



Annual Report 2012

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.

Funding is provided by Maastricht University's Faculty of Law.

The Centre was established in 1993 by professors Theo van Boven and Cees Flinterman.



Theo van Boven



Cees Flinterman

Professor Menno T. Kamminga

Director



Professor Fons Coomans

Coordinator



Board Members are:

Professor Fred Grünfeld, Professor Hans Nelen, Dr. Ria Wolleswinkel and PhD Candidate Jasper Krommendijk

The Centre's Administrator is Chantal Kuijpers

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

Membership and Partnership

The Centre is a:

1. Member of the Association of Human Rights Institutes (AHRI).
2. Member of the Netherlands School of Human Rights Research together with Erasmus University Rotterdam, Leiden University, Tilburg University, Utrecht University and the T.M.C. Asser Institute in The Hague.
3. Partners of the European Inter-University Centre for Human Rights and Democratisation (EIUC).

Research Programmes

The Centre focuses on two areas:

1. Globalisation and Human Rights
2. Criminal Law in a Multinational Interplay of Forces

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), the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights (1997) and the Maastricht Principles on the Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights (2011).

The results of research conducted at the Centre are generally published by:

1. Intersentia Publishers in the Maastricht Series in Human Rights and the
2. Dissertation Series of the Netherlands School of Human Rights Research.

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.

Introducing a New Member of the Centre

Andrea Broderick- PhD Researcher DREAM Network

Andrea Broderick is of Irish nationality who is here to work with the DREAM (Disability Rights Expanding Accessible Markets) network of researchers at Maastricht University. She is a PhD candidate and a Marie Curie Fellow under the supervision of Professor Lisa Waddington and Professor Fons Coomans.



She graduated from the National University of Ireland, Galway (NUIG) with a First Class Honours B.A degree in International Law and French. She also graduated from NUIG with a Bachelor of Laws (LL.B) degree and an LL.M in International and Comparative Disability Law and Policy.

She started off as a trainee solicitor in a law firm in the areas of litigation and employment law. Having then graduated from the Law Society of Ireland, Dublin, she is now a qualified Solicitor. She has also worked as a legal officer for a major Irish bank. Her research interests lie in the area of International and European human rights, in particular in the area of disability and policy.

Activities in 2012

Theo van Boven Lecture Jan Egeland, 28th of November 2012, “Promoting Human Rights and Peace – Lessons from the Front Lines”



Jan Egeland is Deputy-Director of Human Rights Watch and former UN Under-Secretary-General for Humanitarian Affairs. He reflected on his experiences as UN aid coordinator and his response inter alia to the tsunami in Asia and the famine in Darfur. Egeland has a reputation for unorthodox working methods to achieve humanitarian objectives. He is known, for example, for having shaken hands with Joseph Kony, the Ugandan rebel leader who has been indicted for war crimes and crimes against humanity by the International Criminal Court (see photo). The title of his lecture was Promoting Human Rights and Peace – Lessons from the Front Lines.

**“Stolpersteine”
22nd June 2012**



The artist Gunter Demnig remembers the victims of National Socialism by installing commemorative Plaques in the pavement in front of their last address of choice. There are now STOLPERSTEINE (“stumbling stones or blocks” in over 610 places in German as well as Austria, Hungary, the Netherlands, Belgium, the Czech Republic, Norway and Ukraine.

Gunter Demnig cites the Talmud saying that “a person is only forgotten when his or her name is forgotten.” The Stolpersteine in front of the buildings bring back to memory the people who once lived here. Each “stone” begins with HERE LIVE...One stone. One name. One person.

During World War II about 300 Jewish residents were deported from Maastricht. For the first time ever Gunter’s project was brought to Maastricht commemorating these victims of the war who were repressed, deported and murdered.

Dr. Fred Grunfeld was involved with this project



Lunch Lecture Series

Steven Freeland: Crimes Against the Environmental in International Criminal Law
22nd March 2012



Steven Freeland is Professor of International Law at the University of Western Sydney, Australia, where he teaches both postgraduate and undergraduate students in International Criminal Law, Public International Law, Human Rights Law, Commercial Aspects of Space Law, and International Moot Court.

Cees Flinterman: The Future of United Nations Rights Treaty Bodies: Some Views from an Insider
23rd May 2012



Cees Flinterman is honorary professor of human rights since November 2007. Before that he was *inter alia* director of the Netherlands Institute of Human Rights (SIM) and Director of the Netherlands School of Human Rights Research. His research interests include the United Nations system of human rights, human rights and foreign policy, public international law and (comparative) constitutional law, gender and human rights.

**Remy Jorristma: Cyberwarfare and Targeting Principles of International
and Humanitarian Law
21st March 2012**



Remy Jorritsma (Heerlen, 1983) obtained his bachelor's degree European Law School in 2009. The subject of his bachelor's essay was the question whether the proposed War Powers Consultation Act of 2009 is able to curb presidential war powers in the United States of America. In August 2010 he graduated *cum laude* at Maastricht University's Faculty of Law with an LL.M in Globalisation and Law (recipient of the Top 3%-student Award). During the master's program he participated in the Frits Kalshoven Moot Court Competition in International Humanitarian Law, where the Maastricht team was acknowledged for providing the best legal advice in the role plays. During the summer vacation he did a three and a half months' internship at the Netherlands Red Cross Society in The Hague. The subject of his master thesis was immunity for high-level state officials against criminal jurisdiction in a third state.

**Dr Fabián O. Raimondo: Sovereignty dispute over the Falklands-Malvinas
19th December 2012**



Sovereignty dispute over the Falklands-Malvinas: The persistence of the dispute over the centuries, the current absence of sovereignty talks between Argentina and the UK while the dispute is heating up coupled with the earlier 1982 breaches of international peace, make it not only timely but also necessary to re-visit the question of the Falklands-Malvinas and to investigate how international law rules and mechanisms could facilitate a peaceful settlement of the dispute.

Publications in 2012

Maastricht Series in Human Rights



The Maastricht Centre for Human Rights facilitates and supports research in the field of human rights at Maastricht University's Faculty of Law. Research conducted at the Centre is interdisciplinary, with a focus on public international law, criminal law and social sciences. Titles appearing in the Maastricht Series in Human Rights have been peer reviewed under the responsibility of the Board of the Centre. The Series is published under the editorial supervision of the Director of the Centre, Professor Menno T. Kamminga.

1. Cases and Concepts on Extraterritorial Obligations in the Area of Economic, Social and Cultural Rights; Fons Coomans and Rolf Kunnemann

This book is essential for academics, students, NGOs and other practitioners. The human rights community starts making the analysis of extraterritorial obligations a standard part of its casework. The cases in this book show why this is necessary and how this can be done.

2. The Women's Convention Turned 30; Ingrid Westendorp

The Convention on the Elimination of All Forms of Discrimination Against Women is a treaty for all girls and women in this world. After 30 years it is still valid and necessary both in developed and in developing States. This image is clearly conveyed by the authors of this book, who represent a wide variety of national and cultural backgrounds, and who have put the implementation of the provisions in the Convention to the test in both in modern and in traditional societies. The strengths and weaknesses, and the future potential of the Convention as well as the work of its monitoring body are critically analysed and compared to other human rights treaties and organs. It becomes clear that, irrespective of the existing flaws, the Convention is the best option for achieving women's equality.

3. Three Approaches to Combating Torture in China; Weidong Chen and Taru Sproken

The use of torture, cruel and inhuman treatment in law enforcement and detention in China is not only well documented by international human rights NGOs but widely considered an “open secret” within China itself. There is growing recognition from both officials and academic commentators that the problem of torture has to be tackled more effectively than hitherto. The fight against torture remains a momentous task, but as this book demonstrates, there is much that can be achieved through the collaborative efforts of reform-minded academics and practitioners in China and Europe.

4. Beyond the Death Penalty; Hans Nelen and Jacques Claessen

This book contains a selection of papers that were presented during the multidisciplinary conference “Beyond the Death Penalty: Reflections on Punishment,” organised by the Maastricht Centre for Human Rights. The event marked the 150th anniversary of the de facto abolition of the death penalty in the Netherlands.

Dissertations

1. **Mens Rea and Defences in European Criminal Law; Jeroen Blomsma.** Promotores: André Klip and Peter Bal.
2. **Corruption: A Violation of Human Rights and a Crime under International Law?; Martine Boersma.** Promotores: Menno Kamminga and Hans Nelen. *This book was awarded the 2003 Max van der Stoep Human Rights Award for the best dissertation in the field of human rights.*

Publications

Refereed publications

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