

Sussex Centre for Human Rights Research Sussex Law School (School of Law, Politics & Sociology)

RIGHTS NEWSLETTER 2020

Issue 3- September 2020

Hello!

The 2019-20 has been a rather strange year for all of us, and this is no different for members of the Sussex Centre for Human Rights Research (SCHRR). The challenges associated with working from home and juggling multiple commitments have been exacerbated by preparations for a term with blended-teaching (a combination of in-person and online teaching). Events have been cancelled and rescheduled multiple times, and now look certain to go ahead in a virtual format. Nonetheless, we still have a number of successes to report, ranging from cutting-edge research to engagement with international organisations. Our PhD community continues to thrive – although students have had to adapt to online vivas. Finally, the LLM International Human Rights Law students have, despite many challenges, managed to produce excellent research on the Human Rights Law Clinic for clients including Amnesty International and Minority Rights Group International. Most notably, this year we were asked to advise Child Rights Connect on a communication brought by a group of children's rights defenders, including Greta Thunberg, to the UN Committee on the Rights of the Child.

SCHRR Co-Directors

Stephanie Berry, Nuno Ferreira and Charlotte Skeet

University of Sanctuary

A number of colleagues from the School of Law, Politics and Sociology, including members of SCHRR, led and contributed to a successful application to make the University of Sussex a 'University of Sanctuary', in order to further support those from forced migration and sanctuary seeking backgrounds within the University. The initial working group will be expanded into a wider forum and steering committee in the new academic year, to work and develop the proposed objectives.



To find out more, visit the website of the Sussex Centre for Human Rights Research:
www.sussex.ac.uk/schrr

NEWS

SOGICA project in the news

The findings of the SOGICA (Sexual Orientation and Gender Identity Claims of Asylum) research project, has been reported in [the Guardian](#), focusing specifically on the routine denial of the asylum claims of LGBTIQ+ asylum in the UK and other European countries. The project, which is led by SCHRR Co-Director Professor Nuno Ferreira along with Carmelo Danisi, Moira Dustin and Nina Held, is funded by the European Research Council and based in the School of Law, Politics and Sociology. Find out more about the SOGICA project [here](#).



The completion of the SOGICA project

The [final conference](#) of the [SOGICA project](#) took place on 7-9 July, and it included three keynote speeches, 23 panels, two workshops, one performance, more than 80 speakers and more than 600 participants. The conference was also the opportunity to launch '[Queering Asylum in Europe: A Survey Report](#)', authored by the project team and the Sussex PhD researcher [Vitor Lopes Andrade](#), and which discusses the data gathered through two surveys that explored the social and legal experiences of people across Europe claiming international protection on the basis of their sexual orientation or gender identity (SOGI). The [final recommendations](#) of the project have also been launched, in versions tailored to Germany, Italy, UK and the European Union. You can read a number of publications and reports emanating from the project [here](#). The project's monograph will be published by Springer later this year.

Funded Project on the management of 'justice system data'

Judith Townend was funded by the Legal Education Foundation to undertake [comparative research on the management of 'justice system data'](#). With project research associate Cassandra Wiener, she has been gathering information from several common law countries, with a full report to follow.

International Junior Research Associate Grants

In summer 2019 members of SCHRR were awarded grants by the Global Engagement Team at Sussex to support two International Junior Research Associates from Wilfrid Laurier University in Canada to work on Human Rights projects.

Abigail Gorrell worked with Professor Sue Millns and Dr Charlotte Skeet on a comparative study of women's rights in the UK and Canada.

Melody Greaves worked with Professor Nuno Ferreira on the SOGICA project, adding materials to the project's website database and revising drafts of book chapters.

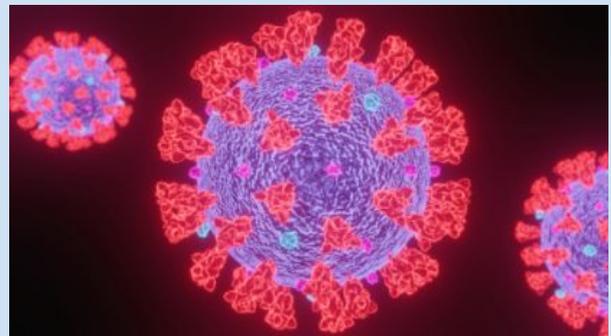
Engagement with International Bodies

A number of SCHRR's members have engaged with international bodies on human rights related issues.

- SOGICA made a submission to the European Asylum Support Office - EASO (SOGICA Project, [Submission to EASO's 2019 Annual Report on the Situation of Asylum in the European Union](#), 12 March 2020).
- Edward Guntrip submitted a consultation paper in response to OECD Secretariat Report on the 'Business Responsibilities and Investment Treaties', on how counterclaims can be used in investor-state dispute settlement to hold businesses responsible for breaches of human rights obligations sources from investment treaties.
- SCHRR Co-Director Steph Berry made a number of submissions to UN Special Rapporteurs in 2020, including, the Special Rapporteur on Contemporary forms of Racism, Xenophobia and Related Intolerance on 'Addressing Dehumanisation as the cause of COVID-19 related racism, racial discrimination, xenophobia and related intolerance' (12 June 2020); the UN Special Rapporteur on freedom of religion or belief on 'The Elimination of Intolerance and Discrimination Based on Religion and Belief and SDG 16 as Mutually Reinforcing Goals' (1 June 2020); and the UN Special Rapporteur on Minority Issues on 'Categories of Minorities': 'Religious Minorities as Minorities' (31 May 2020).
- Steph Berry and Isilay Taban submitted 'Categories of Minorities': 'Recognising 'New Minorities' as Minorities' to the UN Special Rapporteur on Minority Issues (31 May 2020)

Response to Covid-19

In response to Leicester's local lockdown in July 2020, Bal Sokhi-Bulley, who is originally from the city, wrote an article for Discover Society highlighting the denial of rights to factory workers in the city's now infamous garment/fast fashion district and the colonial connotations of the lockdown: 'From Exotic to "Dirty": How the Pandemic has Recolonised Leicester'.



Aisling O'Sullivan, Maria Moscati and Emily Lydgate have co-authored 'Covid-19: A Patient's Perspective', arguing for the adoption of a precautionary approach by the University community. You can find this paper on the SCHRR website.

SCHRR EVENTS

As a result of both strikes and Covid-19, SCHRR's normal programme of events was significantly disrupted over the 2019-20 academic year. Cancelled events on freedom of religion or belief and the intersection between human rights and environmental law have already been rescheduled for Autumn 2020. Here's a snapshot of the events that went ahead:

- Former student Peter Collins returned to Sussex to present and take questions on a film he has produced on the work of SB Overseas in the Lebanese refugee camps of Shatila, Aرسال and Saida in October 2019. The film, entitled 'Giving Hope', is available [online](#).
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- Matt Evans presented a paper, 'You cannot eat critique: On uncritical critical (legal) theory and the poverty of bullshit' at a SCHRR Work in Progress Seminar in October 2019. The paper

has now been accepted for publication in the European Journal of Legal Studies.

- Dr Lourdes Peroni, Senior Lecturer in Human Rights at the Helena Kennedy Centre for International Justice at Sheffield Hallam University, presented her paper 'Women's Non-Refoulement Claims: Gendering Article 3 ECHR Risk Assessment' in November 2019.



Dr Lourdes Peroni presents her work to SCHRR

In December 2019, SCHRR held a panel event entitled 'Diplomacy and Activism: Ireland and the evolution of human rights law as a global phenomenon', ahead of the publication of an edited collection on the same theme, edited by SCHRR's own Aisling O'Sullivan. Anthony Cullen, from Middlesex University, presented his chapter from the volume, entitled, 'Irish Foreign Policy towards human rights in the occupied territories'; Roja Fazaeli from Trinity College Dublin presented 'Irish Feminist Activism and Women's Rights – the Tweedy Papers', whereas Aisling O'Sullivan presented her work on 'The Ireland v United Kingdom case'.

In February 2020, Steph Berry presented her draft paper entitled 'Confronting Dehumanization as a Cause of Human Rights Violations: A Positive State Obligation under International Human Rights Law?' at a SCHRR Work in Progress Seminar. The paper has now been published in the Erasmus Law Review.

In June 2020, Steph Berry and Isilay Taban presented (via zoom) their work-in-progress paper, 'The Danger of Arbitrary Classifications: The Exclusion of Minority-Refugees from Cultural Rights under International Human Rights Law'.

EVENTS

Over the course of the 2019-20, many events at which members of SCHRR were due to present were cancelled or moved online as a result of Covid-19. Here are a couple of highlights from what we managed to do despite the challenges:

Edward Guntrip presented “Public and Private Perspectives on Investor-State Dispute Settlement: The Rule of Law as a Common Foundation?” at The Legitimate Role for Investment Law and Arbitration in Protecting Human Rights workshop hosted by PluriCourts, University of Oslo in September 2019, and “Human Rights and Investments in Land, Food and Water” at Investment Protection, Human Rights, and International Arbitration - Frankfurt Investment Law Workshop 2020, hosted by Goethe University Frankfurt in March 2020.

In November 2019, SCHRR Co-Director Charlotte Skeet presented her paper “The Uneasy Encounter between Muslim Women and the ECtHR: Orientalism as a Gendered Epistemic Limit in European Court of Human Rights judgments,” at the workshop on Gender in Law and Courts – Uneasy Encounters, held at the European University Institute in Florence.

In December 2019, Carmelo Danisi delivered a public lecture entitled ‘Vulnerability as a “revolutionary” concept in international and European human rights law for the protection of migrants and refugees?’ as part of a series on Arriving, Returning, or Modern Nomadism at the University of Bonn (Germany).

In January 2020, Steph Berry presented her paper, ‘Propaganda for Diversity? The scope of States’ positive obligation to change hearts and minds under international human rights law?’ at the Conference on Positive state obligations concerning fundamental rights and ‘changing the hearts and minds’ at Erasmus University Rotterdam.

Matt Evans co-organised the 'Delivering Transformative Justice in Practice' workshop, University of Sheffield (May 2020 – via Zoom) with Dr Eric Hoddy (Sheffield) and Prof. Paul Gready (York). 18 participants attended the workshop, which had been intended as a 2-day session at the University of Sheffield for sharing ideas and developing towards a cross-sector funding bid, but was reorganised into a 1-day networking session on Zoom, bringing together academics and practitioners interested in transformative justice to reflect on next steps for this research and practice agenda. Matt chaired one of the sessions ('Early career researcher and practitioner presentations') and prepared a Research and Practice Brief with Eric Hoddy.

Nuno Ferreira spoke about SOGI asylum in Europe as member of panel '[A European Perspective on COVID-19 and Queer Asylum](#)', at COVID-19 & Queer Asylum Symposium (online)

PUBLICATIONS

Books and Edited Collections

- Evans (ed), [Transitional and transformative justice: critical and international perspectives](#), (Routledge 2020)
- O'Sullivan and Fazaeli (eds), *Diplomacy and Activism: Ireland and the Evolution of Human Rights Law* (Routledge forthcoming 2021)
- Velluti, [The Role of the EU in the Promotion of Human Rights and International Labour Standards in Its External Trade Relations](#) (Springer forthcoming 2020)

Journal Special Issues

- Sampaio-Dias, Hayes, Townend and Osman, [Practices, Policies and Regulation in African Journalism: Mapping a Research Agenda](#) (2019) 3 *African Journalism Studies* 1-139.

Articles

- Berry, [‘A Positive State Obligation to Counter Dehumanisation under International Human Rights Law’](#) [2020] *Erasmus Law Review*
- Craig, [‘The Framework Convention for the Protection of National Minorities and Internalisation: Lessons from the Western Balkans’](#) *Review of Central and East European Law*, forthcoming
- Danisi, [‘Crossing Borders between International Refugee Law and International Human Rights Law in the European context: Can Human Rights Enhance Protection against Persecution based on Sexual Orientation \(and beyond\)?’](#) (2019) 37 *Netherlands Quarterly of Human Rights* 359
- Evans, [‘Navigating the Neoliberal University: Reflecting on Teaching Practice as a Teacher-Researcher-Trade Unionist’](#) (2020) 41 *British Journal of Sociology of Education* 574
- Evans, ‘You cannot eat critique: On uncritical critical (legal) theory and the poverty of bullshit’ *European Journal of Legal Studies*, forthcoming
- Evans, ‘Interdisciplinarity and punishment in the academy: Reflecting upon researching and teaching human rights in university settings’ *Journal of Human Rights Practice*, forthcoming

Book Chapters

- Danisi (with Balboni), ‘Reframing Human Rights in Russia and China’ in Bianchini and Fiori (eds), [Rekindling the Strong State in Russia and China](#) (Brill 2020)

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- Danisi, 'La tutela della vita privata e familiare nella Dichiarazione Universale: standard attuali o ancora potenziali' in Tonolo and Di Pascale (eds), *La Dichiarazione Universale dei Diritti Umani settanta anni dopo* (Giappichelli 2020)
- Skeet, 'Forced Sterilizations: Addressing the Limitations of International Rights Adjudication Through an Intersectional Approach in Iyioha (ed), [*Women's Health and the Limits of Law: Domestic and International perspectives*](#) (Routledge 2020)
- Skeet, 'Intersectionality as Theory and Method: Human Rights Adjudication by the European Court of Human Rights' in Creutzfeldt, Mason and McConnachie (eds), [*The Routledge Handbook of Socio-Legal Theory and Method*](#) (Routledge 2019)
- Townend 'Positive free speech and public access to courts' in Kenyon and Scott (eds) [*Positive free speech: rationales, methods and implications*](#) (Hart 2020)

Working Papers

- Ferreira et al., [*Governing protracted displacement: An analysis across global, regional and domestic contexts*](#) (TRAFIG working paper 3/2020)

Blogs

- Danisi, '[A formalistic approach to jurisdiction in the European Court of Human Rights' approach to humanitarian visas: was another interpretation possible?](#)', SIDI (Italian Society of International and EU Law) blog, 27 May 2020

PHD NEWS

Viva success!

We have had a number of PhD successes to celebrate this year. Adding to the usual stress, students this year have had to contend with vivas being held online.

Many congratulations to the following students:

Former member of the SCHRR PhD working group, Benjamin Thorne passed his viva on 13 May 2020, subject to very minor corrections. The thesis, entitled 'Legal Witnessing and Mass Human Rights Violations: Remembering Atrocities', was examined by Phil Clark (SOAS) and Aisling O'Sullivan (University of Sussex). Congratulations Benjamin, and supervisors Matt Evans, Tarik Kochi and Tom Frost.

Isilay Taban, another former member of the SCHRR PhD working group, passed her viva on 6 June, subject to corrections, for her PhD entitled, 'The Relevance of Minority-Refugees' Cultural Identity to their Protection under International Human Rights Law: Stronger Protection Through a Minority-Focused Approach'. Isilay was examined by Professor Geoff Gilbert (University of Essex) and Matt Evans (University of Sussex). Congratulations Isilay, and supervisors Steph Berry and Elizabeth Craig!

Ali Kassem successfully defended his thesis on 27th July, subject to corrections. His thesis, entitled, 'Coloniality, Erasure and the Muslim Hijabi's Lived Experiences: Lebanon as a case-study' was examined by Irene Zempi (Nottingham Trent University) and Giorgia Baldi (University of Sussex). Congratulations Ali, and supervisors, Aneira Edmunds, Kim Brayson and Nuno Ferreira.

Chris McQuade, former SCHRR PhD representative, passed his viva on 28th July subject to minor corrections. His thesis, entitled 'The use of human shields under international humanitarian law', was examined by Professor Sandesh Sivakumaran (University of Cambridge) and Aisling O'Sullivan (University of Sussex). Congratulations Chris, and supervisors Chris Henderson, Michael Kearney and Alex Conte.

PhD Publications

Current PhD student Ritabrata Roy has recently published a book based on an earlier Masters dissertation, entitled '[Cultural or Religious?: Breaking the Jinx of Honour Crimes in India and Jordan](#)'.

Other PhD news

PhD student Julia Winstone contributed to roundtable discussions on youth justice with the Charity Why Me? & with the Criminal Justice Alliance on developing a representative and diverse Criminal Justice Workforce in her capacity as a Youth Offending Service Volunteer and member of the Law Society's Equality & Diversity Forum.

To find out more, visit the website of the Sussex Centre for Human Rights Research:

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LLM NEWS

In September 2019 we welcomed a new group of LLM International Human Rights Law students. In addition to the usual welcome events, this year's cohort was welcomed with a talk from former student, Peter Collins, followed by a social event.



A small group of the 2019-20 LLM International Human Rights Law students with Peter Collins (centre, back row).

Human Rights Law Clinic

It was another successful year for the Human Rights Law Clinic – with 11 students working on a range of topical briefs. The same as last year, students worked in teams of 2s and 3s, in order to produce a memorandum to their client's specifications. All memoranda are now available on [SCHRR's website](#).

This year we worked with 5 clients:

- Amnesty International: The Link Between Tax Policies and Human Rights
- Child Rights Connect: Children Human Rights Defenders Petition on Climate Change to the UN Committee on the Rights of the Child
- Minority Rights Group International: The Minority and Indigenous Peoples' Rights Implications of Carbon Trading Schemes
- OSCE Office for Democratic Institutions and Human Rights: Is Advancing the Right to Freedom of Religion or Belief for all Beneficial to Ensuring Overall Security?
- Survival International: Indigenous Education and International Law

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Amnesty International rely on Human Rights Law Clinic Memorandum

In April 2020, Amnesty International published a report '[Resuscitation required – The Greek health system after a decade of austerity](#)', which drew on research carried out by Louise Plumstead and Tamara Castañer Coll as part of the Human Rights Law Clinic in 2019.

Louise and Tamara produced a memorandum entitled '[The Impact of Austerity Policies on the Right to Health in Greece: The Role of European Union Institutions](#)' which analysed the impact of Greece's post-2008 financial assistance agreements (FAAs) on the right to health, and found that while Greece is ultimately responsible for its human rights obligations, the EU may also be held accountable for violations that occurred as a result of the strict conditionality of the FAAs.

Careers Podcasts

This year we have started to develop a library of human rights careers podcasts, with careers advice from past students to help current students make their way in this very competitive field. Many thanks to Ruby Axelson (Global Rights Compliance); Abby Field (Fenix); Godfrey Dici William Fuli (University of Juba / Canvas for Human Rights Research); Louise Plumstead (Bindmans); and Tom Thrower (Broudie Jackson Canter).

Congratulations!

Congratulations are due to a number of former LLM International Human Rights Law students:

Ryan Dowding (2015-16) who got tenancy at 3 Raymond Buildings.

Poppy NiBhroithe Barnett (2015-16) who started her training contract at Leigh Day and Co.

Zachary Vallely (2018-19) started work as a paralegal with Edward Fail, Bradshaw & Waterson

Abby Field (2018-19) who has not only started work with Fenix, a humanitarian legal aid organisation situated just outside Moria Refugee Camp on Lesbos, Greece, but has been promoted multiple times since she started!

Katie Pimenta (2018-19) who is currently undertaking an internship with Global Rights Compliance.

Godfrey Dici William Fuli (2018-19) who has not only started working as a lecturer in law at the University of Juba, but has also established Canvas for Human Rights Research, a not-for-profit human rights organisation.

Alex Smith (2018-19) has obtained a place on the UK government's Civil Service Fast-Stream, upon completing an internship with FCO.

STUDENT ALUMNI PROFILES

Abby Field (LLM International Human Rights Law (2018-19))



After completing my master's in International Human Rights Law (LLM) at the University of Sussex in 2019, I now work on family reunification cases at Fenix, a humanitarian legal aid organisation situated just outside Moria Refugee Camp on Lesbos, Greece.

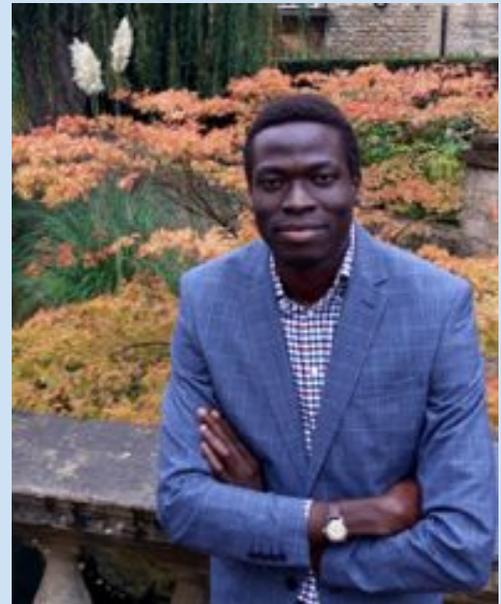
Although I have always been passionate about human rights, the master's course gave me the knowledge and tools to be able to work in the field. Moreover, the wide range of module options provided an opportunity to decide which area of human rights I was most passionate about; it was studying the lack of implementation of refugees' human rights and the frequent injustices experienced by people seeking international protection that sparked my enthusiasm to work in this area. I started to volunteer with refugees in both Calais and Brighton, and I wrote my dissertation on the credibility assessment of LGBTQI+ refugees in the EU from an intersectional lens.

After graduating from the LLM, I volunteered at Fenix for 6 months before I was fortunate enough to be asked to stay on in a permanent paid position. The position came with greater responsibility and more of a co-ordinating role, in addition to continuing to work on my own cases. Within the organisation, I primarily use EU Regulations to reunite family members in Europe who have been separated. For the most part, my job involves interviewing clients, gathering evidence, forming legal justifications, writing take-charge requests and then appealing decisions when necessary.

I would highly recommend studying International Human Rights Law (LLM) at the University of Sussex. The lecturers were incredibly supportive, patient and generous with their time and knowledge. Outside of the formal learning environment, I made lifelong friendships with people on the course from a diverse range of backgrounds, countries and perspectives. We got into interesting and stimulating debates, arranged weekly presentations to learn about each other's area of interest in human rights, and supported one another in our work both during the course and afterwards.

Godfrey Dici William Fuli (LLM International Human Rights Law 2018-19)

Acquiring an LLM in International Human Rights Law from the University of Sussex, in 2020, was a game-changer for me. As a mid-career law practitioner with great enthusiasm in this field, the LLM was a required prerequisite to furthering my career in the human rights realm. Almost immediately upon the completion of my course at Sussex, I have been appointed as a Lecturer at the School of Law at the University of Juba, which is the leading learning institution in my country. My appointment prompts the University's quest and recruitment for human rights expertise to establishing an LLM human rights program at the University.



My responsibilities, among others, entail conducting thorough research into some of the proposed modules that will compose the program and holding hourly discussions and seminars on their suitability. I am also required to initiate and convene my module and teach it upon meeting the Committee's required expectations and standard. This is difficult as it requires being both punctual and efficient. However, my course at Sussex proved of significant value here as most of the challenges now mirror what I have already encountered; from meeting prompt and frequent deadlines to the many presentations, seminars and academic discussions, besides proper research skills, etc.

I am also the managing director of Canvas for Human Rights Research, an institution that is concerned with advancing human rights, the rule of law and democracy in South Sudan. We engage with many youth-led initiatives, government institutions and various other international, regional and local partners. Our activities include, among others, initiating public discussions and education concerning human rights, the rule of law and democracy, besides empowering youth through workshops, seminars, etc. The Centre is an extract from the previous Human Rights Law Clinic in our Law Firm which attending Sussex helped to establish, particularly the Human Rights Law Clinic Module.

The LLM besides all the professional aspects it provided, was a fun experience if I dare to say, as being different was warmly celebrated and encouraged, resulted in a strong sense of belonging, and created life-lasting friendships.



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