

We have Come a Long Way

The Universal Declaration of Human Rights at 70 – Normativity and Compliance

Conference Program

On 10th December 1948, the UN General Assembly adopted the Universal Declaration of Human Rights. Although not a legally binding instrument per se, the Declaration, in the 70 years of its existence, has both inspired and provided the framework for numerous legally-binding human rights treaties. Moreover, the core of human rights is recognized as customary international law. In legal terms, the world has thus made substantial progress in the sphere of human rights.

This legal situation stands in stark contrast to the human rights situation of many people in the world today. Lack of implementation of and compliance with human rights constitutes *the* major shortcoming of the international protection of human rights, even though the most important aspect of these rights in practice is their actual implementation, not their normative definition. For a long time, international law scholars have largely neglected the compliance record of States with international law as a field of research. However, particularly in the area of human rights, both the UN and the States were aware of the need for special monitoring mechanisms. For this reason, all human rights treaty regimes establish treaty bodies composed of independent experts. They help to ensure the implementation of human rights as well as encourage the States' compliance with the treaties. In addition, the (former) UN Commission on Human Rights also developed several instruments to promote compliance, such as the institution of the Special Rapporteur. Moreover, at a regional level, human rights courts have been installed that can even issue legally binding judgements.

On the occasion of the Universal Declaration of Human Rights' 70th anniversary, we will explore why, despite this range of compliance mechanisms, fundamental human rights are still not always adhered to. The conference will aim at a dialogue between members of several monitoring organs and scholars and confront practice with theory and vice versa.

Organisation

Prof. Dr. Dirk Hanschel
Chair of German, European and
International Public Law
Martin-Luther-Universität Halle-Wittenberg

Prof. Dr. Thomas Kleinlein
Chair of Public, European Union
and International Law
Friedrich-Schiller-Universität Jena

Prof. Dr. Stephanie Schiedermaier
Chair of European, International and Public Law
Universität Leipzig

Prof. Dr. Dominik Steiger
Chair of International, European and Public Law
Technische Universität Dresden

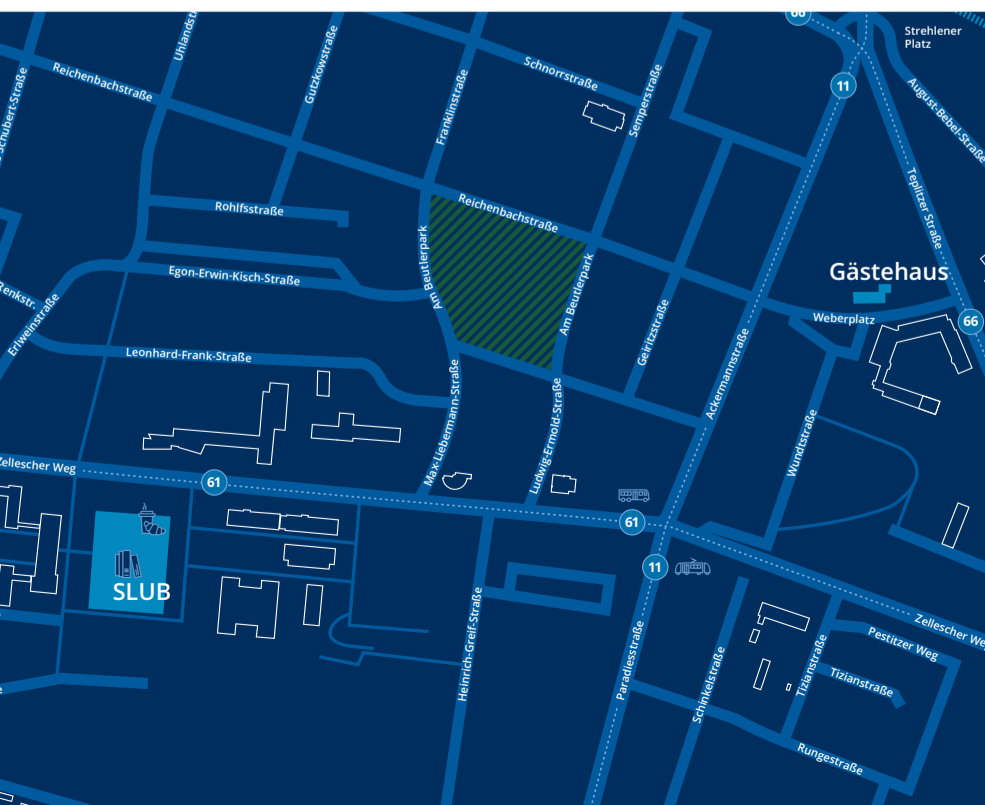
Registration & Further Information

Please confirm your attendance by 1 November 2018
by contacting
Marion Hallof via email at: lssteiger@mailbox.tu-dresden.de

Date & Place:
December 7-8, 2018
Klemperer Hall, Sächsische Landesbibliothek –
Staats- und Universitätsbibliothek Dresden (SLUB),
Zellescher Weg 18, 01069 Dresden

Hotel:
We have reserved a limited amount of rooms at Guest House
TU Dresden "AM WEBERPLATZ", Weberplatz 3, 01217 Dresden
Please contact: [https://tu-dresden.de/tu-dresden/campus/
gaestehaeuser/am_weberplatz](https://tu-dresden.de/tu-dresden/campus/gaestehaeuser/am_weberplatz)
+49 351 467-9300

There is no registration fee.



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Conference Programme

Friday, December 7, 2018

10.15-10.30 Welcome Address

10.30-12.30 General Human Rights Treaty Bodies

1. The Human Rights Committee – The First Treaty Body?

Presentation: Prof. Dr. Ivana Jelić (Vice-Chair), Montenegro

Comment: Prof. Dr. Stefan Kadelbach, LL.M., Goethe-Universität Frankfurt am Main

2. The Social and Economic Rights Committee – The Power of Subjective Rights?

Presentation: Prof. Dr. Zdzisław Kędzia (Vice-Chair), Poland

Comment: Prof. MMag. Dr. Christina Binder, E.MA, Universität der Bundeswehr München

Discussion of Topics 1-2

12.30-14.00 Lunch Break

14.00-16.00 Specific Human Rights Treaty Bodies

3. The Committee on the Elimination of Discrimination against Women – The Influence of NGO Participation

Presentation: Prof. Ruth Halperin-Kaddari, J.S.D. (Vice-Chair), Israel

Comment: Prof. Dr. Andrea Liese, Universität Potsdam

4. The Committee on the Rights of the Child – Does Size Matter?

Presentation: Mag.a Renate Winter (Chair), Austria

Comment: Prof. Wouter Vandenhoe, Ph.D., LL.M., Universiteit Antwerpen

Discussion of Topics 3-4

16.00-16.30 Coffee Break

16.30-18.30 Specific Human Rights Treaty Bodies

5. The Committee on the Rights of Persons with Disabilities – The Role of National Human Rights Institutions

Presentation: Dr. Damjan Tatic (Vice-Chair), Serbia

Comment: Jun.-Prof. Dr. Minou Banafsche, Universität Kassel

6. The Subcommittee on Prevention of Torture – The Effects of Preventive Action

Presentation: Prof. Lorena González Pinto (Vice-Chair), Costa Rica

Comment: Prof. Dr. Dominik Steiger, Technische Universität Dresden

Discussion of Topics 5-6

19.30 **Keynote Address** (followed by dinner)

Professor Dr. h. c. Georges Abi-Saab, Ph.D., S.J.D., Graduate Institute of International and Development Studies, Geneva

Saturday, December 8, 2018

09.15-11.15 Charter Based Working Groups and Special Rapporteurs

7. The Working Group on the Issue of Human Rights and Transnational Corporations and other Business Enterprises – The Implementation of the “Protect, Respect, Remedy” Framework

Presentation: Prof. Anita Ramasastry, J. D. (Chair), United States

Comment: Prof. Dr. Markus Krajewski, Friedrich-Alexander-Universität Erlangen-Nürnberg

8. The Special Rapporteur on the Human Rights of Migrants – The Impact of Fact-Finding (and Public Shaming?)

Presentation: Prof. François Crépeau, O.C., F.R.S.C., Ad. E., Special Rapporteur on the Human Rights of Migrants (2011-2017), Canada

Comment: Dr. Anusheh Farahat, LL.M., Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg

Discussion of Topics 7-8

11.15-11.45 Coffee Break

11.45-13.45 Full Judicial Protection through Courts

9. The European Court of Human Rights – Can there be too much Success?

Presentation: Prof. Dr. Paul Lemmens, Judge at the European Court of Human Rights, Belgium

Comment: Prof. Dr. Stefanie Schmahl, LL.M., Julius-Maximilians-Universität Würzburg

10. The Court of Justice of the European Union – A Human Rights Institution?

Presentation: Dr. Allan Rosas, Judge at the Court of Justice of the European Union, Finland

Comment: Prof. Mark Dawson, Ph.D., Hertie School of Governance, Berlin

Discussion of Topics 9-10

13.45-14.00 Conference Wrap Up

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