



Irish Centre for Human Rights

Quarterly Bulletin, Issue 11, May-September 2010

Crimes Against Humanity in Burma: Irish Foreign Minister Launches Report by Irish Centre for Human Rights

In August 2008 the Irish Centre for Human Rights received funding from Irish Aid to launch a project on the human rights situation of the Rohingyas/Muslims of Rakhine State in Western Burma/Myanmar. As part of the project a research unit was established at the Irish Centre for Human Rights to carry an open source research project and take part in a fact-finding mission. The final drafting of a report was under the supervision of Prof. William Schabas.

In 2009, ICHR Staff, Nancie Prudhomme and Joseph Powderly undertook a 4-week fact-finding mission to gather more detailed, first-hand information. As part of their mission Nancie and Joseph visited Burma and Thailand and Bangladesh, visiting refugee camps and interviewing Rohingya refugees and human rights and humanitarian workers. The mission in Bangladesh provided detailed information on the causes for flight to Bangladesh and the current situation in Western Burma.

The final report of the Rohingya project was officially launched on June 16th 2010 by Michael Martin, the Irish Minister for Foreign Affairs, at Iveagh House.

Speaking at the launch of the Report, Minister Martin commended the work of the NUIG research team, stating that they have presented 'compelling and credible evidence suggesting that crimes against humanity have indeed been committed by the Burmese authorities against the Rohingya minority group.'



From left Prof. William Schabas, Minister Martin, Joe Powderly and Nancie Prudhomme

Noting the recommendation in the Report that the Security Council establish a Commission of Inquiry to determine whether there is a prima facie case that crimes against humanity have been committed, as well as similar recent comments by UN Special Rapporteur on Burma, Tom Ojea Quintana, Minister Martin said that he fully supported these calls for all such alleged crimes to be formally investigated.

The Report exposes the Rohingyas' plight, which has been overlooked for years. The root causes of their situation still remains under-examined. The Irish Centre for Human Rights' Report identifies and discusses some of these causes.

The full report is available at
http://www.nuigalway.ie/human_rights/projects/burma.html



Professor William Schabas Receives Prestigious Vaspasian V. Pella Medal

Irish Centre for Human Rights Director Professor William Schabas was awarded the Vaspasian V. Pella Medal for International Criminal Justice by the Association Internationale de Droit Penal. The award is given by the association to a single individual once every ten years. The medal has been awarded three times, the first two laureates being Benjamin Ferencz, who was one of the prosecutors at Nuremberg, and Professor M. Cherif Bassiouni, who is now that honorary president of the association.

ICHR Welcomes 10th LLM Class



Dr Vinodh Jaichand and LLM students

On September 5th, the Irish Centre for Human Rights welcomed the 10th LLM class to the Centre. An wine reception was held in the evening after the first day of classes. Over 70 new masters students were in attendance, along with PhD students and Centre staff, including Prof. William Schabas, Prof. Ray Murphy, Dr. Kathleen Cavanaugh, Dr. Vinodh Jaichand and Dr. Noam Lubell.

The evening reception included a Gypsy Jazz duo providing a lively atmosphere.



Gypsy Jazz duo performs background music

Professor William Schabas at ICC Review Conference in Uganda

Professor Schabas launched his book 'The International Criminal Court: A Commentary on the Rome Statute' in June at Commonwealth Banquet Hall at the ICC Review Conference in Kampala, Uganda. Details about the conference, including in depth commentary along with a daily journal of activities can be found on Professor Schabas' archived ICC blog: <http://iccreviewconference.blogspot.com/>

The ICC Review Conference: Kampala 2010

The Review Conference of the Rome Statute of the International Criminal Court takes place in Kampala, Uganda, from 31 May 2010 to 11 June 2010. This blog is devoted to the Conference.

International Criminal Court Voice of America - Kenya Defends Bashir Visit as Necessary for Regional Peace

Article 123, Review of the Statute
 22 June 2010
Aftermath of Kampala
 Here are two short essays assessing the results of Kampala by two observers, [Robbie Hanson](#) and [Jennifer Tshahar](#).
 Posted by William A. Schabas (C. Wilk) at 19:11 0 comments

Final Assessment of Kampala: the Final Blog
 17 June 2010
 With the summit, I bring the blog on the Kampala Conference to a close, and return to my regular blog, [ICC Studies in Human Rights](#). As usual.

The Kampala Review Conference of the Rome Statute provides a much-needed shot of legal adrenaline to the International Criminal Court. The achievements at Kampala were relatively minor and inconsequential. Fortunately, they are dwarfed by the stunning accomplishment of amendments of aggression, adopted in extremis early Saturday morning. Until about 1030 PM Friday night, I could not find anybody press a significant sum of money on the likelihood of a positive outcome.

Items of the Conference
 1. ICC Report on Victims (ICCJ)
 2. ICC Complementary (ICCJ)
 3. ICC Peace and Justice (ICCJ)
 4. ICC NGO Preparatory Meeting
 5. ICC Cooperation (ICCJ)
 6. ICC "Road from Rome to Kampala and Beyond" (ICCJ)
 7. ICC International Bar Association African Women Lawyers
 8. ICC Launch of Report

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http://www.nuigalway.ie/human_rights



Irish Centre for Human Rights

ICHR to Celebrate 10th Anniversary

The Irish Centre for Human Rights welcomed its first LLM students in September 2000 and we are hosting a series of events in 2010 to celebrate ten years of the Centre's teaching, research and advocacy.

The main 10th anniversary event is a major academic conference by the Irish Centre for Human Rights, on the theme of 'Forgotten Rights, Forgotten Concepts.' This will encompass a number of original human rights issues across a broad spectrum which the speakers feel have fallen out of favour or been overlooked. The Conference will be held on campus on 19 and 20 November 2010, and will include many distinguished academics and friends of the Irish Centre for Human Rights.

The Gala Banquet will be held on Friday 19 November in the beautiful Glenlo Abbey Hotel. Tickets for the Banquet are priced at 50 euro and available in limited number on the Irish Centre for Human Rights website through the registration page. The registration fee for the 'Forgotten Rights, Forgotten Concepts' conference is 25 euro. The conference fee includes lunch at the conference and admission to the closing party.



*For more information on the celebrations, go to: http://www.nuigalway.ie/human_rights10thanniversary.html

Past Events

Irish Centre for Human Rights Holds Annual Doctoral Seminar

The Irish Centre for Human Rights held its 9th annual Doctoral Seminar from 10-14 May, 2010. This year's panel of experts included Professor David Weissbrodt, Professor of International Human Rights Law and Founder of the Human Rights Center at the University of Minnesota, Professor Sir Nigel Rodley, Professor and Chair of University of Essex Human Rights Centre and Dr. Jeremie Gilbert, Senior Lecturer Human Rights Law at Middlesex University. Over 40 students, including visiting scholars from Middlesex University and the Geneva Academy for Human Rights and Humanitarian Law attended the seminar. The seminar included a half day trip to Coole Park and a closing dinner at Cooke's wine Bar in Galway.



Doctoral students, James Nyawo and Hadeel Abu Hussein at Coole Park



PhD candidates enjoying live music at the Crane Bar, Galway

Past Events

Irish Centre for Human Rights and NUI Galway School of Law co-hosts Mastering Laws Conference

The Irish Centre for Human Rights and the NUI Galway School of Law co-hosted the two day conference *Mastering Law; Conflicts, Challenges and Solutions in Today's Society* in early June 2010. Geared towards current LL.M Students. The Mastering Law conference brought together current masters students in both the school of law and the Irish Centre for Human Rights to engage students in a formal exchange of ideas, prepare their own academic works and explore the ways in which diverse fields of study intersect. The first Mastering Law Conference was held at the University of Limerick in June of 2009, Participants addressed the current developments and future challenges in Irish, European, and International Law.

During the two day conference, LL.M students had the opportunity to present their own research and collaborate with their colleagues from Universities across Ireland. In addition to academic presentations, there were also short career sessions and guest speakers. Keynote address was given by Michael Farrell of FLAC and the Irish Human Rights Commission. The event ended with dinner held at the Ardilaun hotel in Galway.

Mastering Law: Conflicts, Challenges and Solutions in Today's Society

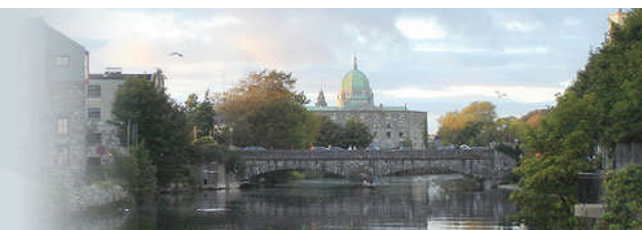


O'É Gaillimh
NUI Galway



O'É Gaillimh
NUI Galway

**cinema
human rights
& advocacy**



Summer School in Human Rights, Cinema & Advocacy

From 2-5 September, 2010, the Huston School of Film & Digital Media and the Irish Centre of Human Rights brought together experienced practitioners and experts to establish the Summer School in Human Rights, Film and Advocacy. The same team collaborated in the successful Summer School in Cinema and Human Rights from 2005 to 2008 in Venice at the European Inter-University Centre for Human Rights and Democratization.

Like the 'Human Rights and Cinema' Summer School in Venice, facilitators included Nick Danziger, a leading practitioner in the field of human rights documentary making, photographer and writer, Prof. William Schabas, OC MRJA, Director of the Irish Centre for Human Rights, NUI Galway, and Rod Stoneman, Director of the Huston School of Film & Digital Media, NUI Galway. Over 17 students were in attendance.

Past Events

Dr. Noam Lubell Launches Book

The book was launched at Irish Centre for Human Rights on Monday 21 June. The book, 'Extraterritorial Use of Force Against Non-State Actors', was published by Oxford University Press within their prestigious 'Oxford Monographs in International Law' series. It is the first book to bring together all the different areas of law applicable to the extraterritorial use of force against non-state actors, including law of armed conflict, human rights law, UN law and the use of force. It includes analysis of anticipatory self-defence, the classification of the 'war on terror' as an armed conflict, the extraterritorial application of human rights law, and the targeted killing of individuals, such as the strikes carried out by the US in Pakistan.



Prof. William Schabas and Dr. Noam Lubell

EU-China Human Rights Seminar, Madrid 2010

In June 2010, the Irish Centre for Human Rights organised the third EU-China Human Rights Seminar to take place under the auspices of the European Commission funded EU-China Human Rights Network. The successful event took place at the Universidad Nacional de Educacia Distancia (UNED) in Madrid and brought together 64 leading European and Chinese academics as well as NGO representatives and government officials from Europe and China to discuss human rights issues under the following headings: Freedom of Information and the Right to Privacy; National Human Rights Institutions and the Implementation of Economic, Social and Cultural Rights.

The three-year EU-China Human Rights Network project provides a grant of 1.5 million Euro to the Irish Centre for Human Rights to develop and lead an unrivalled network of human rights specialists from across the EU and China. The 30 European and 20 Chinese institutions involved in the Network collaborate with non-governmental organizations to analyse human rights practices through the EU-China Human Rights Seminar process and associated activities. The next EU-China Human Rights Seminar will take place in China in the last quarter of 2010.



EU China Human Rights participants in Madrid

Past Events

Irish Centre for Human Rights hosts 2010 Summer Schools

In June, the Irish Centre for Human Rights hosted the 9th annual Minority Rights, Indigenous Peoples and Human Rights Law and the International Criminal Court Summer Schools. The week-long summer school programmes offered participants a unique chance to immerse themselves in two increasingly important areas of international criminal law and international human rights law, and to benefit from the knowledge of an unrivalled panel of experts. Each of the intensive programmes also included a variety of social activities that allowed participants to network with each other and the panel in a relaxed and friendly environment, ensuring the programmes are instructive and enjoyable. The final day of the Minority Rights course included a 1 day conference on Customary Law, Traditional Knowledge and Human Rights, co-hosted by the Irish Centre for Human Rights (ICHR), the Indigenous Peoples Law and Policy Program, University of Arizona, Middlesex University, the Natural Justice Peruvian Society for Environmental Law (SPDA) and the United Nations University, Institute for Advanced Studies (UNU-IAS). This conference covered issues pertaining to customary law, traditional knowledge and human rights.

The final day of the ICC summer school included a Moot Court in the Galway Courthouse.



Prof. Patrick Thornberry at Minority Rights Summer School June 2010

Photo by Susan Megy

2010 Speakers

Minority Rights, Indigenous Peoples and Human Rights Law

- Prof. Joshua Castellino, Middlesex University
- Mr. Joshua Cooper, University of Hawaii
- Dr. David Keane, Middlesex University
- Dr. Elvira Dominquez Redondo, Middlesex University
- Dr. Alexandra Xanthaki, University of Brunel
- Dr. Jeremie Gilbert, Middlesex University
- Dr. Jeroen Temperman, University of Amsterdam
- Prof. Patrick Thornberry, Keele University
- Mr. Nick McGeehan, PhD Candidate European Institute
- Ms. Eadaoin O'Brien, Government of Ireland Postgraduate Scholar
- Dr. Kathleen Cavanaugh, Senior Lecturer, Irish Centre for Human Rights
- Prof. Michael O'Flaherty, University of Nottingham
- Mr. Ziya Meral, PhD Candidate, University of Cambridge
- Mr. David Joyce, Barrister
- Mr. Martin Collins, Pavee Point Centre

International Criminal Court

- Mr. John McManus, Canadian Department of Foreign Affairs
- Dr. Mohamed El Zeidy, International Criminal Court
- Prof. William A. Schabas, Director, Irish Centre for Human Rights
- Prof. Ray Murphy, Irish Centre for Human Rights
- Prof. Hector Olasolo, Utrecht University
- Mr. Everard O'Donnell, formerly of the ICTR
- Mr. Hakan Friman, Swedish Department of Foreign Affairs
- Dr. Shane Darcy, Irish Centre for Human Rights

Upcoming Events



NUI Galway
OÉ Gaillimh



UNIVERSITY OF
NOTRE DAME

Irish American Exchange on Human Rights 16-18 October, 2010

The Irish Centre for Human Rights will host the 2nd annual Irish-American Exchange on Human Rights from 16 - 18 October. The event will bring together faculty and students from two of the world's leading institutions of human rights education—the Center for Civil and Human Rights at Notre Dame Law School, and the Irish Centre for Human Rights, National University of Ireland Galway, for a series of presentations and responses on human rights issues of the day. The event will be free and open to the public.

'Human Rights through the Lens' 10th Anniversary Exhibition



Photo by Susan Megy

As part of the 10th Anniversary celebrations, the Irish Centre for Human Rights is putting together a collection of photography relating to the human rights experiences of staff and students. Entitled '*Human Rights through the Lens*' the exhibition will be launched at Kenny's bookshop on 18 October at 4 PM.

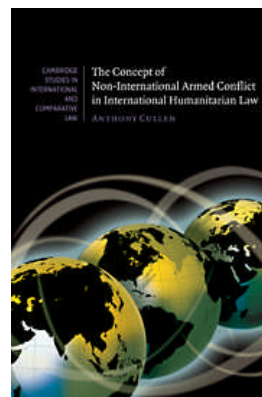
The Centre will move the exhibit to display some of the photographs in and around the Centre during the 10th anniversary celebrations in November.

The final project will be compiled into a book of photographs with accompanying short accounts detailing the human rights work, activities or experiences involving the Centre's alumni.

Book Launches

September 14, 2010: Dr. Anthony Cullen, Lauterpacht Centre for International Law, University of Cambridge '*The Concept of Non-International Armed Conflict In International Humanitarian Law.*'

Introductory remarks were provided by Prof. William Schabas, Director, Irish Centre for Human Rights.



Staff News & Notes



Dr. Vinodh Jaichand and PhD student Josh Curtis presenting 'Land and Housing Rights: Some Solutions from Other Jurisdictions' at the School for International Relations (SIR) Conference on Economic, Social and Cultural Rights, Tehran Iran in June

Professor Ray Murphy

- Delivered lectures in the United Nations Training School and the Command and Staff School, Military College, Defence Forces Training Centre, Curragh, Co. Kildare.
- Taught international humanitarian law and international criminal law in The Hague as part of the 12th and 13th International Investigators Course held by the Institute for International Criminal Investigations, The Hague in November 2009 and May.
- Taught international law, criminal law and humanitarian law on the Second Justice Rapid Response Training Course, Institute for International Criminal Investigations (IICI) and 'No Peace without Justice,' together with the Argentine Forensic Anthropology Team (EAAF), hosted by the Argentine Joint Training Centre for Peacekeeping Operations (CAECOPAZ) from 8-16 May.
- Conducted International Criminal Law and Practice Training for Ugandan judges, lawyers and practitioners in Entebbe, Uganda, August.

Dr. Vinodh Jaichand

- Acted as consultant to the Johns Hopkins University Protection Project on Legal Aid and Clinical Legal Education in Pretoria, Johannesburg and Cape Town from 1-7 August
- Beginning in July, currently undertaking field research on the 'Galway Taxi Industry: Employment Opportunities, Patterns of Public Use and User Perceptions' with the assistance of ICHR students.

Dr. Shane Darcy

- Visiting lecturer at the Centre for Legal Studies, Central European University, Budapest in August 2010.

Dr. Noam Lubell

- Participated as a member of the Committee on the Use of Force at the 74th Biennial Conference of the International Law Association.
- Taught 'War, Peace and Human Rights' at Oxford University as part of the human rights summer school co-organised by Oxford University and George Washington University.
- Taught on the 28th Annual Course on International Humanitarian Law, organised by the International committee of the Red Cross, and held in Warsaw, Poland in July.

- Guest lecturer on the Specialized Training On Human Rights And Armed Conflict, organised by the Program on Humanitarian Policy and Conflict Research at Harvard University, Stockholm in June.

Dr. Kathleen Cavanaugh

- Presented at the 'International Law is Indeed in Trouble,' in Palestine and 'International Law, New Approaches,' at Birzeit University, Ramallah, Palestine, September 23-26.
- Presented at the 'Islam and the European Project,' in the XXth International Association for the History of Religion (IAHR) Quinquennial World Congress, Toronto, August 15-21.
- Presented 'Narrating Law,' at the Salzburg Global Seminar and the International Bar Association initiative on "A Common Ground?: International law and Islamic Legal Traditions," Center of Theological Inquiry, Princeton University, May 22-23.
- In May presented at the 'De-Exceptionalising the Exceptional Case: The "Plural Readings" of Islam', Law and Society Association, Chicago.

The Irish Centre for Human Rights bulletin is compiled, designed and edited by Susan Megy, Doctoral Fellow

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