

## Expert Meeting

### “Fragmentation and Integration in Human Rights Law: Users’ Perspectives”

1 June 2017, European University Institute, Florence

#### **Background**

From the perspective of human rights users –both the rights holders and duty bearers–, human rights law appears as an increasingly complex and expanding field of law, consisting of different levels, actors and norms. “Human rights” is, contrary to how it is often portrayed, not a homogeneous concept. Instead, human rights appear in a fragmented way, differing in their scope, focus, legal force and level of governance. This non-hierarchical accumulation of human rights provisions, has resulted in a complex and uncoordinated legal architecture that may in some circumstances create obstacles for effective human rights protection. Against this background, the question inevitably arises: how to make (theoretical and practical) sense of these multiple layers of human rights law through which human rights users have to navigate?

In the past 4 years, the Human Rights Integration (HRI) network, a Belgian interuniversity attraction pole involving scholars from six universities,<sup>1</sup> has been examining this issue from different angles (both theoretical and empirical) and using different methodologies within the framework of a project called “The Global Challenge of Human Rights Integration: Towards a Users’ Perspective”.<sup>2</sup> The main objective of this research is to study human rights law as an integrated whole from a users’ perspective. This process resulted in different international conferences and seminars, edited volumes, special issues of journals and several doctoral dissertations.

This one-day seminar serves to discuss and share the project’s final findings with EUI colleagues and other interested experts, amongst others in the context of the international law working group. The presentations at this seminar seek to visualize and build on the research carried out within the framework of this project. Next to giving an overview of the main findings of the research, they aim to further deepen the reflections on fragmentation/integration and users’ perspectives towards human rights. The presentations will also reflect on the desirability of an integrated approach towards human rights integration within different contexts and on how this approach can take shape in practice.

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<sup>1</sup> Universiteit Gent (UGent), Université Libre de Bruxelles (ULB), Vrije Universiteit Brussel (VUB), Universiteit Antwerpen (UAntwerp), Université Saint-Louis - Bruxelles (USL-B) & Universiteit Utrecht (UU)

<sup>2</sup> <http://hrintegration.be/>

## **Draft Programme**

9:00 – 9:30: **Welcome coffee**

9:30 – 9:35: **Welcome and general introduction: Barbara Oomen**

**Part I paper presentations: Fragmentation and/or integration in Human Rights Law** (*presentation: 20 min – comments: 10 min – discussion 15 min*)

*Chair: Claire Kilpatrick. Martin Scheinin*

9:35 – 10:15: Methodologies to study human rights law as an integrated whole from a users' perspective

Ellen Desmet – *Fernanda Nicola*

10:15 – 11:00: Smart Human Rights Integration

Eva Brems – *Bruno de Witte*

11:00 – 11:15: **Coffee break**

11:15 – 12:00: Between assimilation and exclusion : is there room for an “integrated” approach of constitutional and international protection of human rights?

Sébastien Van Drooghenbroeck and Olivier Vandernoot – *Gabor Halmai*

12:00 – 12:45: Understanding International Criminal Law From the Perspectives of its Users: From Contestation to Collaboration

Paul De Hert and Mathias Holvoet – *Jennifer Welsh*

12:45 – 14:00: **Lunch (by invitation only)**

**Part II paper presentations: Users' perspectives**

*Chair: Martin Scheinin*

14:00 – 14:45: Claiming Human Rights: Experiences of local groups in the Global South

Koen De Feyter – *George Ulrich*

14:45 – 15:30: Indigenous Peoples' Perspectives on Land Ownership: A Case Study of the Mundurucu People in Brazil

Stefaan Smis, Derek Inman and Edson Krenak – *Ana Vrdoljak*

15:30 – 16:15: Multi-level renegotiation of human rights – a users' perspective on the interconnectedness between the fragmentation and integration of human rights law

Barbara Oomen – *Jeff Miller*

16:15 – 16:30: **Tea break**



16:30 – 17:15: Human Rights Integration in context – the case of transgender  
Emmanuelle Bribosia and Isabelle Rorive – *Shreya Atrey*

17:15 – 17:30: closing – Eva Brems and Barbara Oomen

**Drinks**

**Venue**

European University Institute  
Villa Salviati  
Via Bolognese 156, Florence  
Italy