

McGill Centre for

Human Rights

and Legal Pluralism



Centre des droits de la

personne et le plu-

juridique de McGill

# 2017



## Management Board

2017-2018

Myriam Denov , Full Professor  
Chiara Fish , External Member  
David Howes , Full Professor  
Robert Leckey , Dean & Chair  
Tanya Monforte , Graduate Student Representative  
V́ctor Muńiz -Fratlicelli , Assistant Professor  
Nancy Ross , Associate Vice-Principal (Research & Innovation)  
Vrinda Narain, Assistant Professor  
Marie -Laure Saliah -Linteau , Undergraduate Student Representative

### Management Team

François Crépeau , Centre Director  
Nandini Ramanujam , Executive Director & Director of Programs  
Sharon Webb , Program Coordinator

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2016 -2017

Rokeya Chowdhury , Graduate Student Representative  
Peter Grbac , Undergraduate Student Representative  
David Howes , Adjunct Professor  
Daniel Jutras , Dean & Chair  
Antonia Maioni , Associate Vice-Principal (Research & International Relations)  
V́ctor Muńiz -Fratlicelli , Associate Professor  
Vrinda Narain , Associate Professor  
Béatrice Vizkelety

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François Crépeau , Centre Director  
Nandini Ramanujam , Executive Director & Director of Programs  
Marika Giles Samson , Interim Executive Director  
Sharon Webb , Program Coordinator



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# OUR COMMUNITY

## Notre communauté

**François Crépeau**

Centre Director  
2015 – 2018

36

Full Members

**Nandini Ramanujam**

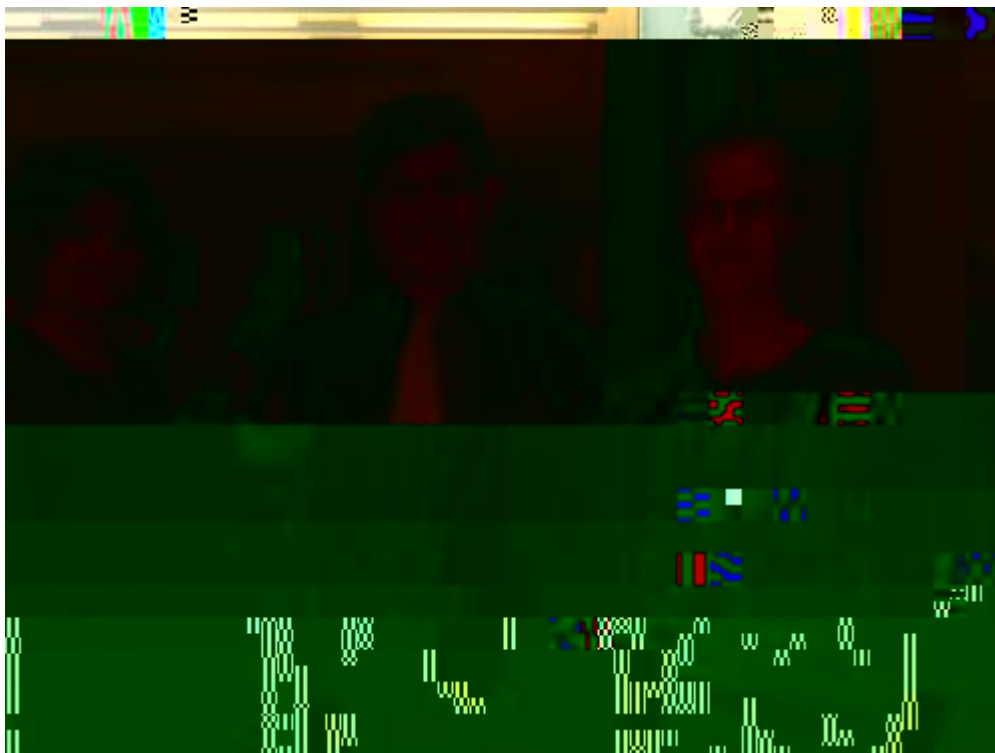
Executive Director &  
Director of Programs

7

Associate Members

**Sharon Webb**

Program Coordinator



## CENTRE MEMBERS

Although the Centre is based at the McGill Faculty of Law, and many of the Centre's members are law professors and part-time lecturers, we are committed to an interdisciplinary approach to human rights. A significant portion of our members are either cross-appointed or drawn from outside the Faculty of Law, and include political scientists, philosophers, anthropologists, geographers, religious studies, and social work. In 2017, there are currently **36 Full Members** and **7 Associate Members** on the CHRLP team.

### Full Members

Payam Akhavan (*Law*)

Kristen Anker (*Law*)

# Member Accomplishments

## Accomplissements des membres

Once again, our members have been recognized this year for a wide variety of their many accomplishments. We congratulate each and all for their continued hard work, great ideas, and high ideals. Here are a few highlights from 2017:

**Payam Akhavan's** 2017 CBC Massey Lectures, *In Search of a Better World: A Human Rights Odyssey* became the #1 Canadian Bestseller on October 23, 2017. It is a powerful survey of some of the major human rights struggles of our times and what can be done about them.

**Allison Christians** was promoted to full professor in September. In addition to her current roles as Associate Dean, and the H. Heward Stikeman Chair in Taxation, Professor Christians contributes to our community as an internationally influential and admired scholar and leading disseminator of research via social media.

**Irwin Cotler** was a recipient of the prestigious Order of Quebec on June 22, 2017. He was also appointed to the Organization of American States' Panel to investigate crimes against humanity in Venezuela.

**Fran çois Crépeau** was appointed Belgium's International Francqui Professor Chair in Social Sciences for 2017-2018. With this appointment, Professor Crépeau joins a prestigious list of former Chairs including several Nobel Prize winners as well as eminent intellectuals such as Michel Foucault.

**Pearl Eliadis** was appointed Adjunct Professor (McGill Faculty of Law), named "Human Rights Changemaker" (Equitas), re-appointed President, Human Rights Committee (Quebec Bar Association), appointed Senior Fellow (Raoul Wallenberg Human Rights Centre), named Co-Chair (Canadian Centre for International Justice).

**Armand de Mestral** was the 2017 recipient of the Canadian Council on International Law's John E. Read Medal which highlights his contributions to the development of international law through teaching, research, and administration.

**René Provost** received the *Avocatus Emeritus* (Ad.E) distinction from the Barreau du Québec. This award is presented to members who gain distinction because of their outstanding professional careers and outstanding contributions to the legal profession.

**Daniel Weinstock** was among two faculty members honoured by the Broadbent Institute, Canada's leading progressive, independent organization championing change through the promotion of democracy, equality, and sustainability. Professor Weinstock was awarded the Charles Taylor Prize for Excellence in Policy Research.

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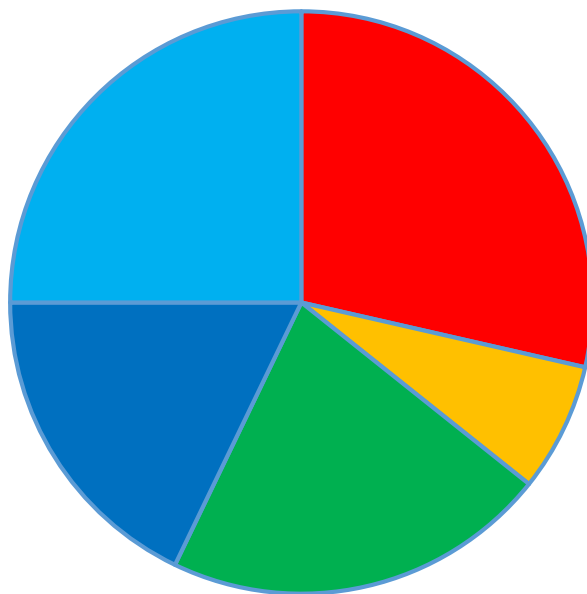


# Fellows and Researchers

## Membres et chercheurs

The CHRLP continues to attract some of the brightest scholars and human rights professionals from around the world. We are privileged to receive support from a range of public and private funds that allows us to offer a wide variety of student and research fellowships and assistantships. In 2017, we were pleased to host:

11	3
O'Brien Graduate Fellows	Visiting Researchers
8	1
O'Brien Fellows in Residence	Student Intern at the CHRLP
3	4
Associate Fellows	Disability Initiative Coordinators
4	7
Steinberg Post-Doctoral Fellows	Student Researchers & Coordinators



anks to the generosity of alumnus **David  
O'Brien** (B.C.L, 1965), the Centre also awards





**Hanna Haile** , *Eritrea/United States* (2017-2018), has research and writing interests in international human rights, migration, environmental law, sustainability, and intellectual property rights. She has recently been working on a project which explores the impacts of the activities on copper mining companies and the issues communities face in the Copperbelt of Zambia.

**Rouba Essam Al -Salem** , *Palestine/Canada* (2017-2018), is a human rights and migration specialist in the Middle East region. Her current research interests revolve around the Canadian private sponsorship of refugees and the parallels, s

Our CHRLP community is especially enriched by the kind collaboration and diligent work of the student researchers and coordinators who learn and support many important initiatives at the Centre.

**Alizeh Ladak, Maryse D écarie -Daigne Q uila and Camille Q Provencher** all acted as O'Brien Fe



The following is a sample of the pioneering work undertaken by our members in 2017. This small sample of publications showcases the extraordinary depth of scholarly contribution from our members and affiliates, highlighting the interconnectedness between the Centre's contribution to both ideas and action. The Centre's members are prolific in many ways, not least in the publishing of books, articles, and op-eds.



Denov, M., Campbell, K., and Lenet, J.











Marie Manikis	FRQSC New Researchers Grant, 2017 -2023 , « Regroupements stratégiques, Centre internationale de criminologie comparée. »	\$1,636,660
Marie Manikis	SSHRC Grant , 2016 -2018 . "A new form of victim participation in the criminal justice process? A study on the enforcement mechanisms available in Canada to respond to victims' rights breaches" (principal investigator).	\$59,366
Marie Manikis	SSHRC Partnership Grant , 2016 -2023 . " A multi-sector partnership to investigate and develop policy and practice models to dismantle rape culture in universities" (co-investigator)	\$2,499,525
Marie Manikis	FRQSC Grant , 2016 -2019 « Vers l'amélioration des relations entre les victimes d'actes criminel et le système de justice pénale? L'étude des mécanismes procéduraux en place pour remédier aux violations des droits des victimes au Canada » (principal investigator).	19 19
Marie Manikis	France -Canada Research Fund – New Scientific Collaboration Support Program, 2016 -2018 . " Understanding the social function of pre-trial detention: A comparative study between Canada and France" (principal investigator).	\$14,860
Marie Manikis	Bourse de la Fondation du Barreau , 2016 -2017 « Vers l'amélioration des relations entre les victimes et le système de justice pénale: L'étude des mécanismes procéduraux dont disposent les victimes d'actes criminels au Québec afin de remédier aux violations de leurs droits » (principal investigator)	\$6,0 00

Marie Manikis

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# PUBLIC ENGAGEMENT

## Engagement publique

Social and Economic Development of Cities & Successful  
Integration of Immigrants

Date: June 19

Speakers: Mayor Michael Müller (Berlin), Mayor Horacio Rodríguez  
Larreta (Buenos Aires), Mayor Denis Coderre (Montreal), McGill  
Associate Professor, M.T.J. ET 56 273.77 11.04 re 9 466.5 542e







# Conferences

The Future of Women's  
Rights as Human Rights in  
the Muslim Contexts







# COMMUNITY -BUILDING ON CORE THEMES

## Engagement communautaire sur les thèmes principaux

### 1. Human Rights and Legal Pluralism

In continuing to celebrate the Centre's tenth anniversary and beyond, we advanced our series of Dialogues between members of the Centre on human rights and legal pluralism. These Dialogues are being filmed, both to capture this moment-in-time in the intellectual life of the Centre, and to serve as pedagogical tools both within the University and beyond.

This series takes its meaning from the incredible breadth of our Centre members' expertise and experience. The Dialogues also reflect concentrations of expertise within the Centre community. We thank each member for bringing their unique voice to this special series of Dialogues, and especially, for contributing their voice to our community each and every day.

In 2017, we were proud to host 3 dialogues:

#### Dialogue 6 of 9:

##### Justice and Pluralism

Date: May 8

Speakers: Catherine Lu, Jacob T. Levy, Daniel Weinstock

#### Dialogue 7 of 9:

##### Frameworks for Governance

Date: September 25

Speakers: Víctor Muñoz -Fratlicelli, Evan Fox-Decent, David Howes

#### Dialogue 8 of 9:

##### Voices from the Field

Date: December 1

Speakers: Pearl Eliadis, Aristide Nononsi, Derek J. Jones

The Series will conclude in 2018 with a talk on Economic Justice.



## 2. Globalization, Migration, and Mobility

entre Director **François Crépeau** not only holds the Oppenheimer Chair in Public International Law at McGill, but was also the former UN Special Rapporteur on the Human Rights of Migrants. Under his leadership and unfailing commitment to the rights of migrants and refugees, the rights and freedoms of such vulnerable populations have come more center-stage at the Centre since he began his Directorship in 2015. Many egregious harms and abuses are directed toward such vulnerable persons and groups. Fran3(neaj4(rd4-98(more)3())TJ.8 TtTQq62.04 32.04 27

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The purpose of the Chair Seminars is to reinforce a Canadian locus for the study and research of international law, with particular attention to the relationship between international legal obligations and domestic law. Through the engagement in teaching and research in public international law, **François Crépeau** advances the understanding of theoretical and practical dimensions of the implementation of international treaty, customary and other obligations in domestic law with due regard to the constitutional setting in federal and unitary states. The Oppenheimer Chair Coordinators are **Lana Rackovic** (2016-2017) and **Raoul Wieland** (2017-2018).

**Camps that are becoming Cities – Cities that are becoming Camps: The Case of Syrian Refugees in Lebanon & Jordan**

March 24

Speaker: Faten Kikano

**The Power of Life Stories: Situating the Narratives of Migrants and Refugees within the Context of Law**

March 27

Speaker: Sonia Cancián

**Existe-t-il un ordre public européen ?**



### 3. The Rights of Persons with Disabilities

nder the guidance and leadership of **Nandini Ramanujam**, the Centre is dedicated to providing opportunities for both people with disabilities and those interested in becoming the next generation of advocates. 2017 has been an exciting year for raising awareness and opening up the Centre as a forum for discussion on a number of issues faced by people with disabilities.

This year, in April 2017, the UN Committee on the Rights of Persons with Disabilities (CRPD) published its concluding observations on the initial report of Canada. In advance of the Committee's meeting, the Centre for Human Rights and Legal Pluralism published a **Shadow Report** examining the current state of protection of the right to legal capacity for persons with disabilities in Canada, and offering recommendations.

The Centre offered 2 new internships this year relevant to the Rights of Persons with Disabilities. The first is at **The Centre for Research and Human Rights Education** (*Centro de Investigación y Docencia en Derechos Humanos*), Faculty of Law at the National University of Mar del Plata, **Argentina**. This internship is a result of the Centre's collaboration with the Disability Rights Consortium established by the Open Society Foundation. The second is the **Mental Disability Rights Initiative** of **Serbia** whose special focus is special focus is on those children and adults who are at risk of or who are already residing in social and mental health institutions, since they represent the most endangered and marginalized group.

#### Disability, Human Rights and the Law Initiative

The CHRLP is pleased to continue the Disability and Human Rights Initiative now in its sixth year. This initiative continues to explore compelling issues in Disability with a focus on law and policy, in keeping with the Faculty of Law's tradition of analysis,



## Seminars & Workshops

### **Battling the Many Barriers Facing People with Disabilities in Society**

February 3

Speaker : David Lepofsky

Co-sponsored by OSD and RGHL

This seminar explored the reasons why so many people with disabilities across Canada have been demanding comprehensive federal and provincial accessibility legislation. Students learned about the legislative victories both at the provincial and federal level.

### **Indigenous Children & Disability**

March 16

Panelists: Vanda Sinha, Luna Vives,  
Jacinthe Dion, Shauna Van Praagh

The panel explored the obstacles that Indigenous children with disabilities can face in accessing services such as education and health care, and how



4.







# INTERDISCIPLINARY RESEARCH

## Recherche i nterdisciplinaire

The dynamism and intellectual diversity of our community of scholars and thinkers provides a fertile environment for collaborative, symbiotic, and innovative scholarship. Some of the current interdisciplinary research projects involve expertise in disciplines extending far beyond law such as public health, economics, social work and environment, which allows us a broad and flexible interaction with human rights and legal pluralism. Since its founding, members of the Centre have been engaged in a wide range of interdisciplinary research that spans international law, humanitarian law, constitutional and statutory human rights, and the ways in which legal pluralism, informal norms and customs intersect with human rights.

### Economic Justice

**Researcher:** **Nandini Ramanujam**

The Economic Justice program examines how pervasive socioeconomic inequality and poverty create a critical challenge to human rights in an increasingly globalized world. This program reconsiders the human rights and economic justice debate through four interrelated research axes: 1) how the law contributes to the creation and maintenance of socioeconomic inequality; 2) how inequality and unrealized socioeconomic rights in turn undermine civil and political rights; 3) how to develop effective human rights strategies to realize economic justice when the state is no longer the exclusive actor and territorial boundaries are less determinative of unjust outcomes; and 4) how endemic poverty represents a critical challenge for current human rights discourse and approaches.

### Rule of Law and Economic Development

**Researcher :** **Nandini Ramanujam**

The Rule of Law and Economic Development Research Group (ROLED) engages with cutting-edge issues at the intersection of law and economic development. This year, **Nandini Ramanujam** and **Alexander Agnello** co-authored a paper examining the interrelated factors underlying the crisis of access to justice among ordinary Canadians and the increasing number of qualified and underemployed lawyers. It can be found [here](#).

### Research Group on Health and Law

**Researchers & collaborators :** **Alana Klein, Lara Houry, Daniel Weinstock, Angela Campbell** , and **Derek J Jones**

The McGill Research Group on Health and Law is a research network that seeks to foster the sharing of scholarship and ideas among professors and students, and encourages collaborative work on health-related issues. It also seeks to build interdisciplinary bridges across the University with colleagues working on health-related topics. Finally, it aims to provide students with a breadth of opportunities for pursuing intellectual endeavours in the field of health law through course work, independent research, graduate studies, or extra-curricular engagements.

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Children and Conflict

Principal and Co -Investigator : **Miriam Denov** (PI), **René Provost** , **Shauna Van Praagh**

As recipients of the SSHRC Insight Grant, 2015-2020, Miriam Denov and René Provost continue investigating



he Centre has firmly established its presence and reputation in the world through its expanding network of programs which allows us to lend solidarity to organizations committed to protecting and promoting human rights both locally



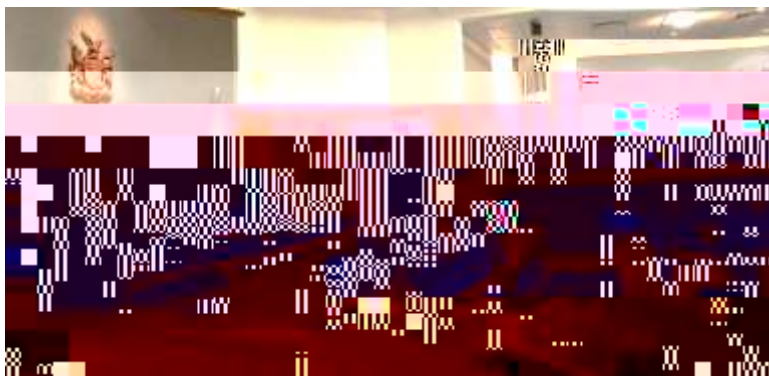
Joe I Badali



# International Human Rights Internship Program

## Working Paper Series

The Centre's Working Paper Series enables the dissemination of papers by students who have participated in the International Human Rights Internship Program. Students enroll in the seminar Critical Engagement with Discourses of Human Rights seminar that allows them to write a research paper through a peer review and support process. The papers in this series are intended to showcase and disseminate original and innovative scholarship by our student interns, as well as to elicit feedback and encourage debate on important



## International Clerkships



McGill is the only Canadian university invited to send candidates to the Judicial Assistants Program of the International Court of Justice (ICJ), the Permanent Court of Arbitration (PCA) and the Inter-American Court of Human Rights (IACHR). The only other universities invited to do so are New York University, Columbia, Yale, Michigan, Geneva and Strasbourg. The Centre is the Faculty's representative to these international courts and selects a shortlist of law students to forward to each court for consideration. In 2017, the following students were offered clerkships:

**Jenny Andrea Buitrago -Carranza**  
(B.C.L./LL.B 2016)

**Justin Fisch** (B.C.L./LL.B 2016)

**Fortunat Nadima Nadima** (B.C.L./LL.B 2017)

**Maria Rodriguez** (B.C.L./LL.B 2017)

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**Martha Chertkow** (B.C.L/LL.B., 2015) is currently a Crown Counsel with the Public Prosecution Service of Canada based out of Yellowknife, Northwest Territories. She also serves as Chair of the Canada Bar Association's Criminal Law Section in the NWT.

**Chiara Fish** (B.C.L/LL.B., 2011) currently works as in-house counsel at De Gaspé Properties. One of the defining experiences of her time as a law student was a result of the Centre for Human Rights and Legal Pluralism

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# COLLABORATORS AND PARTNERS

## Collaborateurs et partenaires



McGill Centre for Human Rights and Legal Pluralism







# ANNUAL REPORT 2017

[www.mcgill.ca/humanrights](http://www.mcgill.ca/humanrights)

