



Oxford Human Rights Hub

A global perspective on human rights



**20
19**

OXFORD HUMAN RIGHTS HUB
ANNUAL REPORT
2018-2019





OXFORD HUMAN RIGHTS HUB

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MESSAGE FROM THE DIRECTOR & DEPUTY-DIRECTOR



The guiding principle of the Oxford Human Rights Hub is that human rights are immeasurably strengthened by empowering diverse voices to share best practice and by connecting human rights lawyers and activists across the world. Since its establishment eight years ago, the OxHRH has responded to this need: using the connective powers of the internet, we have built global networks of scholars and practitioners to share new developments and enhance human rights. We are particularly committed to providing a platform for voices who are often not heard and to ensuring that top quality analyses of human rights law developments across the globe are easily accessible and free online.

Democratizing legal knowledge stands at the heart of the OxHRH's mission. In the last year, we have gone from strength to strength, successfully connecting human rights scholars, lawyers, activists and students globally, and bridging the divide between the global North and the global South.

We have over 14,400 Twitter followers; 6200 Facebook followers; 22,000 unique website views a month and an international mailing list of over 650 subscribers. We have published more than 200 posts on high level analyses of cutting edge new human rights developments from an ever widening range of countries, including Kazakhstan, Romania, Turkey, Iran, Egypt, Zambia, Malaysia, Hong Kong, Colombia, Peru, Brazil and Chile, as well as India, Ireland, Austria, Belgium, Australia, the US and Canada.

The vast majority of people in the global South access the internet through their mobile phones. We have been particularly excited this year at having the opportunity to redesign our website by making it mobile-friendly, and easily accessible across contexts with less bandwidth.

Our 24 RightsUp #RightNow podcasts are available across all major podcasting platforms and have attracted over 19,000 listens. Over the next year, we are focusing on a series of podcasts interviewing leading human rights adjudicators and are hard at work on a podcast focusing on forced evictions in South Africa.

Through the energy and passion of our team and contributors, the OxHRH continues to be recognized around the world as a leading platform on human rights.

CUTTING EDGE PUBLICATIONS

At the forefront of our achievements this year has been the launch of our peer-reviewed, open access journal, the *U of OxHRHJ*. To date, we have published almost 350 pages of freely accessible, peer reviewed scholarship. This year's articles, while addressing a range of human rights, have had a particular focus on protecting women's right to access abortion. An article by Oxford professor Jonathan Herring reconceptualizes abortion debates through the lens of the ethics of care. He argues that 'a caring society will want to provide abortion as a public good.' Lucia Berro Pizarossa from the University of Grogthein examines how legislators on both sides of the abortion debate draw on negative cultural attitudes and stereotypes. She traces how these stereotypes influenced the liberalization of abortion law in Uruguay. And lastly, Cathi Albertyn (University of Witswatersrand) argues that sexual and reproductive health rights need to be grounded in theories on reproductive justice to better implement abortion laws across 'all vectors of disadvantage and difference.'

ENGAGING MULTIMEDIA CONTENT FOR TEACHING AND LEARNING

We are hard at work on our follow up to our online course on strategic litigation on the right to education, *Learning Lessons from Litigators*. In partnership with the World Health Organization and the Office of the High Commissioner of Human Rights we are producing *Shaping the Future—Sexual and Reproductive Health Rights*. The aim of the project is to provide a platform of resources and training materials to empower women and girls and their advocates and allies to achieve their rights to reproductive health. In this way, governments will be held to account for their promises under the Sustainable Development Goals, which aim to radically reduce the scourge of maternal mortality and to make contraception universally available by 2030. The episodes will develop and share best practice in using human rights to achieve the promises on reproductive rights in the Sustainable Development Goals (SDGs).

POLICY IMPACT

This year we had important input into several pressing policy issues. Sandy Fredman was a member of the expert committee that drafted the landmark *Abidjan Principles on the human rights obligation of States to provide public education and regulate private involvement in education*. The Principles, adopted in February 2019, have now been endorsed by the Human Rights Council. Meghan Campbell worked with the UN Independent Expert on foreign debt on *the Guiding Principles on human rights impact assessments for economic reforms* and on his report to the UN General Assembly on legal developments on responsibility for economic complicity. We authored a submission to the UK Parliament on the race pay gap and a gender sensitive Parliament. And we are actively engaging with the SDGs to ensure the proper place of human rights and gender equality. This comes hand in hand with our engagement in cutting edge research, and especially our alliance with the FairWork project on decent work for gig economy workers in South Africa. Sandy Fredman is a co-investigator on this Global Challenges Research Fund project, led by Mark Graham from the Oxford Internet Institute, together with colleagues from the Universities of Cape Town, the Western Cape and Manchester.

CELEBRATING OUR COMMUNITY

This year we have also reflected and showcased the hard work of the OxHRH team members. Our *Friday in Focus* series highlights the impressive achievements of former and current OxHRH managing and blog editors and regional correspondents. Over the six years of the OxHRH operation, they have been our life-blood, and they continue to bring their passion and energy to the practice of law in the UK, India, South Africa, the US and Australia.

We have also continued to actively engage outside of digital spaces by hosting numerous events and workshops. We partnered with our colleagues in South Africa, Brazil, Colombia and Jamaica to co-host a conference in Kingston, Jamaica on 'Challenging Fundamentalisms? Ideology, Public Policy, Law and Gender Equality'. On the 100th anniversary of women lawyers in the UK, we partnered with the Association of Women Judges to run a panel discussion on 'Sexual Harassment at Work: Its Nature and Persistence,' with Dame Laura Cox, Justice Jenny Eady and Professor Sandy Fredman, chaired by OxHRH graduate editor, Nomfundo Ramalekana. Deputy-Director Meghan Campbell hosted a workshop on 'The Role of Private Actors in Women's Sexual and Reproductive Health Rights' in Nairobi, Kenya with funding from the Global Institution for Innovation at the University of Birmingham. Our Communications Director, Kira Allmann, was awarded a Knowledge Exchange Seed Grant to launch the 'Oxfordshire Digital Inclusion Project,' a partnership among OxHRH, the Oxford Centre for Socio-Legal Studies, and Oxford Internet Institute, and the Oxfordshire County Council to collect data on digital inequality in Oxfordshire. The Hub also hosts an annual half-day Graduate Workshop on Human Rights for MPhil and DPhil students at the University of Oxford. The workshop brings together and fosters a network of graduate students and academics in various disciplines working in human rights at Oxford.

The Oxford Human Rights Hub would not be what it is without the active involvement of our many contributors, our student editors, our regional correspondents, our funders, and most of all our passionate team. We extend the warmest thank-you to our out-going Managing Editor Tom Lowenthal for his dedicated work on the OxHRH Blog. We have been expertly assisted this year in improving the mobile responsiveness of the OxHRH website by John Gilbert. A special thanks to the blog editors Nomfundo Ramalekana, Farrah Raza, Rishika Saghal, and Gautam Bhatia. Thank you to Dr Kira Allmann our Communications Director, Jason Brickhill and Ndjodi Ndeunyema, Research Directors, Suzy Shepherd, Videographer, and Emilie McDonnell, Gauri Pillai and Victoria Miyandazi, Researchers, who have done so much for the Hub. And lastly, a big thank you to Carli Schoeman and her team at Sidebar Design for all their hard work in making us look so good.

We are also very grateful to Professor Anne Davies, Dean of the Law Faculty, for her support. Last but certainly not least, we are enormously appreciative of the support of our funders: the Sigrid Rausing Trust, the British Academy, World Health Organization, Global Research Challenges Fund, Africa-Oxford Initiative, ESRC and the University of Oxford. Ultimately, our greatest appreciation is to our community of contributors and followers across the globe.

SANDY FREDMAN & MEGHAN CAMPBELL

Director & Deputy-Director

OUR TEAM



DIRECTOR
Professor Sandra Fredman



DEPUTY-DIRECTOR
Dr Meghan Campbell



**COMMUNICATIONS
DIRECTOR**
Dr Kira Allmann



RESEARCH DIRECTOR
Jason Brickhill



RESEARCH DIRECTOR
Ndjodi Ndeunyema



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Tom Lowenthal



BLOG EDITOR
Farrah Raza



BLOG EDITOR
Nomfundo Ramalekana



BLOG EDITOR
Gautam Bhatia



BLOG EDITOR
Rishika Saghal



RESEARCHER
Victoria Miyandazi



RESEARCHER
Emilie McDonnell



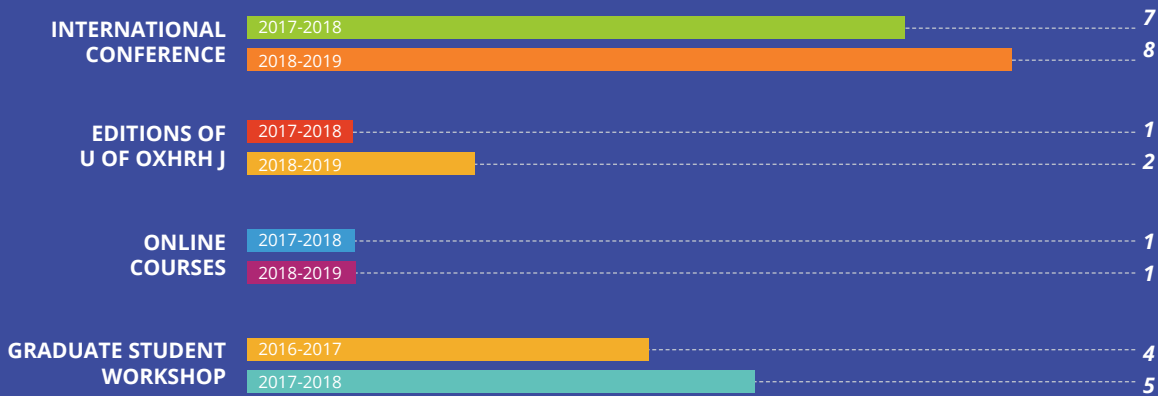
RESEARCHER
Gauri Pillai



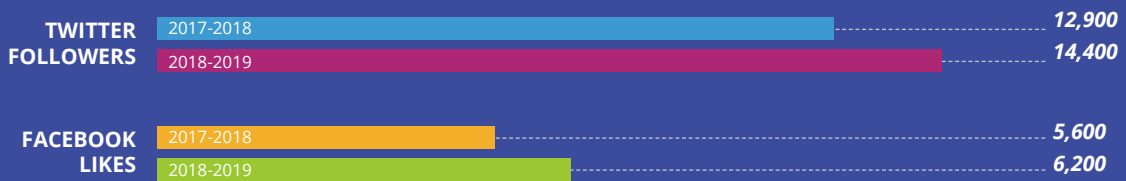
VIDEOGRAPHER
Suzy Shepherd

FACTS & FIGURES

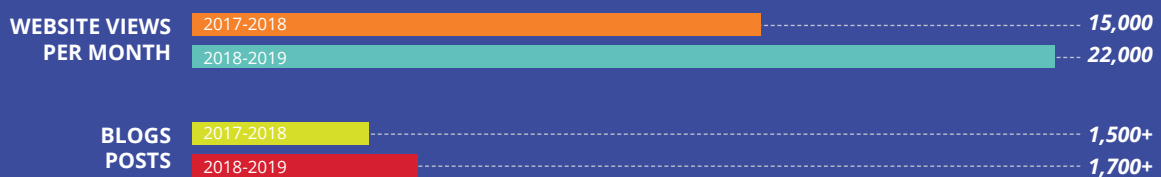
CONFERENCES, WORKSHOPS & COURSES



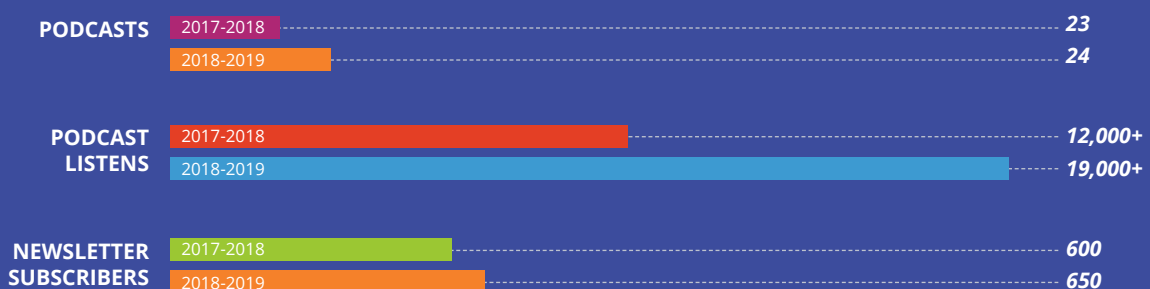
SOCIAL MEDIA



WEBSITE & BLOG



PODCASTS & NEWSLETTER







OUR MISSION

The *Oxford Human Rights Hub (OxHRH)* strives to build a global community to enhance the understanding of human rights law and practice. By harnessing the connective potential of technology, the OxHRH has created a rich and accessible body of research and learning tools for students, teachers, academics, and advocates of human rights law, both in Oxford and beyond.

The OxHRH transcends traditional boundaries in order to open up new spaces for exchange and learning. Our flagship activity is the daily blog, which continues to attract high-quality legal analysis of the latest human rights issues. It is a democratic space that publishes blogs from established academics and lawyers as well as featuring new voices and perspectives from students and early career researchers.

UNIVERSITY OF OXFORD HUMAN RIGHTS HUB JOURNAL

This year we celebrate the first anniversary of the *University of Oxford Human Rights Hub Journal*. In the past year, we have published twelve peer-reviewed, open access articles exploring the latest developments and greatest intellectual challenges of human rights. The U of OxHRH J articles explore reconceptualizing abortion within the matrix of the ethics of care and as a matter of reproductive justice; using international accountability mechanisms to redress grave and systemic abuses of human rights; the use of stereotypes in the parliamentary debates on Uruguayan abortion law; and interpreting the UN Guiding Principles on Business and Human Rights to apply not only to violations but also to human rights impacts. In the last nine months, we have published authors from South Africa, Uruguay, the UK and Hong Kong. We remain deeply committed to ensuring the U of OxHRH J is a space for scholars from the global North and South.

IN 2019 WE HAVE PUBLISHED:

- Jonathan Herring, *'Ethics of Care and The Public Good of Abortion'* (2019) U of OxHRH J 1
- Lucia Berro Pizzarossa, *"Women are not in the Best Positions to Make These Decisions by Themselves": Gender Stereotypes in the Uruguayan Abortion Law'* (2019) U of OxHRH J 25
- Meghan Campbell, *'Beyond the Courtroom: Accountability for Grave and Systemic Human Rights Abuses'* (2019) U of OxHRH J 55
- Cathi Albertyn, *'Abortion, Reproductive Rights and the Possibilities of Reproductive Justice in South African Courts'* (2019) U of OxHRH J 88
- David Birchall, *'Any Act, Any Harm, To Anyone: The Transformative Potential of "Human rights Impacts" Under the UN Guiding Principles on Business and Human Rights'* (2019) U of OxHRH J 120

We were also delighted to welcome two new editors to our editorial board: Shreya Atrey (University of Oxford) and Tristan Cummings (DPhil Candidate, University of Oxford).

Looking to the year ahead, we are planning two special editions of the U of OxHRH J. Guest editors Shreya Atrey and Gautam Bhatia are putting together *New Beginnings: Indian Constitutional Rights Jurisprudence After Puttaswamy*, which will explore the place of

dignity, autonomy and freedom within the Indian constitutional scheme, the relationship between the individual and the state, the interpretation of fundamental constitutional rights and the standard of review.

In 2020, the Equality Act 2010 (UK) celebrates its ten-year anniversary. In *Taking Stock: Ten Years of the Equality Act*, we are inviting submissions that take stock of the successes and failures of the Act and look toward the next ten years and beyond for the right to equality.

We also accept general articles on human rights and we publish on a rolling basis. The U of OxHRH J aims to ensure wide dissemination of knowledge and information.

EDITORIAL BOARD

Managing Editor

Meghan Campbell (University of Birmingham)

Editorial Board

Cathi Albertyn (University of Witwatersrand)

Shreya Atrey (University of Oxford)

Tristan Cummings (DPhil Candidate, University of Oxford)

Sandra Fredman (University of Oxford)

Judy Fudge (McMaster University)

Richard Hart (Founder of Hart Publishing)

Ndjodi Ndeunyema (DPhil Candidate, University of Oxford)

Kamala Sankaran (Tamil Nadu National Law School)

Helen Taylor (Clerk of the Constitutional Court of South Africa)







COMPARATIVE PERSPECTIVES: **OXHRH BLOG**

The OxHRH Blog continues to be our flagship initiative. We published over 200 blogs last year from a range of jurisdictions and from contributors ranging from graduate students to UN Special Rapporteurs. We take pride in the blog's enduring commitment to be an egalitarian space and to cover both well-known and overlooked global human rights developments.

The blog has covered the most pressing issues of the past year. We have featured pieces on developments in the protection of trans rights in the UK; the criminalization and decriminalization of same-sex relations in Kenya and Botswana; the cuts to the budgets of UN treaty bodies; the deteriorating human rights situation in Kashmir; the rights of workers in the gig economy; the refusal of Malaysia to ratify the Convention on the Rights of Disabled Persons; access to abortion in Kazakhstan and extending the right to vote to citizens overseas in Canada. The staggering comparative richness of the OxHRH blog is truly an inspiration on both the power of technology in connecting human rights around the world and in the dedication of authors to use legal discourse to advocate for human rights for all people.

The range of human rights issues covered and the far-reaching impact of our posts reflect the strength of the OxHRH Blog. Managing Editor, Tom Lowenthal, and a small team of blog editors carefully vet all blogs and ensure a high standard of academic rigor. In aspiring to global inclusivity, the OxHRH Blog benefits greatly from the contribution of its Regional Correspondents, who volunteer to promote the blog in jurisdictions whose experiences of human rights law may be lesser known to readers, perhaps due to lack of coverage in global news or linguistic barriers.

CHALLENGING FUNDAMENTALISMS? **IDEOLOGY, PUBLIC POLICY, LAW AND GENDER EQUALTY**

In February 2019, we held our fourth global conference on gender equality in Kingston, Jamaica. We convened an international group of scholars and practitioners to explore how existing and rising fundamentalist ideologies are challenging women's equal rights.

Around the world, women have made impressive advances in the struggle for equality in the face of significant political, social and economic obstacles. With each struggle and each advance, the women's movement has always experienced resistance. In the current moment, we seem to be witnessing a particular convergence of powerful forces that are placing positive momentum in jeopardy. These stem from a multitude of sources, including the persistence and re-emergence of social, economic, religious and ideological fundamentalisms; the successes of populist politics; the mobilization of conservative political and social movements; the economic fallout of the relentless drive to maximize profits; and the ongoing denial of climate change and its effects. All of these trends interact in myriad ways to leave equality and women's rights in a precarious position. They have a particularly egregious effect on women with intersecting identities—for instance, black, working class, disabled, unemployed, migrant women—as the gender backlash interconnects with multiple other inequalities.

Women have always found ways to resist oppression and subordination. One of the characteristics of the current moment

is the manner in which women are mobilizing in new ways to oppose multiple and complex inequalities. The conference explored a series of challenging questions including: What role can law and equality lawyers play in translating this energy and activism into concrete legal and policy measures? How is law being disputed by progressive feminist and conservative movements? How can an inclusive women's movement incorporate differences between women, both in terms of values and in terms of strategies, and what resources are there in the law to assist in this reconciliation? Equally important, how can lawyers work with social movements to ensure implementation and enforcement of rights, policy and legislation already won? How can rights and gender equality law address the various strands of fundamentalisms that seek to dilute women's human rights? How can gender equality lawyers work across different movements for social justice to ensure the gender equality issues are accounted for?

The conference papers and discussions around the table were lively, critical, engaging and supportive. It was a fruitful two days with thought-provoking answers on the role of scholarship and activism in the continued struggle for gender equality.





WRITING FOR THE HUB HAS GIVEN ME AN EXCELLENT OPPORTUNITY **TO BE THE VOICE FOR THOSE WHO DO NOT HAVE A VOICE** IN THE SOUTHERN AFRICA DEVELOPMENT COMMUNITY AND INDEED SUB-SAHARAN AFRICA

Mwai Daka, OxHRH Regional Correspondent for Southern Africa





SHAPING THE FUTURE: **SEXUAL AND REPRODUCTIVE HEALTH RIGHTS**

In partnership with the World Health Organization and the Office of the High Commissioner of Human Rights, we have begun to produce an online magazine style documentary: *Shaping the Future—Sexual and Reproductive Health Rights*.

In 2015, the world committed itself in the Sustainable Development Goals (SDGs) to ensuring universal access to sexual and reproductive health rights in the next 15 years. Yet throughout the world, on a routine basis, the rights of women and girls are violated. Legislators and policy-makers often ignore the sexual and reproductive health rights of women and rarely approach these issues from a human rights perspective. This freely accessible video series asks: what role then can human rights law play in addressing these challenges, and ensuring progress towards the fulfilment of the SDGs?

Through a series of eight 20-minute episodes, we will explore the most pressing topics and issues of sexual and reproductive health rights through the lens of human rights. Each episode will take a comparative perspective and closely examine how the strong moral and legal imperatives of human rights can be given detailed substance by grounding them in local context and making them effective in relation to individuals' lived experiences. It will showcase leading examples of how this has been done and highlight some of the ongoing challenges, as well as new ones. The documentary aims to empower stakeholders to speak in the language of human rights with a high degree of knowledge and sophistication.

In June 2019 in Geneva, Switzerland, we held an expert group meeting with participants from Uganda, the Philippines, Brazil, Mexico and India to explore the promise and pitfalls of using human rights and the SDGs to enhance sexual and reproductive health rights and filmed participants for documentary. In July 2019, the team travelled to Nairobi, Kenya to film participants in East Africa. We are greatly looking forward to finalizing the documentary and are excited for its release in early 2020.



THE ABIDJAN PRINCIPLES

Director Sandra Fredman was delighted to be a member of the expert drafting committee on *Guiding Principles on the human rights obligations of States to provide public education and to regulate private involvement in education* (The Abidjan Principles).

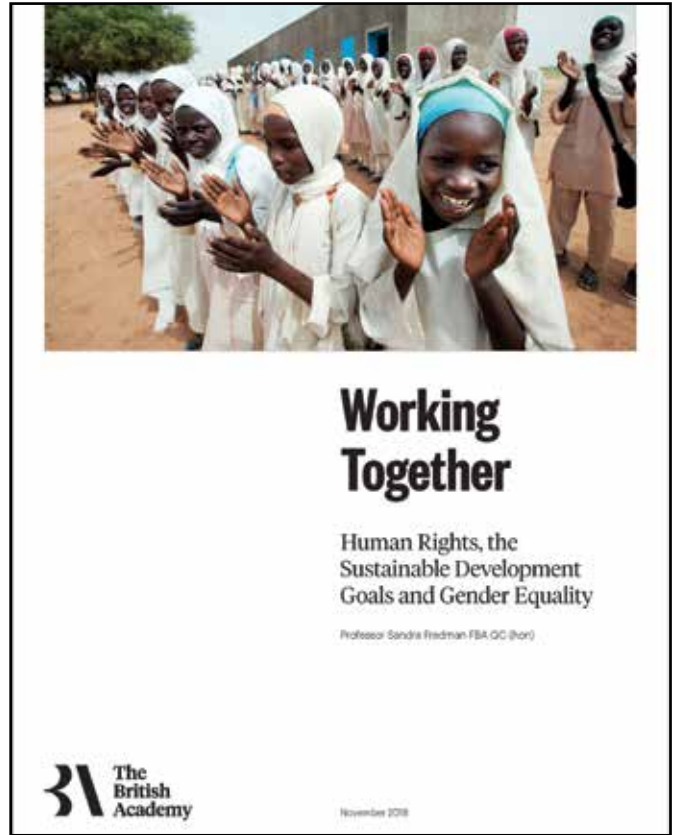
The Abidjan Principles are the culmination of global participative conversations with lawyers, UN experts, educators and civil society on how to protect the right to education. The Principles hone in on the biggest tensions in realizing a right to education for all learners by providing a human rights-based framework for the involvement of private actors in the the delivery of education. The tireless work of the drafting committee has resulted in a truly transformative set of Principles that will act as a bulwark against

the commercialization of education and reaffirm the human right to access high quality education.

The strength and timeliness of the Principles is evident by their rapid adoption by key stakeholders. The UN Special Rapporteur on the right to education positively referred to the Abidjan Principles, and they have been recognized by the UN Human Rights Council.

It was a great privilege to host a panel discussion with a selection of the expert drafting committee in Oxford in August 2019. Ann Skelton (University of Pretoria and member of the Committee on the Rights of the Child), Magdalena Sepulveda Carmona (UNRISD), Maria Smirnova (Office of the High Commissioner of Human Rights) and Sandra Fredman had a lively discussion on how a participatory civil society movement can lead to innovations in international human rights law. The event was moderated by Joshua Castellino (Minority Rights Group International). The discussion was recorded and can be found on our website.





WORKING TOGETHER: THE SUSTAINABLE DEVELOPMENT GOALS & HUMAN RIGHTS

In November 2018, in partnership with the British Academy, we launched Sandra Fredman's report *Working Together: Human Rights and the Sustainable Development Goals* with a workshop held in London.

For the UN's Sustainable Development Goals (SDGs) to be truly transformative for women, it is crucial to ensure that they are infused with a transformative understanding of gender equality. Rather than simply focusing on like treatment or aggregate outcomes, this requires attention to be paid simultaneously to four dimensions of equality: redressing disadvantage; addressing stereotyping, stigma, prejudice and violence; facilitating voice and participation; and systemic or institutional change. This report uses the lens of transformative equality to compare the ways in which the SDGs and human rights address two main issues: women and reproductive health, and women and poverty.

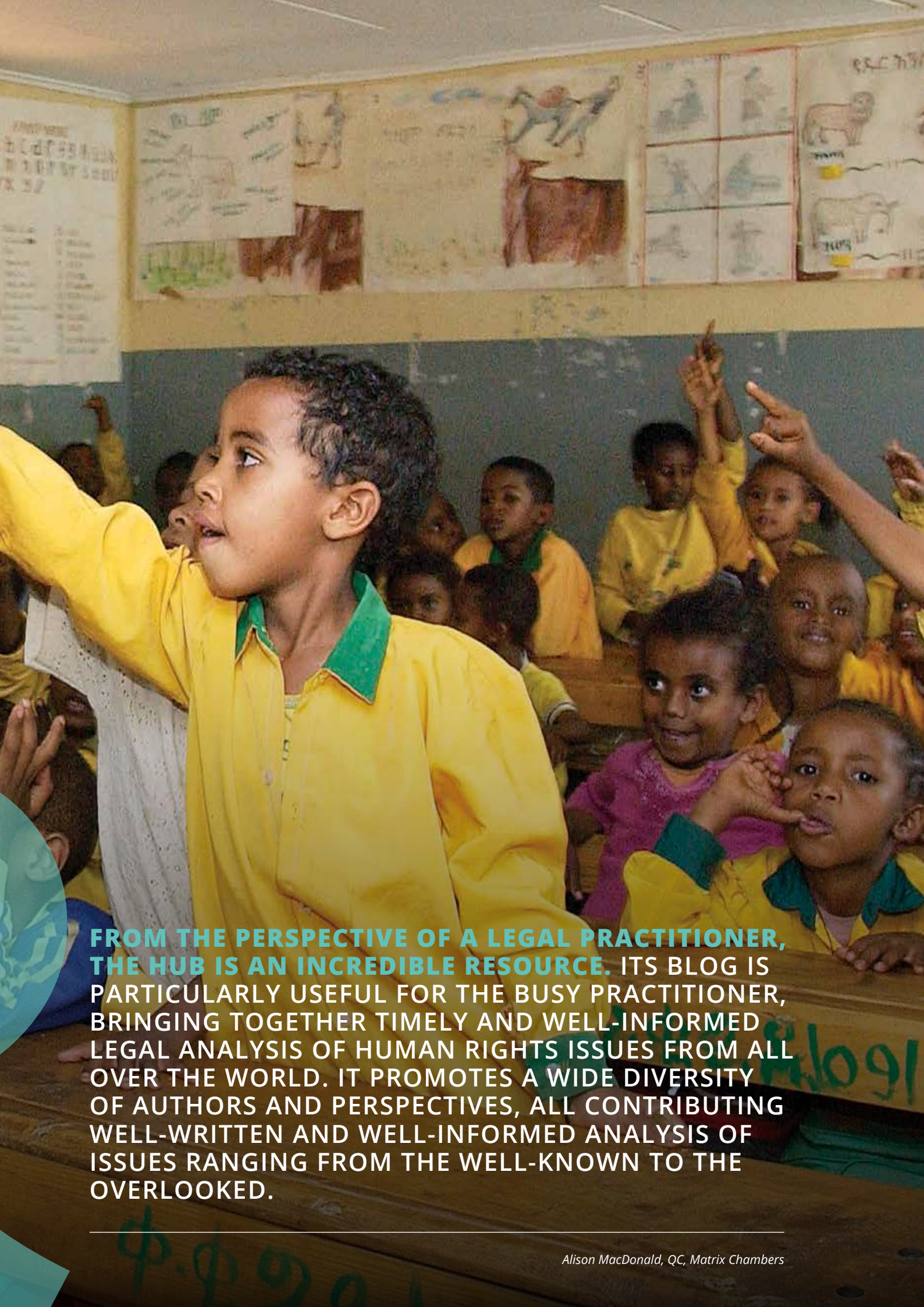
The report emphasizes that furthering transformative gender equality requires a concerted effort on many fronts. The human rights framework, for its part, adds a greater level of accountability and more attention to the individual, as well as aiming to put in

place ways to achieve the ultimate goals, and checking that these in turn are human rights compliant. However, the substance of human rights, through the prism of gender equality, is still contested, particularly in relation to women in poverty. Moreover, the accountability structures, while legally binding in principle, are only as strong as the political will of signatory states to implement them.

This report argues that it is crucial for the two structures (human rights and SDGs) to work together in a synergistic manner to achieve transformative gender equality and to ensure that the ambitious promises of the SDGs are not simply fleeting hopes. This, in turn, depends on sustained civil society action, to hold governments to account both for their promises under the SDGs and under the human rights framework, mobilizing all relevant forums both internationally and domestically.

The release of the report was accompanied by a series of four podcast episodes addressing various issues related to bringing together human rights and the SDGs. These podcasts are part of our *RightsUp #RightNow* podcast series and are available on all major podcasting platforms.





FROM THE PERSPECTIVE OF A LEGAL PRACTITIONER, THE HUB IS AN INCREDIBLE RESOURCE. ITS BLOG IS PARTICULARLY USEFUL FOR THE BUSY PRACTITIONER, BRINGING TOGETHER TIMELY AND WELL-INFORMED LEGAL ANALYSIS OF HUMAN RIGHTS ISSUES FROM ALL OVER THE WORLD. IT PROMOTES A WIDE DIVERSITY OF AUTHORS AND PERSPECTIVES, ALL CONTRIBUTING WELL-WRITTEN AND WELL-INFORMED ANALYSIS OF ISSUES RANGING FROM THE WELL-KNOWN TO THE OVERLOOKED.



Oxford Human Rights Hub

A global perspective on human rights

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Podcasts



Gen





PUBLIC ENGAGEMENT

Human rights regularly address current legal and political debates. The OxHRH team has been active this year in connecting human rights scholarship with legal reforms and the public. This year, we have made two submissions. In partnership with the Institute for Employment Rights, we made a submission on redressing the race pay gap. We undertook a comparative analysis to draw together best practices from Australia, Canada, South Africa, Northern Ireland and New Zealand. We also made a submission to the Women and Equalities Parliamentary Committee on Gender Sensitive Parliaments.

In addition, Sandra Fredman was invited to Malaysia to advise on draft gender equality legislation. Meghan Campbell, along with colleagues from Birmingham Law School, made several submissions to the UN Independent Expert on foreign debt and worked with him to finalize the Guiding Principles on human rights impact assessments for economic reforms and is working with him on the preparing his report to the UN General Assembly on legal developments on responsibility for economic complicity.

OUR SUPPORTERS

As always, we are incredibly grateful for all the hard work of the members of our team and the financial support from, The Sigrid Rausing Trust, the British Academy, World Health Organization, Global Research Challenges Fund, Africa-Oxford Initiative as well as the University of Oxford and the ESRC.



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