

The Centre continues to participate actively in the European Master's Programme in Human Rights and Democratisation offered by a consortium of universities from European Union countries. Dr. Castellino and Professor Schabas delivered lectures for the programme in the 2004-2006 period, and representatives of the Centre participated in a number of administrative meetings. Three students in the programme spent their second semester in Galway attending seminars and preparing their dissertations in 2005. A further four students arrived for their second semester in 2006.

The Centre also participates in the Mediterranean Masters in Human Rights and Democratisation, which is based in Malta. Dr. Jaichand represents the Centre at administrative functions of the programme. In 2005, five students enrolled in the Mediterranean Masters and attended the second semester at the Irish Centre for Human Rights, where they participated in seminars and completed their dissertations.

The Hague Field Trip

In both 2005 and 2006, students from the Centre's LLM and PhD programmes visited the international judicial institutions in The Hague. The field trip involved stops at the International

Criminal Tribunal for the former Yugoslavia, the International Criminal Court and the International Court of Justice. At the International Criminal Tribunal for the former Yugoslavia, students were received by President Theodor Meron, and by judges Wolfgang Schomburg and Carmel Agius, as well as by representatives of the Office of the Prosecutor and members of the defence bar. Judge Thomas Buergenthal of the International Court of Justice greeted students at the Peace Palace. Judge Abdul Koroma also met with the group. At the International Criminal Court, the field trip was received by President Philippe Kirsch and by Judge Maureen Clark, as well as by representatives of the Registry and the Office of the Prosecutor.

As a follow up to the class trip to the Hague, Masters students at the Centre also made a memorable two-day trip to Geneva in May 2006, visiting the International Labour Organization, the International Committee for the Red Cross and the Office of the High Commissioner for Human Rights, as well as spending two enjoyable evenings in the city of Geneva.

Internships Programme

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

The internship programme allows students to engage with human rights organisations as well as law firms affiliated with locally-based human rights groups. The underpinning of this project is twofold: the project allows students to put into practice some of the foundational work provided by the LLM programmes, 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 students have served as the basis for reports for NGOs and also the basis for minor dissertations.

During 2004-2006, students were placed in internships with a variety of organisations including: the Council of Europe in Strasbourg; the United Nations Office for the Coordination of Humanitarian Affairs in Jerusalem;



Al-Haq in the West Bank, Palestine; Defence of Children International, Palestine; the Human Rights Commission, Pakistan; the Human Rights Law Network, Delhi, India; the South Asia Human Rights Centre also in Delhi; Indigenous Peoples Links in the Philippines; and the Centre of Justice and International Law, Costa Rica. In addition, students were placed with numerous organisations in Northern Ireland and the Republic of Ireland including the Human Rights Unit in the Department of Foreign Affairs.

From 2001-2006, the Internship Programme was supervised by Dr. Kathleen Cavanaugh. Dr. Ray Murphy took over as supervisor of the programme in 2006.

PhD Programme

The Irish Centre for Human Rights launched its PhD programme in 2001. A total of thirty-two students are now pursuing PhD studies in human rights at the Centre.

Every PhD student is assigned to an academic supervisor at the Centre who can provide advice and guidance throughout the research and writing process. Students also meet as a group with Professor William Schabas on a regular basis to discuss contemporary human rights issues of mutual interest. These monthly meetings also help to foster a sense of community among PhD students at a time when they are involved in what can often be a somewhat solitary pursuit.

In addition, the Centre hosts a PhD seminar every spring, which provides students with an opportunity to present their research and receive constructive feedback from an expert panel. In May 2005 the Centre hosted its annual doctoral seminar for the fourth consecutive year. Visiting academics in 2005 included Professor Fionuala Ní Aoláin of the University of Ulster, Professor David Kretzmer of the Hebrew University, Professor Alexandre Sicilianos of the University of Athens and Dr. Markus Schmidt of the UN Human Rights Committee. In 2006, the doctoral seminar took place in April with prominent human rights experts including Christina Cerna of the Inter-American Commission of Human Rights, Professor David

Forsythe of the University of Nebraska, Judge Richard Goldstone, who recently retired from the South African Constitutional Court, and Professor Zoran Pajic, formerly of the University of Sarajevo, participating in the panel.

Students in the programme are encouraged to participate in research and teaching activities as part of their professional training. Many of them have published articles in leading journals within the field, and delivered papers at international conferences.

Since the PhD programme was launched in 2001, five students have graduated after successfully completing their doctoral theses while a number of others are expected to submit their work in the coming academic year. The Centre is proud to confirm that all of its PhD graduates now hold full-time permanent university teaching positions and have either published or are in the course of publishing their theses.

In October 2004, the Irish Centre for Human Rights announced the successful defence of theses submitted by PhD students Alexander Knoops and Jérémie Gilbert. Dr. Knoops' thesis examined the prosecution and defense of international peacekeepers before international and internationalized courts. Dr. Knoops is Professor of International Law at the University of Utrecht, and a practitioner before various international criminal tribunals including the Special Court for Sierra Leone. His thesis was published by Transnational Publishers in 2004.

Dr. Gilbert's thesis looked at the land rights of indigenous people and was examined externally by Professor Patrick Thornberry of Keele University. Dr. Gilbert lectures in law at the Transitional Justice Institute at the University of Ulster. Dr. Gilbert's thesis, entitled *Indigenous Peoples' Land Rights under International Law: From Victims to Actors*, was published by Transnational Publishers in November 2006.

David Keane and Shane Darcy successfully defended their theses in October and November of 2005 respectively. Dr. Keane's thesis, entitled "Caste-Based Discrimination in International Human Rights Law", considers concepts of "caste" alongside "race" and "decent", with particular

emphasis on caste-based discrimination in India. Dr. Keane is now Lecturer in Law at Brunel University in London. His thesis will be published by Ashgate Publications in 2007. Dr. Darcy's thesis provided an examination of collective punishment in international law. Dr. Darcy is a lecturer at the Transitional Justice Institute and School of Law at the University of Ulster. Dr. Darcy's thesis will be appearing in the PAIL Institute Monograph Series under the title "Collective Responsibility and Accountability under International Law" in early 2007.

In April 2006, Michael Kearney became the fifth doctoral student from the Centre to successfully defend his PhD thesis. Dr. Kearney's thesis is entitled "Freedom from Fear: The Prohibition of Propaganda for War Under International Law". It constitutes the first comprehensive analysis of article 20(2) of the International Covenant on Civil and Political Rights. Dr. Kearney was recently appointed as a lecturer in the Department of Politics at the University of York. Dr. Kearney's thesis will be published in 2007 by Oxford University Press.

A number of PhD students receive fellowships from the Irish Centre for Human Rights every year. Michelle Farell, Vasiliki Germanakou, Edel Hughes and Katarina Månsson were in receipt of doctoral fellowships from the Centre during the period September 2004-September 2006. In addition to their doctoral studies, fellows participate part-time in research projects and other activities at the Centre.



SUMMER SCHOOLS



Professor William Schabas with Open Society Initiative scholarship students enjoying a cruise on Lough Corrib after the ICC Summer School, July 2006

The Centre's highly successful annual summer schools on Minority Rights and the International Criminal Court took place again in 2005 and 2006 to great acclaim. The June 2005 Minority Rights Summer School focused on the issue of minorities in situations of conflict. Visiting lecturers included Dr. Jérémie Gilbert, Lecturer in Law at the Transitional Justice Institute, University of Ulster and a graduate of the Centre's PhD programme; Peter Leuprecht, Special Representative of the UN Secretary-General for Human Rights in Cambodia; Marnie Lloyd, Research Associate at the European Centre for Minority Issues in Germany; and Alexandra Xanthaki, Lecturer in Law at Brunel University.

The 2005 Summer School on the International Criminal Court also boasted an impressive line-up of speakers including: Professor Leila Sadat of the Washington University School of Law; Judge Sang-Hyun Song of the International Criminal Court; Professor Sharon Williams of Osgoode Hall Law School; Megan Fairlie, Law Lecturer at the University of Ulster; Rupert Skilbeck of the Court of Bosnia and Herzegovina; Richard Dicker, Director of the International Justice Programme at Human Rights Watch; and Håkan Friman of University College London. For the first time the Centre obtained funding from the Open Society Institute in 2005 that enabled the grant of four scholarships to students from non-ratifying countries.

In 2006 the Minority Rights Summer School opened with a reception at the Centre to launch a book entitled *Anti-Discrimination and the Judiciary: Challenges to Access to Justice in Austria, Hungary, Slovakia and Slovenia*, co-edited by Dr. Vinodh Jaichand, Deputy Director and Lecturer at the Irish Centre for Human Rights, and Anke Sembacher and Klaus Starl of the European Training and Research Centre for Human Rights and Democracy, University of Graz, Austria. The publication sets out the findings of a two-year judicial training project implemented in Central Europe by the Irish Centre for Human Rights and the European Research Centre for Human Rights and Democracy together with partner organisations in Slovenia, Slovakia and Hungary. The book offers an open catalogue of recommendations for training on EC non-discrimination directives and their social dimensions; an examination of the implementation of EC directives into national law; a description and analysis of the judicial training systems in each of the four countries examined; and an analysis of the implementation of national laws.

4

SUMMER SCHOOLS

A second major work written by faculty at Centre was also launched during the course of the 2006 Minority Rights Summer School. The book, entitled *Minority Rights in Asia: A Comparative Legal Analysis*, was written by Dr. Joshua Castellino and Dr. Elvira Domínguez Redondo, Lecturer and Post-Doctoral Fellow at the Irish Centre for Human Rights. Published by Oxford University Press, this work analyses the principles and application of minority rights law in China, India, Malaysia and Singapore, while also locating this discussion in the context of a wider debate on human rights in Asia.

The summer school itself included lectures on religion in international human rights law and migrant workers in the United Arab Emirates as well as a series of seminars on ethnic conflict, indigenous peoples and minority groups. Guest lecturers included: Professor Patrick Thornberry, Keele University; Annelies Verstichel, from the office of the OSCE High Commissioner for National Minorities; and once again Dr. Alexandra Xanthaki, from Brunel University. A number of social events were also organised for participants including the screening of Irish film *Pavee Lackeen* (The Traveler Girl) with an introduction by co-writer Mark Veneer.

The International Criminal Court Summer School took place for the sixth consecutive year in 2006 with an intensive teaching programme complemented by a host of social activities including a trip to the Aran Islands and a boat cruise on Lough Corrib. Lecturers at the summer school included Professor Sharon Williams of Osgoode Hall Law School; Professor David Scheffer of Northwestern University; Fabricio Guariglia of the Office of the Prosecutor, International Criminal Court; David Tolbert, Deputy Prosecutor of the International Criminal Tribunal for the former Yugoslavia; and Håkan Friman of University College London.

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 in 2005 and 2006. 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, including Dr. Ray Murphy, Dr. Vinodh Jaichand and Professor William Schabas. Approximately fifty students from United States law schools attend each year. The programme will be repeated in June-July 2007.



RESEARCH AND PUBLICATIONS



Poster in Arabic advertising the *Reframing Islam* conference, September 2005

During 2004-2006, faculty at the Centre have written or edited 16 books, which have been published by leading international publishing houses, as well as over 100 articles. During the same period faculty and students have delivered more than 200 papers at conferences and lectures. In addition, a number of significant research projects have been successfully concluded and their findings published, all of which has served to further cement the reputation of the Irish Centre for Human Rights as one of the world's premier university-based institutions for teaching and research on human rights issues.

Faculty and staff have also been instrumental in organising no less than six international conferences bringing together renowned experts on a range of human rights issues from refugee law to linguistic diversity. Two major conferences, entitled *Reframing Islam*, held in September 2005, and *The Trial of Slobodan Milosevic*, in April 2006, stand out as highlights in an exceptionally productive two years.

CONFERENCES

Refugee Law

Over one hundred academics, civil servants, legal practitioners and students took part in a one-day conference on refugee law jointly hosted by the Irish Centre for Human Rights, National University of Ireland, Galway and the Human Rights Centre, Queens University, Belfast, in May 2005. The conference was opened by NUI Galway President Iognáid Ó Muircheartaigh. The keynote address at the event was delivered by one of the world's leading experts in the field, Professor James Hathaway. Professor Hathaway is Director of the University of Michigan Refugee and Asylum Law Programme and Senior Visiting Research Associate at the Refugee Studies Programme, Oxford University.

Reframing Islam

An international conference entitled *Reframing Islam: Politics into Law*, was hosted by the Centre in September 2005. The two-day conference addressed questions of both politics and law within Islam and attracted influential writers and academics from both disciplines. Tariq

Ramadan, former Professor of Islamic Studies and Luce Professor of Religion Conflict and Peace-building at the Kroc Institute, University of Notre Dame; Mohsen Kadivar Professor of Islamic Philosophy and Theology at Tarbiat Modares University, Iran; and Mehrangiz Kar, Scholars at Risk Fellow, Carr Center for Human Rights, Harvard University were among the distinguished speakers at the conference. More information about the conference including participants' papers can be found at: www.reframingislam.org

EU Foreign Policy

The Centre played host to a three-day conference on "Past Present and Future Policies of EU Foreign Policy in the field of Human Rights, Peace and Security," in October 2005. The conference was held in conjunction with the 6th Annual Conference of the Association of Human Rights Institutes (AHRI) and focused on research underway within an EU sponsored project on human rights, peace and security in EU foreign policy (a COST research project). Keynote speakers at the conference included Professor Nigel D. White, University of Sheffield; Dr. Gordon Crawford, School of Politics and International Studies, University of Leeds; and Dr. Bertrand Ramcharan, former United Nations Deputy High Commissioner for Human Rights.

Linguistic Diversity

In June 2006, the Irish Centre for Human Rights and Acadamh na hOllscolaíochta Gaeilge jointly organised an international, trilingual (English, French and Irish) conference entitled *Language Law and Language Rights: The Challenges of Enactment and Implementation* in NUI Galway. The "Galway Declaration", passed unanimously by attendees from over 20 countries, called for UNESCO to protect the world's linguistic diversity. Keynote speakers at the conference included Séan Ó Cuirreáin, an Coimisinéir Teanga/The Language Commissioner; Philip Blair, Director, Directorate of Cooperation for Local and Regional Democracy, Council of Europe; Dzenana Hadziomerovic, Legal Advisor to the High Commissioner for National Minorities; and Dr. Fernand de Varennes of Murdoch University, Perth, Australia, one of the world's leading legal experts on language rights.



The Trial of Slobodan Milosevic

The Irish Centre for Human Rights organised a major international conference in April 2006 examining the trial of Slobodan Milosevic, assessing its strengths and weaknesses, and evaluating its contribution to justice and peace. The conference was organized within weeks of the death of Milosevic in order to provide a forum for scholars and trial observers to assess the impact of the trial and its contribution to international justice. The conference brought together leading international experts on the trial itself, and on international criminal justice with speakers including Stephen Kay QC and Gillian Higgins, court-assigned counsel to Slobodan Milosevic; Michael Johnson, former Chief of Prosecutions, International Criminal Tribunal for the former Yugoslavia; Professor Michael Scharf, co-author of *Slobodan Milosevic on Trial* (Continuum: 2002); Professor Paul Williams, co-author of *Indictment at the Hague: The Milosevic Regime and Crimes of the Balkan Wars* (NYU Press: 2001); Professor David Scheffer, Northwestern University, former Ambassador at large for War Crimes, US Dept of State; and Professor William Schabas, author of *The UN International Criminal Tribunals* (Cambridge: 2006) and Director of the Irish Centre for Human Rights.

Extraordinary Rendition

In May 2006 Amnesty International (Irish Section) and the Irish Centre for Human Rights jointly hosted a one-day international conference on the subject of extraordinary rendition. The panel of experts for the conference included Mona Rishmawi, Legal Advisor to the Office of the UN High Commissioner for Human Rights (OHCHR) and the Head of OHCHR's Rule of Law and Democracy Unit; Manfred Novak, the UN Human Rights Commission's Special Investigator on Torture; Michael O'Flaherty, member of the United Nations Human Rights Committee; and Dr. Vinodh Jaichand, Deputy Director of the Irish Centre for Human Rights.

REPORTS

Reasonable Accommodation

In July 2004, the Centre was commissioned by the Equality Authority to commence a study in the area of reasonable accommodation. A 'reasonable accommodation' is any change in the work environment or in the way a job is performed in order to enable disabled persons and others to enjoy equal employment opportunities. The aim of the study was to compare, on an international scale, the development of law and practice relating to reasonable accommodation. A report detailing the findings of the study was submitted to the Authority in December 2004.

Institutional and State Racism

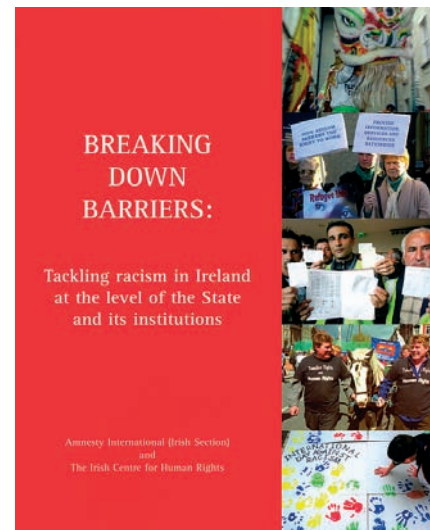
In the spring of 2005, the Irish Centre for Human Rights was commissioned by Amnesty International (Irish Section) to conduct research on institutional and state racism in Ireland. The report, entitled *Breaking Down Barriers*, was written by Vinodh Jaichand and Louise Beirne of Amnesty International (Irish Section) and launched on 21st March 2006 to mark International Day against Racism. In its conclusions the report states that the Irish Government has failed to tackle the existence of racial discrimination in its laws, policies and practices and recommends that the Government undertake a "human rights audit", starting with the mainstreaming of human rights and anti-discrimination training for all state and institutional personnel.

The full report can be viewed online at: www.amnesty.ie/content/view/full/5484/.

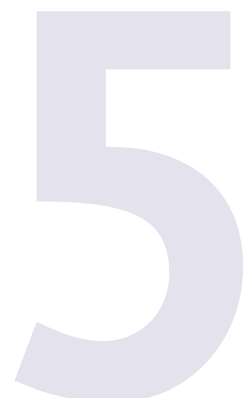
Human Rights Based Approach to Peacebuilding and Reconciliation

In 2005, the Irish Centre for Human Rights was commissioned by Border Action, Monaghan to conduct research into the application of a human rights approach to peacebuilding and reconciliation. The aim of the recently completed report is to develop a framework for the implementation of a human rights approach in the Peace III Programme. Research on the project was carried out by the Centre's Project

RESEARCH AND PUBLICATIONS



Jaichand, Vinodh and Beirne, Louise 2006. *Breaking Down Barriers: Tackling Racism in Ireland at the Level of the State and its Institutions*. Report for Amnesty International (Irish Section).



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Manager Peter Fitzmaurice aided by LLM students Catherine Joyce and Catherine McGrath under the supervision of Professor William Schabas. The report will be launched at a conference in early 2007.

Older Persons and International Human Rights Law

In the spring of 2006 the Irish Centre for Human Rights was called on by the Human Rights Commission of Ireland to produce a report on international human rights standards and how they apply to older people. The aim of the report was to identify best practice and make recommendations as to how the human rights of older people in Ireland could best be realised. The report was completed and submitted to the Commission earlier this year.

The Human Rights Commission was established in July 2001. It was set up as a direct result of the Good Friday Agreement of 1998, which provided for the establishment of a Human Rights Commission in this jurisdiction and for a Human Rights Commission in Northern Ireland.

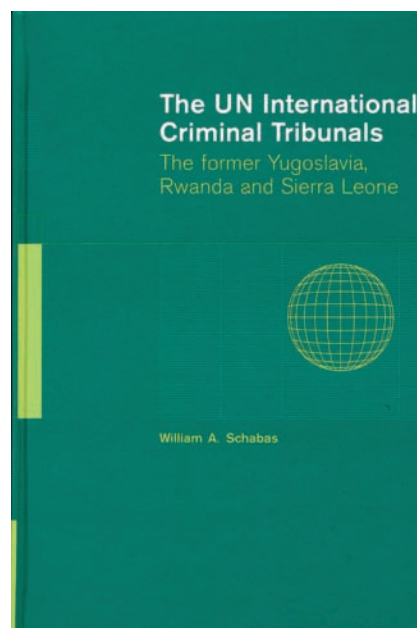
Child Rights and Sexual Offences

In the aftermath of the May 2006 Supreme Court judgment that ruled a 1935 statutory rape law unconstitutional because it did not permit the defense of reasonable mistake, the Irish Centre for Human Rights submitted a report to the Government on child rights and sexual offences. The report, submitted in August 2006, examines the framework provided in human rights treaties for the rights of those accused of statutory rape and the protection of children against sexual offences. It considers the international human rights that Ireland, as a State Party, has a duty to preserve and presents a summary of legal trends in the statutory rape laws of other jurisdictions, in order to highlight approaches that best reflect human rights principles. It concludes by making a number of recommendations that aim to ensure a balance between the fair trial rights of the accused, including a right to a mistake of fact defense, and the protection of children. Research on the report was carried out by interns Elisabeth S. Ahlquist and Jill Monnin, under the supervision of Professor William Schabas.

The full text of the report is available at: www.nuigalway.ie/human_rights/



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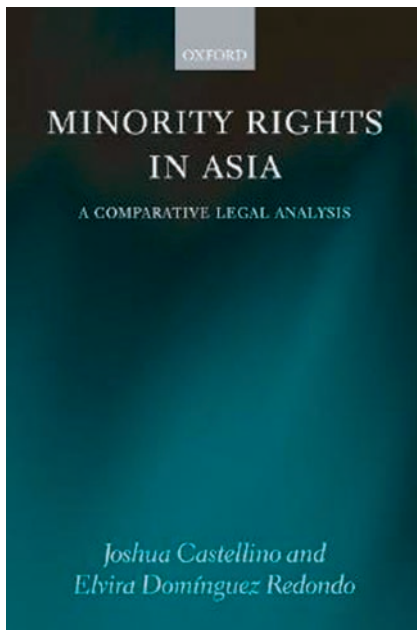
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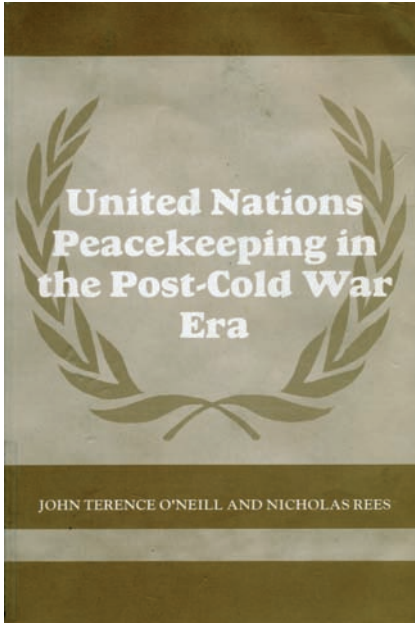
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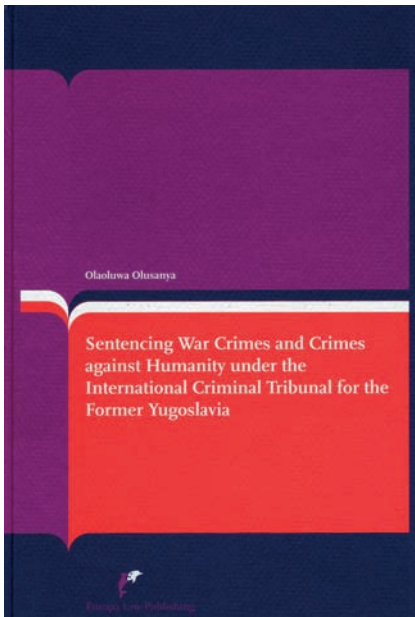
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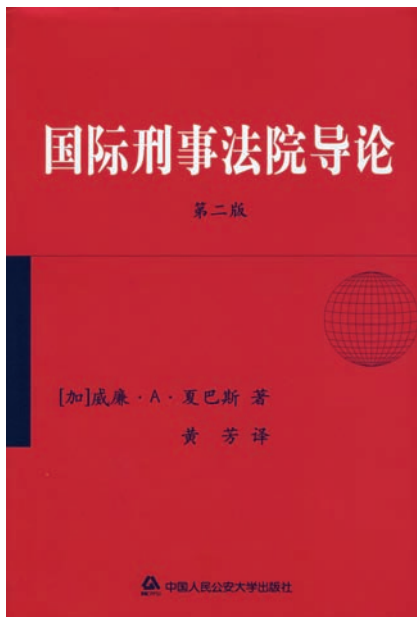
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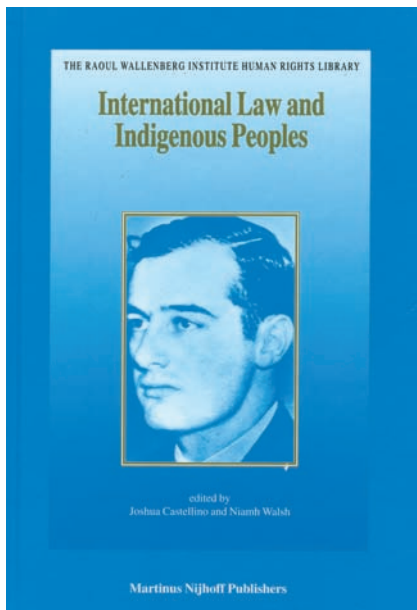
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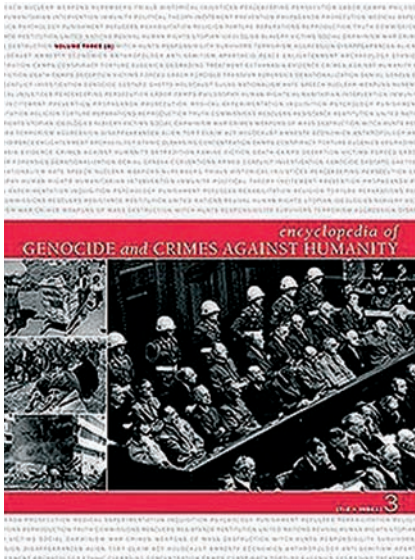
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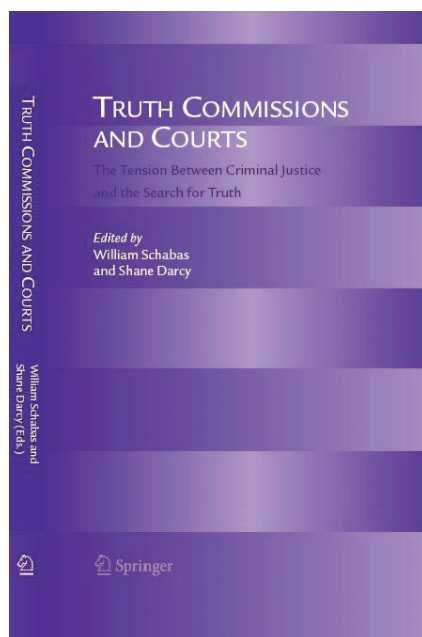
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PROJECTS



Ireland-China Expert Group outside the Irish Centre for Human Rights, April 2006

EU-China Network

In 2002, the Irish Centre for Human Rights contracted with the European Commission to organise the 'EU-China Human Rights Network'. The project was a spin-off from the EU-China Human Rights Dialogue and involved the organisation of a series of activities, including conferences, training sessions, internships, exchanges and publications, with academics throughout China.

This project initially consisted of a network of 15 European human rights institutions and universities partnered with 15 Chinese universities, with a secretariat at the Irish Centre for Human Rights. It provided a route through which to capitalise on the links established by the Dialogue process and to assist in the process of translating China's increasing engagement with the international human rights system into concrete action on the domestic front.

On the Chinese side, the Law Institute of the Chinese Academy of Social Sciences (CASS) provided the network leadership. Located in Beijing, CASS is one of the country's premier academic institutions. Its influential scholars are extremely active in policy making, as well as in more traditional research. The strength of the relationship that developed between the Law Institute of CASS and the Irish Centre for Human Rights was demonstrated in November 2004 when CASS appointed Professor William Schabas, Director of the Irish Centre, as an Honorary Professor in recognition of his contribution to education and research in international human rights law.

The network was initially to operate for a period of two years. This was later extended for another year. With the

expansion of the EU in 2004, some twenty-five universities in Europe, and a corresponding number in China, participated in these exchanges.

Over the course of three years, rich and productive linkages were developed between academics in Europe and China who are specialised in the area of human rights, and more specifically international human rights law. Seminars examined a number of important issues, including torture, capital punishment, freedom of expression and association, reservations to treaties and the right to education, the right to health and the right to social security.

One by-product of this work has been the development of specialised literature in Chinese in the field of international human rights. In addition to several collections of essays, the network also resulted in an initiative to translate *The Introduction to the International Criminal Court* into Chinese. One of the premier monographs on the subject, it is authored by Professor William Schabas and published by Cambridge University Press. The work was translated by Huang Fang, Professor of Law at the Institute of Law, Chinese Academy of Social Science, and formerly an intern with the EU-China Network at the Centre. The translation of this work into Chinese is significant insofar as it offers Chinese readers the opportunity to gain insight into what is arguably the most significant international organisation to be created since the United Nations. A contribution by the Irish Department of Foreign Affairs is also funding translation of a leading international law study on capital punishment, *The Abolition of the Death Penalty in International Law*, by Professor William Schabas (Cambridge University Press: 2003). Its publication is expected in early 2007.

Detailed information about the EU-China network can be found on: www.eu-china-humanrights.org

Ireland-China Academic Exchange

Building capacity within China on human rights issues is making, and will continue to make, an important contribution towards reform within China. Although China has not yet ratified the International Covenant on Civil and



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Political Rights, the level of serious discussion about related issues suggests that ratification is not far off.

In recognition of this, Development Cooperation Ireland made a grant of €80,000 to the Irish Centre for Human Rights in 2005 to build upon and deepen the exchanges and debates of the EU-China Human Rights Network by establishing the Ireland-China Academic Exchange Project.

The overall aim of the project is to promote the rule of law and respect for human rights in the People's Republic of China by building on the relationship developed between the Irish Centre for Human Rights and the Chinese Academy of Social Sciences, Beijing. The project will provide China with human rights expertise at the highest academic level from Ireland in both the context of the ratification and implementation of the two international human rights covenants and other human rights instruments. This will place Ireland in a central role in the development of human rights in China.

In April 2006, the Centre hosted its first expert level meeting under the auspices of the Ireland-China Academic Exchange Project. This meeting was followed in May 2006 by a visiting delegation from the People's Procuratorate system of the People's Republic of China. The delegation was received by NUI Galway President Dr. Iognáid Ó Muirheartaigh and hosted by the Centre.

Refugee and Asylum Support Unit

The Refugee and Asylum Legal Support Unit within the Irish Centre for Human Rights was established in April 2004 with seed funding from the Joseph Rowntree Charitable Trust. After some months of planning and consultation with many local actors in the West of Ireland, training of postgraduate and undergraduate law students began in September 2004.

The mission of the Unit is: to provide undergraduate and postgraduate law students with the opportunity to study the theoretical elements of domestic and international refugee and human rights law and to apply this theory in practice through the provision of legal research for those providing representation to asylum



Participants in the Model Codes for Post-conflict Criminal Justice Asia Roundtable, November 2004

seekers and refugees; to help safeguard the rights and well-being of asylum seekers and refugees through the practical application of academic research; and to produce a pool of trained volunteers available to work with agencies representing asylum seekers and refugees in the State.

The Unit team is headed by Director of the Centre, Professor William Schabas, with Peter Fitzmaurice acting as manager and supervising solicitor.

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 has served to further strengthen 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.

The experience of the Unit has demonstrated the unmet need for specialised information for all the actors in the area of refugee law and more importantly the need for members of the refugee and asylum seeking community to receive information on the nature of their rights in Ireland and how they can access those rights.

With additional funding secured from the Joseph Rowntree Charitable Trust, the work of the Unit is set to continue and expand in the coming years.

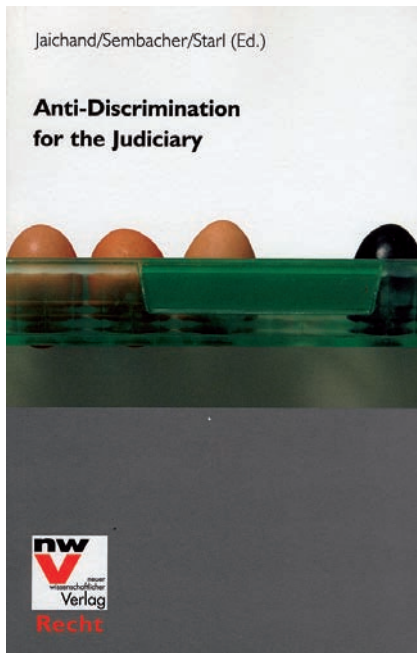
Model Codes for Post-conflict Criminal Justice

The Model Codes for Post-conflict Criminal Justice Project, run jointly by the Irish Centre for Human Rights and its project partner, the United States Institute of Peace, in cooperation with the United Nations Office of the High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, commenced in 2001. Since this date the project has involved over 300 rule of law and criminal justice experts from around the world in drafting a set of model codes. The model codes compendium – a *Model Criminal Code*, a *Model Code of Criminal Procedure*, a *Model Detention Act* and a *Model Police Act* – has been created as a criminal law reform tool, tailored to the needs of countries emerging from conflict. National and international actors can use the model codes – in part or in whole – to create, overhaul, update, or fill gaps in the criminal laws in individual post-conflict States.

At the Irish Centre for Human Rights, the project is directed by Vivienne O'Connor, Rule of Law Officer.

In 2003, a team of experts, working under the coordination of the Irish Centre for Human Rights, completed drafts of the model codes. From 2004-2006, the Irish Centre for Human Rights and the United States Institute of Peace undertook a broad and inclusive consultation process to vet the draft model codes among a broader community of experts. In addition to numerous meetings with individual experts, several formal consultations also took place.

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Anti-Discrimination and the Judiciary: Challenges to Access to Justice in Austria, Hungary, Slovakia and Slovenia, co-edited by Dr. Vinodh Jaichand together with Anke Sembacher and Klaus Starl from European Training and Research Centre for Human Rights and Democracy

A roundtable meeting was held in September 2004 in Bangkok, Thailand, in cooperation with the Judge Advocate General's Department of the Thai Military and the United Nations Association of the USA. A team of justice, police and military experts from various Asian countries, including Thailand, Sri Lanka, Nepal, Hong Kong, China, Bangladesh, Fiji, the Philippines, and Malaysia examined the potential utility of the codes and their compatibility with Asian legal systems.

Consultation was sought on the *Model Detention Act*, at the International Corrections and Prisons Association Annual General Meeting in Beijing, China, in October 2004.

In January 2005, the International Peace Academy, in collaboration with the United States Institute of Peace and the Irish Centre for Human Rights, organized a one-day roundtable on the model codes in New York, which brought together a number of UN Member State Permanent Representatives, legal advisors and military attachés, as well as UN officials and members of the non-governmental and academic communities.

In July 2005, the United States Institute of Peace and the Irish Centre for Human Rights hosted an expert vetting meeting to conduct a line-by-line review of the final draft of the *Model Police Act*. The meeting was attended by policing and legal experts from countries such as Nepal, Fiji, the US, Ireland, Slovenia, the United Kingdom, Pakistan and Sri Lanka.

In April/May 2006, fieldwork consultations were conducted in Nepal. The aim of the trip was to learn from the experience of Nepalese peacekeepers as to the legal framework challenges they have faced in their work. In July 2006, further fieldwork consultations were undertaken in Liberia, to test the potential usefulness of the model codes in the Liberian context.

The year 2006 saw the final completion phase of the Model Codes Project in which the Irish Centre for Human Rights and the United States Institute of Peace worked to integrate the various comments and suggestions received during the codes consultation process. The project partners also focused on drafting comprehensive commentaries to the individual model codes that explain wording choices, elaborate on the content of the provisions, and highlight associated considerations and reforms.

The model codes are due to be published in a three-volume work by the United States Institute of Peace Press in 2007-2008. Volume I, containing the *Model Criminal Code* and a *User's Guide* that explains the development, purpose, and content of the book – will be published in Spring 2007. Volume II, will follow in Autumn 2007, consisting of the *Model Code of Criminal Procedure* and a *User's Guide*. Volume III, containing the *Model Detention Act* and the *Model Police Act*, is due for publication in Spring 2008. Copies of the model codes and user's guides will also be available as a general online resource at the Irish Centre for Human Rights website.

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 partnered with organisations in Slovenia, Slovakia and Hungary to develop and implement a training programme on non-discrimination for pre-service and in-service judges and prosecutors in 2003. Four training sessions took place in each of the target countries over a two-year period.

The Irish Centre for Human Rights played a significant role in the planning of the project and was also designated to evaluate the training conducted by partner organisations in Austria (University of Graz), Hungary (NEKI Legal Defence Bureau), Slovakia (VIA JURIS) and Slovenia (MIROVNI Institut). Goran Klemencic and Benjamin Flander from the University of Maribor, Slovenia, also assisted in the evaluation process.

June 10 2006 saw the launch of *Anti-Discrimination and the Judiciary: Challenges to Access to Justice in Austria, Hungary, Slovakia and Slovenia*, co-edited by Dr. Vinodh Jaichand together with Anke Sembacher and Klaus Starl from European Training and Research Centre for Human Rights and Democracy, which sets out the findings of the project. The project, which has now concluded, also produced four country studies, a conference and an information platform where support materials exist for general use. <http://antidiscrimination.etc-graz.at/>



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Ireland's participation in International Human Rights Law and Institutions

In 2004, the Irish Research Council for Humanities and Social Sciences awarded Professor William Schabas a research grant for three years on the theme of Ireland's participation in international human rights law. The project aims to examine Irish foreign policy in the early period of international human rights law through two principal themes: namely Ireland's participation in international human rights law-making, and Ireland's engagement in international human rights institutions. Within this framework, the primary research focuses of the project are the Council of Europe and the United Nations. Research involves an investigation of material available in the National Archives of Ireland, the British Public Records Office, the United Nations Archives, the Archives of the European Court of Human Rights and private archival collections in Ireland.

The project began in March 2005 with the appointment of a research assistant, Aisling O'Sullivan, who is tasked with collection, assessment and documentation of the archival material and the general administration of the project.

A dedicated website for the project has been created, which provides information on current and future research. Additionally, an archive of source material is being compiled, enabling researchers to extract specific documents on the various themes. In the final stages of the project in 2008, a conference will be hosted at the Irish Centre for Human Rights to promote and disseminate the research generated.

For more information on the project visit: www.nuigalway.ie/human_rights/Projects/ireland_project/index.html

Ireland-Iran Human Rights Network

In mid-November 2005, Professor William Schabas undertook a week-long research trip to Iran, visiting academics and institutions involved in human rights activities. Professor Schabas delivered a number of lectures to faculty and students at the School of International Relations, Iranian Foreign Ministry; the UNESCO

Chair in Human Rights, Shaheed Beheshti University; the University of Tehran; and the University of Isfahan. Preliminary agreements were reached with several of these institutions to cooperate in human rights research.

Following on from this visit, proposals have been made to create an Ireland-Iran Human Rights Network, which would provide a forum for an exchange of views on the interaction between international human rights standards and Islam at expert level. An application for funding for the Network is being submitted to the European Commission External Relations Directorate. Creation of a separate cooperative project focusing on Islam and the death penalty is also under consideration.



SPECIAL EVENTS, VISITORS AND LUNCHTIME SEMINARS



Seamus Heaney together with students from the Irish Centre for Human Rights at the launch of *Anything Can Happen*, November 2004

Special Events

In November 2004 Seamus Heaney launched his new book *Anything Can Happen* at a special ceremony in the Aula Maxima, NUI Galway. Students from the Irish Centre for Human Rights were delighted to be involved in the ceremony, reading extracts from the work in seven different languages. Seamus Heaney then presented a unique signed copy of the book, which was launched in collaboration with Amnesty International, to President of NUI Galway, Dr. Iognáid Ó Muircheartaigh. In making the presentation, Nobel Laureate Seamus Heaney praised the work of the Centre and said he was “honoured” to launch the book at NUI Galway, “home to the Irish Centre for Human Rights.”

In 2005 faculty and students celebrated the launch of the Irish Centre for Human Rights Alumni Association. To mark the occasion, LLM students hosted a wine and cheese reception at the Centre to congratulate students of the previous year on their graduation. The Alumni Association has established a dedicated *blog* at <http://ichralumnews.blogspot.com/> to provide all students and alumni with a platform from which to communicate with each other on job prospects, academic work, conferences and campaigns as well as a way of staying in touch with each other when their studies at the Centre have come to an end. Students can also stay in touch with the University by logging on to www.nuigalway.ie/alumni and updating their contact details.

In April 2006, Professor William Schabas and students from the Centre enjoyed a rare opportunity to meet with Louise Arbour, United Nations High

Commissioner for Human Rights, at the Department of Foreign Affairs in Dublin. Louise Arbour was in Dublin to receive an honorary doctorate from the National University of Ireland.

Later that month a seminar on the links between Mozart’s life, works and music and human rights followed by a short concert was organised at the Centre in celebration of the 250th anniversary of the composer’s birth. Dr. Jane O’Leary of Music for Galway and Professor William Schabas made a short and entertaining presentation entitled “Mozart and Human Rights” followed by a performance from the Contempo String Quartet. Professor Schabas joined the performance for the last piece, playing the cello.

In May 2006, a special event was organised at the Centre to mark International Day of United Nations Peacekeeping. The event saw former and current UN staff serving with peacekeeping operations invited to the Centre to share their experiences with faculty and students.

In June 2006, a public meeting was organised by Amnesty International (Irish Section) and the Irish Centre for Human Rights to mark International Day Against Torture. The discussion panel featured Abubaker Deghayes, brother of Guantanamo detainee Omar Deghayes, and the Centre’s Doctoral Research Fellow Elvira Domínguez Redondo.

In July 2006, in cooperation with Amnesty International (Irish Section) the Irish Centre for Human Rights brought American artist and human rights activist Tom Block to Galway to exhibit a collection of his paintings at the Galway City Library. All of the works in the exhibit entitled *Human Rights Painting Project*, depict individuals who have faced human rights abuses. Some of them, such as the Dalai Lama and Mahatma Gandhi, are world-famous activists while others are unknown victims. A wine and cheese reception was held at the Library to launch the exhibition with Professor William Schabas speaking on the connection between art and human rights and Brian Maguire, Director of the National College of Art and Design, introducing the artist and his work.



SPECIAL EVENTS, VISITORS AND LUNCHTIME SEMINARS

Visitors

The Centre was pleased to welcome Frank Fahey, Minister of State at the Department of Justice, Equality and Law Reform to the premises on 8 March 2005 to mark International Women's Day. During the visit Minister Fahey exchanged views with Nóirín Clancy, Director of the Women's Human Rights Alliance, on the issue of financial support for rape crisis and domestic violence services.

In September 2005 renowned International Criminal Court Judge, Navi Pillay, gave a lecture to LLM students on the progress of international criminal justice.

In cooperation with Amnesty International (Irish Section), the Irish Centre for Human Rights brought best-selling author and acclaimed journalist Robert Fisk to NUI Galway in October 2005 where he delivered a lecture entitled "Into the Wilderness: how to escape history in Iraq". Robert Fisk signed copies of his recent book, *The Great War for Civilisation: the Conquest of the Middle East*, at a ceremony in the Centre prior to the lecture, giving students and staff an opportunity to meet with the author.

The Minister of State at the Department of Foreign Affairs with Special Responsibility for Overseas Development and Human Rights, Conor Lenihan, visited the Centre in January 2006. The Minister was accompanied by Éamonn Mac Aodha, Director of the Human Rights Unit within the Department of Foreign Affairs, and Frank Flood, of Irish Aid.

In May 2006, human rights activists and legends of Indian cinema Shabana Azmi and Javed Akhtar, made a three-day visit to Galway. In cooperation with Amnesty International (Irish Section), the Irish Centre for Human Rights was delighted to host a roundtable discussion on Azmi's career in alternative cinema, her politics and activism as well as the issue of human and women's rights in India.

Michael D. Higgins, a well-known and frequent visitor to the Centre, was appointed Adjunct Professor affiliated to the Irish Centre for Human Rights in 2006. Michael D. Higgins, a graduate of NUI Galway, is Labour Party Spokesperson for Foreign Affairs and is currently T.D. for Galway West. He was Minister for Arts, Culture and the



Dr. Kathleen Cavanaugh, Professor William Schabas, Robert Fisk and NUI Galway President Dr. Iognáid Ó Muircheartaigh

Gaeltacht under the Rainbow Coalition, from 1993-1997. Deputy Higgins is renowned for his consistent campaigning for human rights, his dedication to which was recognized internationally in 1992 when he became the first recipient of the Séan McBride Peace Prize.

Lunchtime Seminars

The continuation of the popular Lunchtime Seminars series has brought a great number of well-known academics and human rights advocates to the Centre to speak with faculty and students over the past two years. The new academic year got off to a good start in September 2004 with speakers including Dr. Tal Simmons, Principal Lecturer in Forensic Anthropology at the University of Central Lancashire and John Galvin of the United States International University in Nairobi. Two documentaries on the issue of homelessness by Galway-based independent filmmaker, Keith Walsh, were also screened as part of the Lunchtime Seminars series.

In the spring of 2005, two distinguished speakers gave seminars at the Centre with Professor Kevin Boyle of Essex University discussing contemporary issues in international law and Professor Frits Kalshoven, former Professor of International Law at Leiden University, presenting on the issue of collective punishment.

The Autumn of 2005 saw Associate Professor Mark A. Drumbl from Washington and Lee University School of Law deliver a lecture on atrocity and punishment. Isabella Rae from the Food and Agriculture Organisation in Rome

presented a talk on the right to food at the Centre in October 2005. Ms. Rae is a graduate of the Centre's LLM programme.

The Centre offered a particularly full programme of lunchtime seminars in 2006 with talks and presentations taking place on an almost weekly basis during term-time. Speakers included: Arnold Tsunga, Zimbabwe Lawyers for Human Rights; Éamonn Mac Aodha, Director of the Human Rights Unit within the Department of Foreign Affairs; Saul Lehrfreund and Parvais Jabber, lawyers with the Death Penalty Project at London based solicitors Simons Muirhead & Burton; David Joyce, barrister and former legal policy officer with the Irish Travelers Movement; Shanthy Dariam, activist and member of the Committee for the Elimination of Discrimination Against Women; Kozara Kati and Teuta Braco, Director and Deputy Director of the Albania Centre for Human Rights; H.E. Andreas S. Kakouris, Cypriot Ambassador to Ireland; Richard Goldstone, former Prosecutor for the International Criminal Tribunal for the former Yugoslavia and Rwanda, and a serving Judge of the Constitutional Court of South Africa; and Quincy Whitaker, legal counsel, Special Court for Sierra Leone.

ADVOCACY



amnesty
international
irish section

NGO Partnerships

The Irish Centre for Human Rights is involved with a number of Irish and international non-governmental organisations engaged in the promotion of human rights. First and foremost among them is Amnesty International.

Faculty member Dr. Kathleen Cavanaugh is Chair of Amnesty International (Irish Section) and a member of Amnesty International's Policy Committee. Dr. Cavanaugh has regularly been called upon as an investigator by the International Secretariat of Amnesty International.

In 2004, faculty and PhD students from the Centre together with Amnesty International (Irish Section) delivered a joint training programme on international human rights law. The programme, which has now been running successfully for three years, is open to practitioners, NGO staff, activists and interested others who identified a need to have an overview of human rights law. Over the course of the four-day programme, faculty and PhD students present sessions, which range from basic overviews of treaty based and non-treaty based human rights mechanisms to subject specific issues including states of emergency, refugees, human rights education and international criminal law, to name but a few. The course is run every year in each of Galway, Dublin and Cork.

In 2005, Amnesty International (Irish Section) commissioned the Centre to research and prepare a report on Institutional Racism in Ireland. In May 2006, Amnesty International and the Irish Centre for Human Rights jointly hosted a one-day conference on extraordinary renditions. Featured speakers included Manfred Nowak, the United Nations special rapporteur on torture, Michael O'Flaherty, member of the Human Rights Committee, and Mona Rishmawi, legal counsel of the Office of the High Commissioner for Human Rights. The Irish Centre for Human Rights and Amnesty International (Irish Section) have also worked together on a regular basis over the past two years to bring special speakers to Galway and to host various events including book launches, exhibitions and seminars.

The Centre has also developed a close working relationship with Al-Haq, an international law and human rights NGO based in Ramallah and affiliated to the International Commission of Jurists. Dr. Kathleen Cavanaugh is a member of the Al-Haq (Palestine) steering committee and has assisted several LLM students in taking up internships with Al-Haq. She was a moderator at the Al-Haq Expert Seminar entitled *From Theory to Practice: Upholding International Humanitarian Law in the Occupied Palestinian Territories*, which took place in November 2004. In August 2006, Dr. Ray Murphy traveled to Palestine where he conducted workshops organised by Al-Haq on investigating war crimes in the Occupied Territories. Dr. Murphy also traveled to Palestine in late January 2006, where he was part of a team of European Union Election Observers deployed to observe and report on the conduct of the election process taking place there.

In April 2006, Professor William Schabas, Dr. Vinodh Jaichand, Dr. Kathleen Cavanaugh, Dr. Joshua Castellio and Dr. Elvira Domínguez Redondo traveled to India where they delivered a series of lectures and seminars and took part in exchanges with universities, NGOs, judges and lawyers in Delhi, Calcutta, Ahmedabad and Bombay. The intensive week of events was organised in cooperation with the Human Rights Law Network (India), with whom the Centre has developed close ties. The Network was formed in 1989 from a small group of lawyers and social activists. It is now a nationwide NGO working to protect and advance human rights through the use of the legal system.

Dr. Ray Murphy also works closely with Human Rights Watch, New York, where he took up the position of Visiting Fulbright Scholar with the International Justice Program from March to June 2006.

Closer to home, the Centre enjoys a particularly close working relationship with several refugee and asylum support groups as a result of the work carried out by the Refugee Unit, in particular the Galway Refugee Support Group and the Women's Human Rights Alliance. Faculty member Dr. Ray Murphy also sits on the Galway board of Threshold, the housing and homelessness advice agency.



ADVOCACY

International Institutions

The Centre cooperates actively with the Institute for International Criminal Investigation. Professor Schabas is Chair of the Board, which is headquartered in The Hague, and Dr. Murphy is a member of the faculty. Professor Schabas and Dr. Murphy lecture regularly at the two-week training courses that are delivered by the Institute. Professor Schabas also lectured at the summer schools of the International Institute for Human Rights, in Strasbourg, the Salzburg Summer School on international criminal law, and the Zoran Institute on genocide studies.

In November 2005 Dr. Murphy directed a specialised two-week training course on Human Rights and Peacekeeping for military police and civilian participants in Latin America and the Caribbean organised by the Pearson Peacekeeping Centre in Canada. Dr. Murphy is a member of the faculty at the Pearson Peacekeeping Centre.

Ad Hoc Activities

In addition to working with a broad range of partner NGOs and international institutions, members of the faculty at the Irish Centre for Human Rights are also regularly involved in advocacy on specific issues.

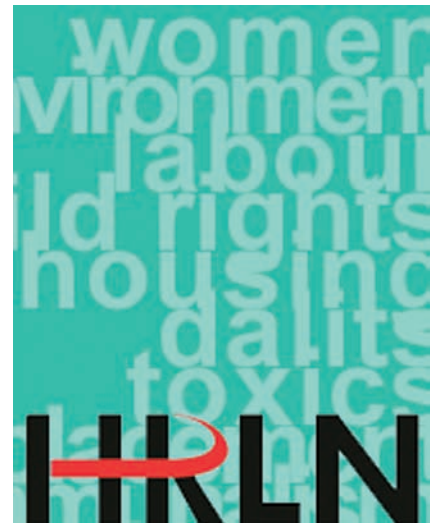
In March 2005, Dr. Ray Murphy and doctoral fellow Katarina Månsson represented the Irish Centre for Human Rights at the UN International Training School in the Curragh Camp. Dr. Murphy was one of six lecturers to deliver the course to nearly 30 military instructors from peacekeeping training centres throughout Europe. The aim of the course was to encourage participants to “bring rights back home” by teaching them about international human rights standards and how they relate to UN peacekeeping operations. The course was the last of four regional pilot courses organized by the Office of the High Commissioner for Human Rights.

As part of an ongoing campaign against the continued use of the death penalty, the Irish Centre for Human Rights submitted an amicus brief to the Inter American Court of Human Rights in the 2005 case of *Fermín Ramírez Vs. Guatemala*. Fermín Ramírez was sentenced to death in 1998 for the murder

of a minor. The case came before the Inter American Court following a petition to the Inter American Commission on behalf of Mr. Ramírez, which argued that the original trial had violated his human rights, including several of the minimum guarantees enshrined in Article 8 of the American Convention (right to fair trial). The Court ordered Guatemala to correct “grave judicial errors” and reform article 132 of the Guatemalan Penal Code that regulates the crime of murder, stating that it violates the principle of legality and the right to a fair trial and also ordered Guatemala to grant a new trial to Mr. Ramírez. The amicus brief submitted by the Irish Centre for Human Rights was cited by the Court in its decision.

In November 2005, Dr. Joshua Castellino organized a four day training programme in Human Rights for members of various Chinese Ministries, as part of a bilateral exchange between the Foreign Ministries of Italy and China, sponsored by the Italian Foreign Ministry, which took place at the Monastery of San Nicolò, Venice.

Professor Schabas participated in professional development sessions for judges of the International Criminal Court, held in Siracusa, Italy, in June 2005, and for judges of the International Criminal Tribunal for Rwanda, held in Arusha, Tanzania, in September 2006.



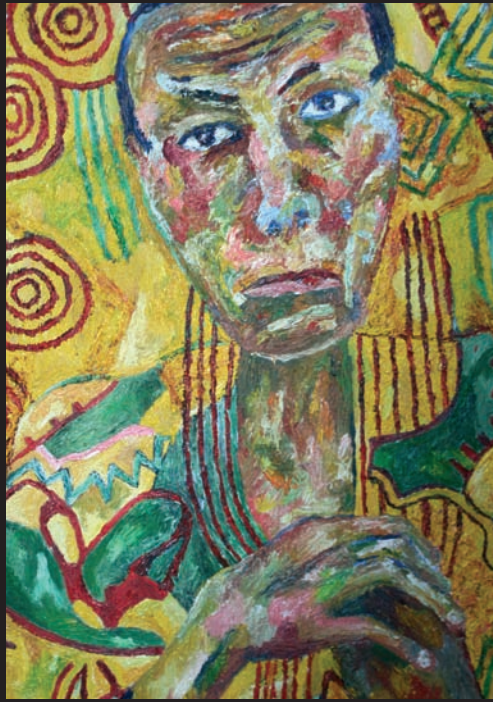
The Human Rights Law Network, India, is a collective of lawyers and social activists dedicated to the use of the legal system to advance human rights



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Irish Centre for Human Rights
National University of Ireland, Galway
Telephone: +353 91 750464
Fax: +353 91 750575
Email: humanrights@nuigalway.ie
Website: www.nuigalway.ie/human_rights/