

# CUPL Human Rights Academy 2016

8th Study Session  
18 – 29 July 2016  
Beijing

➤ **Organized by**

Dr. Wei Zhang

Associate Professor & Co-Director

Institute for Human Rights

China University of Political Science and Law

➤ **Co-sponsored by**



## MESSAGE FROM THE ORGANISERS:

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Dear Everyone,

Welcome each of you to this unique Human Rights law Summer Program at China University of Political Science and Law in Beijing!

In the words of the General Assembly Resolution of United Nations, human rights education is intended to be "a life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of other and the means and methods of ensuring that respect in all society." Accordingly, as H.E. Ms. Mary Robinson (a former United Nations High Commissioner for Human Rights from 1997 to 2002) pointed out, human rights education efforts should be directed at all people – children as well as adults – since all members of society have a role to play in promoting and protecting human rights.

For those of you, who are privileged to receive many years of higher education, the importance of understanding human rights is even more apparent. Since many of you will one day serve in the public sectors, the primary reasonability of protecting and promoting human rights home and abroad will fall onto your shoulders. For this reason, please allow me to show you my deepest respect for your noble determination to come and share your knowledge and experiences in this forum.

In 2009, with a strong support of many human rights scholars and university leaders of CUPL, the first optional human rights law summer course was successfully carried out in Beijing. Up to now, over 500 students from some 40 Chinese and foreign universities participated in this program. This pilot work further encourages all of us to happily take this human rights education responsibility even more seriously for 2014.

Finally, on behalf of all the professors and staffs, I would like to wish each of you a happy and enjoyable stay at CUPL in Beijing.

Dr. Wei Zhang  
Associate Professor, Co-Director



## LIST OF INTERNATIONAL FACULTY

- Gudmundur ALFREDSSON
- Florence Benoît-Rohmer
- Brian BURDEKIN AO
- Shiqiu CHEN
- Richard DESGAGNE
- Jonas GRIMHEDEN
- Renren GONG
- Buyun LI
- Christophe PESCHOUX
- Petter Wille

## Gudmundur ALFREDSSON

- *Introduction to International Human Rights Law*
- *Civil and Political Rights*
- *Economic, Social and Cultural Rights*
- *Minority and Indigenous Rights*
- *How to get a UN job*



Prof. Gudmundur Alfredsson, Master of Comparative Jurisprudence (M.C.J.) from New York University Law School, 1976; and Doctor of Juridical Science (S.J.D.) from Harvard Law School, 1982.

His previous academic positions include Professor in the Polar Law Master Program at the University of Akureyri in Iceland, Invited Professor at the Law Faculty of the University of Strasbourg, Visiting Professor at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) in Lund, Sweden. He is currently a Guest Professor at the China University of Political Science and Law in Beijing.

He also served as International civil servant with the United Nations Secretariat in New York (Office of Legal Affairs) and Geneva (Centre for Human Rights), 1983-95; He was also the Chairman of the expert consultation meetings that drafted the Lund Recommendations on the Effective Participation of National Minorities in Public Affairs, OSCE, 1998-99; He was the Chairman/Rapporteur of the UN Working Group on Minorities in 2006, and a member of the UN Sub-Commission for the Promotion and Protection of Human Rights, 2004-06; He was an Expert member of the Danish-Greenlandic Self-Governance Commission (2004-08); and he has lectured on public international law and human rights in about 80 countries.

Prof. Gudmundur Alfredsson is also working as Editor-in-Chief of both the International Journal of Minority and Group Rights and of the Yearbook of Polar Law and as Co-Editor of the Nordic Journal of International Law, all published by Brill Academic Publishers in the Netherlands, regular peer reviewer of articles for publication in these and other periodicals. Also service as evaluator/assessor of projects/publications for the Norwegian and Icelandic Research Councils, the Danish Institute of Human Rights, Sida, the European Commission and the Fundamental Rights Agency of the European Union, and others.

He has been awarded Honorary Member of the Indian Society of International Law, 2009; Knight of the Icelandic Falcon Order (Fálkaorean, awarded by the President in December 1998); Commander - first grade - of the Swedish Polar Star (Nordstjärnan, awarded by the King in November 1998).

## Florence Benoît-Rohmer

- *Freedom of Religion*
- *European Human Rights Protection Mechanisms*



Prof. Benoît-Rohmer took up the function as EUC Secretary General on 1 January 2009. Born in Strasbourg, Florence Benoît-Rohmer holds a PhD in Public Law. President of the Université Robert Schuman (URS), Strasbourg, from 2003 to 2008, Florence Benoît-Rohmer is Professor at the Law Faculty in Strasbourg.

She is the Director of the Master program in Human Rights at the University of Strasbourg and has served as Vice-President of EUC from 2002 till 2008 and as French national director of the European Master's Degree in Human Rights and Democratization (E.MA) since its inception in 1997. Prof. Benoît-Rohmer is acting as human rights expert for the Council of Europe, was member of the European Network of Independent Experts on Fundamental Rights set up by the European Commission, and is currently the President of the Scientific Committee of the Fundamental Rights Agency of the EU. She is also member of the scientific committees of several international journals specialized in human rights, and in particular minority rights.

Prof. Benoît-Rohmer's research interests range from the study of Fundamental Rights in the EU, the Council of Europe, the European Convention on Human Rights and other conventions, and Constitutional Law including national minority rights. Among her numerous publications may be mentioned:

1. "The minority question in Europe for the Council of Europe Publications" (1989);
2. "La question minoritaire en Europe: vers un système cohérent de protection des minorités nationales"; (Strasbourg 1996);
3. "Les minorités, quels droits? ", Council of Europe Publication (Strasbourg 1999);
4. "L'égalité dans la typologie des droits de l'homme", in "Classer les droits de l'homme", edited with Bruylant in 2004.
5. For the collection of the Robert Schuman University - Institut de recherches Carré de Malberg, she published in 2003 "Les droits sociaux ou la démolition de quelques poncifs" (edited with Constance Grewe).
6. In 2005 she published for the Council of Europe a work titled "Council of Europe Law: Towards a Pan-European Legal Area", co-edited with Heinrich Klebes, (Strasbourg 2005), which is going to be re-edited in 2009.

## Brian BURDEKIN AO

- *National Human Rights Institutions*
- *Business and Human Rights*
- *The Convention against Torture*
- *How to get a UN job*



Brian Burdekin is Visiting Professor at the Raoul Wallenberg Institute in Sweden, International Adviser to National Human Rights Institutions in Africa, Asia and Central and Eastern Europe, and lectures widely on the role of NHRIs. He was appointed Professorial Visiting Fellow at the University of New South Wales Faculty of Law in 2008.

From 1995 to 2003, as Special Adviser on National Institutions, Regional Arrangements and Preventive Strategies to the first three United Nations High Commissioners for Human Rights, he conducted over 200 missions to countries in Africa, Asia, Europe and Latin America where governments or civil society wanted to create an independent Human Rights Commission. In the past 25 years he has helped to establish such Commissions in over 70 countries.

Prior to taking up his appointment with the United Nations, Professor Burdekin was, from 1986 to 1994, the first Federal Human Rights Commissioner of Australia. In this capacity he conducted major national inquiries into the systemic abuse of particularly vulnerable groups – including the homeless, mentally ill and people with disabilities. In 1990-'91 he was one of the key figures involved in drafting the United Nations principles prescribing the minimum standards for National Human Rights Institutions (the "Paris Principles"), subsequently adopted by the UN General Assembly.

From 1976 to 1986 he served as Principal Advisor to a former Australian Prime Minister, Deputy Prime Minister, Trade Minister, Minister for Federal-State Relations and the Federal Attorney General. Prior to this he was a diplomat and lawyer.

In 1995, Professor Burdekin was made an Officer of the Order of Australia for his services to human rights both in Australia and in other countries. He is generally considered to be the leading international expert on National Human Rights Institutions.

## Shiqiu CHEN



### ■ *Human Rights Council and China*

Shiqiu CHEN is an Ambassador, he was the Vice President of China Society for Human Rights Studies, Vice President of China U.N. Association, Council Member of Chinese Society of International Law, Part-time Professor of China University of Political Science and Law in 2003.

From 2007 to 2012, He was the Vice President of China Society for Human Rights Studies, Vice President of China U.N. Association, Independent Expert to Advisory Committee of U.N. Human Rights Council, part-time Professor of China University of Political Science and Law.

He was the Ambassador of Chinese Foreign Ministry, Independent Expert of the Sub-Commission on the Promotion and Protection of Human Rights of the UN Human Rights Commission, Vice President of China Society for Human Rights Studies, Vice President of UN Association of China, Part-time Professor of University of Foreign Studies, Part-time professor of Xi'an Jiao Tong University from 2002 to 2006.

He also served as the Ambassador Extraordinary and Plenipotentiary to Indonesia from 1998 till April, 2002.

He was the Director-General of the Department of Treaty and Law of the Ministry of Foreign Affairs from 1995 to 1998.

From 1990 to 1995, he was the Permanent Representative and Ambassador Extraordinary and Plenipotentiary of P.R.C. to the United Nations Office and other International Organizations in Vienna, Permanent Representative and the Ambassador Extraordinary and Plenipotentiary to the United Nations Industrial Development Organization, Permanent Representative and Ambassador Extraordinary and Plenipotentiary to International Atomic Energy Agency.

He was the Counselor and Deputy Director-General of the Department of International Organizations and Conferences of the Ministry of Foreign Affairs from 1986 till 1990 and the Counselor, Permanent Mission to U.N. Office In Geneva from 1984 till 1986.

## Richard DESGAGNE



- *The Interplay between Human Rights Law and International Humanitarian Law*

Richard Desgagné is from Quebec (Canada). He has been working for the *International Committee of the Red Cross (ICRC)*, since 2001.

He has been Regional Legal Adviser for East and South East Asia since July 2008. Based in Kuala Lumpur, he covers 15 countries of East and South East Asia. Within the ICRC's Advisory Service on IHL, a unit of ICRC's Legal department, he mainly works on the implementation of international humanitarian law (IHL) in national legal systems, and on spreading the knowledge and on the promotion of IHL among national authorities and academic circles.

His previous assignments were as Regional Legal Adviser for Central and South Eastern Europe (2006-2008) and Western and Central Africa (2003-2006). He previously worked (2001-2003) as a legal adviser at ICRC's headquarters in Geneva on different files including support to the work of regional legal advisers in Europe and Asia, on national implementation of IHL, on issues related to missing persons and other legal issues.

Before joining ICRC, Richard Desgagné has been working as a legal consultant on different research projects in international environmental law, human rights and humanitarian law with:

- *Asser Institute of International Law* in The Hague (Netherlands) (2000-2001), on international environment law and human rights;
- *New-York University Law School*, (1998-2000), on human rights and international humanitarian law;
- *ICRC*, in Geneva (1997-1998) on international customary humanitarian law.

He has also taught European law at McGill University in Montreal (1998). He has published several articles in environmental law and human rights, and co-authored/edited a book on international environmental law (1998, reedited in 2005).

He obtained his Law Degree from the University of Montreal (1990) and his Master of Laws' Degree from McGill University (1992) (Canada). He also holds a degree in Business Administration (University of Quebec, 1992) and a Diploma of Graduate studies in international relations (international law) (D.E.S.) from the Graduate Institute of International Studies (Geneva, 1994). He is a member of the Bar of Quebec (Canada).



## Jonas GRIMHEDEN



- ▶ *Human Rights in the European Union*
- ▶ *Organizations boosting trade between states need a human rights conscience?-the case of the European Union*

Dr Jonas Grimheden is Head of Sector Access to Justice at the European Union's human rights advisory body, the Agency for Fundamental Rights (FRA) in Vienna, Austria. He is presently working on studies related to victims support services; fundamental rights indicators and the freedom to conduct a business. He is a specialist in international human rights law, with an example of a publication being *INTERNATIONAL HUMAN RIGHTS MONITORING MECHANISMS*, edited with G. Alfredsson, B. Ramcharan, and A. de Zayas (Brill 2009).

Before joining the FRA in 2009, Jonas Grimheden was a researcher and teacher based at the Raoul Wallenberg Institute (RWI), Lund University, Sweden where he was the Deputy Head of the Academic Department. Earlier he worked for the RWI with human rights development cooperation where he established and headed an office in China, 1999–2000. In 2004 he was a 'Thunberg-scholar' at Niigata, Nagoya, and Waseda law schools in Japan. 2005–2006 he was a visiting assistant professor at Cornell Law School, and 2006–2007 a part-time visiting professor at China University of Political Science and Law. He has conducted research and taught at both academic and practitioner levels, for longer and shorter stints mainly in the US, Europe, and Asia. In addition to international human rights law, he has also taught comparative law and Chinese law. In 2009 he was appointed Associate Professor (*Docent*) of International Human Rights Law at the Law Faculty, Lund University.

## Renren GONG

- ▶ *Introduction to the History of Human Rights*
- ▶ *China and Human Rights Treaties*



Gong Renren received a degree of doctor of laws from Hokkaido University of Japan in February, 1988.

Gong Renren has been teaching at Peking University since 1988. He has been Professor at Peking University Law School since 1993, and was the Director of its Research Center for Human Rights and Humanitarian Law 1997-2015. Prof. Gong's main research and teaching fields are public International Law, human rights law and comparative constitutional law.

## Buyun Li

- *The Development of Human Rights Theory in China*



Buyun Li, who received a master degree of laws from Peking University in 1965, is an honorary academician of Chinese Academy of Social Sciences. He is also the president of Guangzhou Institute for Human Rights and Shanghai Institute of Finance and law, member of the expert advisory committee of Supreme People's Procuratorate, doctoral tutor in Central Party School of the Communist Party of China, China University of Political Science and Law, and Southwest University of Political Science and Law. Besides, Mr.Li once served as chief editor in "Legal Research".

In the area of human rights education, Mr.Li took the lead in setting up the elective course of human rights law in Guangzhou University in 2004. He wrote the first human rights law textbook in China in 2005. Afterwards, he organized the writing of a series of books on human rights (including police, judge, prosecutor, juvenile, women, etc.).

In the area of the publicity of rule of law, Mr.Li personally taught ruling the country by law for the National People's Congress Standing Committee in September, 1998. Since 1980, he has already been teaching the rule of law and human rights for more than 150 provincial and ministerial level leaders from all over the China.

## Christophe PESCHOUX

- *Introduction to UN human rights mechanisms: Special Procedures*
- *Introduction to UN human rights mechanisms: Universal Periodic Review*
- *Human Rights and Cultural Values*



Christophe PESCHOUX, French. He studied political and moral philosophy; history and civilizations of Southeast Asia; and rural development in the universities of Montpellier, Paris VII and Geneva (1977-1980). Christophe Peschoux has been working for the past 30 years in the fields of humanitarian, human rights and refugee protection.

Since January 2014, he is the head of the section of the office of the High Commissioner for Human Rights supporting the work of six special procedures mandate holders: torture, executions, disappearances, arbitrary detention, freedom of religion and belief and human rights protection and counter-terrorism.

From May 2011 to December 2013 he was leading and coordinating the Universal Periodic Review work of the Office of the High Commissioner for Human Rights in Geneva. From 2007 to 2011 he was the High Commissioner's Representative in Cambodia, the only country office in Asia. Prior to this, he coordinated protection/prison work with the International Committee of the Red Cross (ICRC) for 4 years (Iraq, 2003; Central Asia, 2004-2006; and Ethiopia (2006-2007). From 1993 to 2003 he served in the Office of the High Commissioner for Human Rights in Cambodia (as head of the investigation and monitoring unit, 1993-1999) and at Headquarters (1999-2003) where he contributed to the office's work in Afghanistan, Togo, Palestinian Occupied Territories, and East Timor, and developed a methodology on witness protection. Prior to joining the OHCHR, he worked in the United Nations Transitional Authority in Cambodia (UNTAC) and as a senior protection officer with UNHCR (Khmer rouge-controlled refugee camp, along the Thai-Cambodian border. From 1981 to 1991, he worked with several non-governmental organizations in the fields of humanitarian, human rights and refugee protection (Ecolessans Frontières, Médecins du Monde and Amnesty International, and conducted independent field research.

He published a book in 1992 on the history of the Khmer rouge following their overthrow by Vietnam in 1979 (*Les "nouveaux" Khmers rouges – Reconstruction du mouvement et reconquête des villages, 1979-1991*, L'Harmattan éditeur, Paris, 1992, 300 pages. A second book will be published in the course of the year, based on a series of interviews conducted prior to his arrest in 1999 with Duch, the former commander of S-21, the Khmer rouge regime's central interrogation and execution center where 14-16,000 people were tortured and executed: *Entretien avec Duch: itinéraire d'un tortionnaire ordinaire*, Les Indes Savantes éditeur, Paris (In French and English), foreword by David P. Chandler.

## Petter Wille

- ▶ *The UN treaty body system*
- ▶ *UN Charter based human rights mechanisms*
- ▶ *The right to self-determination as a human right*



### **Professional Experience:**

Director, Norway`s national human rights institution from 1 January 2016.

Ambassador/Special Envoy, Human Rights and Democracy, Ministry of Foreign Affairs, from 1 September 2013 to 31 December 2015.

Ambassador and Permanent Representative of Norway to the Council of Europe from 1 September 2008 to August 2013.

Deputy Director General, Department for United Nations, from 1999-2008.

Counsellor, Permanent Mission of Norway to the United Nations in Geneva 1995-99. First Secretary the same place from 1986-89.

Head of Division, Legal Department 1989-95 and Executive Officer in the same department from 1983-85.

Attache and Second Secretary, Norwegian Embassy in Madrid 1980-83

Deputy Judge, Skien and Porsgrunn Town Court 1978-79

Foreign Service Training Programme 1977-78 and 1979-80

Law degree, University of Oslo 1976.

### **Other professional activities:**

Chairman of the rapporteur group for human rights in the Council of Europe, from 209-2011. Member of the Steering Committee for Human Rights, Council of Europe 1990-93. 2006-2007 Chairman of a group of experts on Human Rights Defenders, Council of Europe.

Chairman of a working group established by the UN Commission on Human Rights on the establishment of a Permanent Forum for Indigenous People, 2000.

Teaching and external examiner of human rights, administrative law and international law at the University of Oslo since 1991.

Co-author of teaching manual on human rights, 2000/2001. (Published by the Norwegian Centre for Human Rights), co-author of Norwegian Legal Commentary from 1999- to date.

2008, Co-author of a book on the Rights of the Child, (Barnerett, internasjonalt Perspektiv, fagbokforlaget).

2012, co-author of the book "Indigenous Peoples`Rights in international law" 1995- present, co-author Norwegian Law commentary.



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