

Annual Report 2010

Maastricht Centre for Human Rights



Visiting address: Bouillonstraat 3 6211 LH Maastricht

Telephone: (31)(0)43 388 35 14

E-mail: humanrights@law.unimaas.nl

Postal address: PO Box 616, 6200 MD Maastricht

Telefax: (31)(0)43 388 32 03

Website: <http://www.rechten.unimaas.nl/humanrights>

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About Us

The Maastricht Centre for Human Rights facilitates and supports research in the field of human rights at Maastricht University's Faculty of Law.

The Centre was formally established in 1993 by professors Theo van Boven and Cees Flinterman. The Centre's current Director is Professor Menno T. Kamminga. Professor Fons Coomans is in charge of the day-to-day running of the Centre. The other members of the Board of the Centre are Professor Fred Grünfeld, Professor Hans Nelen, Dr. Ria Wolleswinkel and PhD candidate Martine Boersma. Chantal Kuijpers is the Centre's administrator.

The Centre is a member of the Association of Human Rights Institutes (AHRI). It also is a member of the Netherlands School of Human Rights Research together with its sister institutes at Erasmus University Rotterdam, Leiden University, Tilburg University, Utrecht University and the T.M.C. Asser Institute in The Hague. The Centre is a partner of the European Inter-University Centre for Human Rights and Democratisation (EIUC). Several members of the Centre teach each year in the program of the European Master's Degree in Human Rights and Democratisation in Venice.

The Centre has two research programs: Globalisation and Human Rights; and Criminal Law in a Multinational Interplay of Forces. In these two areas, the Centre organises conferences, seminars and lectures, sponsors publications and assists in grant applications. Among its best known achievements are the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights (1986) and the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights (1997).

The results of research conducted at the Centre are usually published by Intersentia Publishers in the Maastricht Series in Human Rights and the Dissertation Series of the Netherlands School of Human Rights Research.

The Centre is funded by the Faculty of Law of Maastricht University. Specific research activities have been supported by ad hoc grants from the Netherlands Organisation for Scientific Research (NWO) and the Royal Academy of Sciences (KNAW), by intergovernmental organisations such as the European Union and UNESCO, and by Netherlands Government Ministries such as the Ministry of Justice and the Ministry of Foreign Affairs.

Mission Statement

Ambition

The Centre aims to be at the **cutting edge** of global human rights research and to be **forward looking** into its choice of research themes.

Priorities

The Centre favours research themes that **contribute to a better society** within the context of the process of globalisation and that raise **fundamental questions** about human rights (as opposed to mere technicalities).

Approach

Research conducted within the Centre takes a **normative approach**, reflecting an **integrated view** of economic, social and cultural rights on the one hand and civil and political rights on the other, with close attention being given to **gender issues**.

Focus

The research carried out within the Centre is **interdisciplinary**, with a particular focus on public international law, criminal law and social sciences.

In memoriam Peter Bal

On 26 March 2010, our dear colleague Peter Bal passed away in a hospital on the island of Bali, Indonesia. His sudden death has struck a blow to us all.

Peter's career started at the Vrije Universiteit Amsterdam. He was also employed at Utrecht University for a number of years before taking up a job at Maastricht University in 1992. Peter never regretted this career move: on the contrary, he felt completely at ease in the southern part of the country. From 1992 onwards, Peter worked as an associate professor of Criminal Law and Criminal Procedure in the Department of Criminal Law and Criminology at the Faculty of Law. Over all these years, he put his heart and soul into academic research and education. His field of interest and expertise was substantive criminal law and comparative criminal procedure, with a focus on US criminal law and procedure.

We remember Peter as a high-spirited and dedicated colleague. His competent and energetic teaching style was very well appreciated by his students. Among his colleagues, Peter was known to be a qualified, passionate and charming scholar. He was sincerely interested in the wishes and needs of his colleagues and put serious effort into maintaining and improving typical trademarks of Maastricht University, PBL in particular.

Peter has served the Faculty of Law in various ways, including as the chair of the Department of Criminal Law and Criminology, coordinator of education within the department, and chair of the European Law School programme committee. During his last trip, Peter was representing Maastricht University as part of a development programme to enhance the quality of academic teaching in Indonesia. His emails reflected his enthusiasm for the country, for its people and for education. In many respects, they underline Peter's joie-de vivre. This is also what makes it so hard to grasp the fact that he has so suddenly has been taken from us.

We would sincerely like to wish Ine and the children, Ava and Lucas, as well as Peter's sister Wil and the rest of the family and all his friends all the strength they need to cope with this immense loss.

Activities in 2010

International Conferences

- 8 March: The Women's Convention Turned 30. Project leader: Dr. Ingrid Westendorp. Funded by the Faculty of Law, Maastricht University. Papers presented at the conference will be published in the Maastricht Series on Human Rights.
- 23-25 June (in Brussels): Effective Criminal Defence in Europe: Advancing beyond Stockholm. Project leader: Prof. Taru Spronken. Funded by the European Community and the Open Society Institute.
- 6 September (in Berlin): EU-Wide Letter of Rights in Criminal Proceedings: Towards Best Practices. Project leader: Prof. Taru Spronken. Funded by the European Community and the Open Society Institute.
- 28-29 October: Beyond the Death Penalty. Project leader: Prof. Hans Nelen. Keynote speaker: Prof. David Garland (New York University). Seven workshops and various cultural activities. Funded by WODC/Dutch Ministry of Justice, the province of Limburg, SWOL, Maastricht University and the Faculty of Law, Maastricht University. Papers presented at the conference will be published in the Maastricht Series on Human Rights
- 8-9 November: The United Nations Convention on the Rights of Persons with Disabilities, A European Perspective. Project leader: Lisa Waddington. Funded by European Disability Forum and Fundacion ONCE.

Guest lectures

- 10 June: Theo van Boven, From Exclusion to Inclusion. First of the Theo van Boven Lecture Series. Comments by Claude Welch ((Distinguished Service Professor, State University of New York at Buffalo), Peter Baehr (Emeritus Professor of Human Rights, Leiden and Utrecht Universities) and Liesbeth Lijnzaad (Legal Counsel, Netherlands Ministry of Foreign Affairs).
- 18 November: José Zalaquett (Professor at the University of Santiago, Chile), The Truth and Reconciliation Process in Chile.
- 2 December: Liesbeth Lijnzaad (Legal Adviser, Netherlands Foreign Ministry), The Role of the Legal Adviser at a Foreign Ministry.

Lunch presentations

- 3 March: Antenor Hallo de Wolff (Groningen University), Privatization and Human Rights

- 23 June: Gustavo Arosemena, Procedural obligations of states for the protection of economic, social and cultural rights: The problematic of the right to a remedy
- 26 October: Morag Goodwin (Tilburg University), The expulsion of Roma from France
- 10 November: Martine Boersma, Combating corruption: does international criminal law offer new avenues?
- 13 December: Anton Kok (University of Pretoria), the South African Promotion of Equality and Prevention of Unfair Discrimination Act.

Other activities

- On 28 October, members of the Centre discussed research co-operation with a Swedish-Arab delegation of researchers on human rights consisting of Prof. Per Bergling (Umeå University), Prof. Mohamed Bennani (Hassan II University, Casablanca, Morocco), Prof. Rashad al-Sayyid (University of Jordan, Amman, Jordan) and Dr. Omar Hourri (Human Rights Center, Beirut Arab University, Beirut, Lebanon).
- On 8 December, the Centre hosted an information meeting on the Sakharov Prize at the request of the European Parliament. Purpose was to offer the opportunity to students to discuss the criteria for awarding the prize.
- From 29 November-18 December, Dr. Anton Kok, Vice-Dean and Senior Lecturer at the Faculty of Law, University of Pretoria, South Africa stayed at the Centre as a visiting researcher. His research interests include the protection of social rights and issues of equal treatment/non-discrimination from a South African and international perspective.

Ph.D defences

- On 12 March, Eva Rieter successfully defended her dissertation *Preventing Irreparable Harm, Provisional Measures in International Human Rights Adjudication*, published with Intersentia as No. 37 in the Dissertation Series of the Human Rights Research School.
- On 21 May, Jacques Claessen successfully defended his dissertation *Misdaad en straf. Een herbezinning op het strafrecht vanuit mystiek perspectief*.

Prizes and awards

- Michal Gondek received both the Max van der Stoep Human Rights Award 2010 and the Manfred Lachs prize for his dissertation *The Reach of Human Rights in a Globalizing World*.

Research grants

- Marie Curie Initial Training Network DREAM – Disability Rights Expanding Accessible Markets. Approximately 500 000 euros for 4 years (2011-2015). Recipient: Lisa Waddington.

Publications in 2010

Dissertations

Claessen, J.A.A.C. (2010, mei 21). *Misdaad en straf. Een herbezinning op het strafrecht vanuit mystiek perspectief*. UM Universiteit Maastricht (610 pag.) (Nijmegen: Wolf Legal Publishers). Prom./coprom.: Prof.dr. A.H. Klip & D. Roef.

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- Nelen, H. (2010). Doorgestoken kaart; voetbal en georganiseerde misdaad, boekbespreking van *The Fix* van Declan Hill. *Justitiële Verkenningen*, 36(1), 87-93.
- Nelen, H. (2010). Van normaliseren naar moraliseren. *Justitiële Verkenningen*, 36(6), 14-19.
- Nelen, H. (2010). Verstrikt in het evidence-based web. *Panopticon. Tijdschrift voor strafrecht, criminologie en forensisch welzijnswerk.*, 31(3), 72-83.
- Rutten, S.W.E. (2010). Aanpassing van het huwelijksrecht; gevolgen voor de openbare orde en mensenrechten in het IPR. *Nederlands Internationaal Privaatrecht*, 410-420.
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