



University of Essex



Human Rights Centre Clinic Report 2023/24

Dr Koldo Casla, Director

Dr Erin Pobjie, Deputy Director

Emma Dunstan, Administrator

June 2024

Table of Contents

Hello	3
Blogs and reports of the Human Rights Centre Clinic from previous years	5
Criminalisation of asylum seekers in the UK	6
Energy transition, health and gender: Mapping the legal framework and potential policy solutions	8
Environmental crimes as war crimes in the context of the Colombian armed conflict	10
International monitoring of the right to adequate housing	12
Actualising a rights-based economy through synergies from alternative economic models	14
Arbitrary Detention Redress Unit	16
Restricting the civil society space of NGOs helping refugees and other migrants in Europe	18

Hello

We are delighted to present to you the report of activities of the Human Rights Centre Clinic in 2023/24.

The Human Rights Centre Clinic aims to place the intellectual and research resources of the University of Essex in the service of international advocacy for the protection of human rights. Human rights clinics can make a definitive contribution to the development of international law through monitoring and the promotion of ideas and legal standards, merging advocacy and academic rigour to hold states and other actors to account.

Every year, between 25 and 30 postgraduate students are part of our Human Rights Centre Clinic. Our reports shape government policy and NGO advocacy on human rights around the world. For example, a [report](#) written by Essex students was published by the Mexican NGO ProDESC in 2023. The report was presented to the Mexican Government, who pledged to consider it when developing the country's next action plan.

Our reports and recommendations have been adopted by policy makers and have influenced organisations in the development of their strategies and activities. For example, the All-Party Parliamentary Group on Modern Conflict (APPGMC) published a [report](#) written by students at the Human Rights Centre Clinic. The findings and recommendations are being used by the APPGMC to initiate a debate on oversight and accountability of UK Special Forces in the House of Lords. Clinic students' research is providing the basis for parliamentarians to question ministers on the adequacy of special forces' oversight and accountability.

Our Human Rights Centre Clinic reports also inform the practice and general understanding of international organisations. In 2022, Human Rights Centre Clinic students were invited to present their reports to the International Criminal Court Trust Fund for Victims in The Hague, and the UN High Commissioner for Refugees in Geneva. As part of the Arbitrary Detention Redress Unit, one of the projects of the Human Rights Centre Clinic, students have contributed research that formed the basis of thematic reports of the UN Working Group on Arbitrary Detention, for example, on detention pursuant to disinformation laws, in the context of COVID-19, and of environmental human rights defenders. Over the course of two academic years, the ADRU team has assisted the UN Working Group on at least 16 individual cases concerning human rights defenders and other persons arbitrarily detained around the world. Several detainees have been released following these UN decisions.

As an expression of experiential learning, the Human Rights Centre Clinic gives students the chance to acquire transferable and professional skills that they may not learn otherwise, aiming to broaden their horizons. The Human Rights Centre Clinic has a module that focuses on transferable skills that future human rights practitioners will need in their careers. The course includes sessions on open-source desk research, interviewing skills, including ethics, the role of NGO advocacy in human rights norm promotion, NGO organisational dynamics and mobilisation, strategic communications and framing, practical tips dealing with journalists, impact assessment, strategic litigation and development of an action plan.

In February 2024, we held a wonderful training session on vicarious trauma in human rights practice for our students, delivered by Sam Dubberley, Managing Director of the Digital Investigations Lab at Human Rights Watch and a Fellow of the Human Rights Centre. We are thankful to Sam for his continuous support to the Clinic and other projects of the Human Rights Centre.

Clinical education and other forms of experiential learning can assist students in dealing with the uncertainty of legal practice and human rights advocacy. Not in vain, experiential learning is an investment from the perspective of employability, and this is something that employers increasingly look for in recruitment processes.

“Human rights clinical education is an essential and unique bridge between scholarship and implementation. Through practice on real-world projects, student gain insights only made possible through the effort to apply theory into the principles at the core of the field. Clinical human rights practice is connecting, motivating, challenging, and supremely formative. It also positions students well for the future, as practical experience is a key trait sought after by recruiters in human rights civil society organisations. ESCR-Net’s own experience collaborating with the Essex Human Rights Clinic on a project in 2022-23 contributed greatly to our mandate and was an excellent opportunity to engage with the work from a reflective academic perspective.”

Fernando Ribeiro-Delgado, Strategic Litigation Coordinator, ESCR-Net.

Finally, we want to express our deepest gratitude to our past and present partners, for their fruitful collaboration with and support for the Essex Human Rights Centre Clinic. We also want to congratulate our brilliant students for their outstanding work.

Koldo Casla and Erin Pobjie



Human Rights Centre Clinic summer conference in June 2024

Blogs and reports of the Human Rights Centre Clinic from previous projects

María Gelpi, Imahue Muñoz, Kiara Palacios and Ericka Regalado, "[Del desarme a la reintegración inclusiva: lecciones de Colombia y El Salvador](#)" (blog Dejusticia, September 2023).

Kotono Takeshita and Eleni Karampi, "[Türkiye and Tunisia: The struggle to be a woman with disabilities in 2023](#)" (blog Human Rights Centre, project with Minority Rights Group, October 2023).

Lucy Ridout and Saad Ahmad, "[Criminalising Blasphemy: Implications for Iran's Religious Minorities](#)" (blog Minority Rights Group, December 2023).

Hamza Bozkurt, Greta Ciucci, Jack Millar and Vanessa Topp, "[Breaking the Silence: Accountability Challenges in UK Special Forces Operations](#)" (blog Human Rights Centre, project with APPG on Modern Conflict, November 2023).

Dakota Anton and Malaika Nduko, "[Towards Debt and Climate Justice: A Human Rights and Transitional-Justice Approach](#)" (blog ESCR-Net, June 2023).

Franziska Fluhr, Adriana Fernandez Pereira, Yutaka Karukaya, Eva Macharia, Mia Marzotto, Melisande Masson, Vanessa Topp, and Dalia Zuckermann Lubezky, "[University of Essex Arbitrary Detention Redress Unit visit to Geneva April 2023](#)" (blog Human Rights Centre, April 2023).

Hamza Bozkurt, Greta Ciucci, Jack Millar and Vanessa Topp, "[Accountability and Oversight of UK Special Forces](#)", report for the APPG on Modern Conflict (November 2023).

Akane Matsumoto, Marco Gamarra Galindo, Laure Verset and Alexla Pérez Sánchez, "[National Action Plans on Business and Human Rights: A Comparative Analysis of Corporate Accountability](#)", report for ProDESC (May 2023).

Dakota Anton, Malaika Nduko and Adeyinka Odaleye, "[A Human Rights-Based Approach to Debt and Climate Justice](#)", report for ESCR-Net (June 2023).

Dimitra Serafeimidi, Lorena Vilchez Marcos and Shivani Puri, "[Bridging the Gap: Reparations in Refugee Camps](#)", Israel Law Review Vol. 57(1), 2024, pp. 63-101.

Criminalisation of asylum seekers in the UK

Partner: [Citizens Essex](#)

Team: Ameena Abdo, Emma Appleby, Achsa John and Léonie Ngom

Supervisors: Dr Marija Jovanovic and Dr Koldo Casla



Through community organising, Citizens UK enables local leaders to develop their voice and come together with the power and strategy to make real change. Citizens Essex is the local chapter of Citizens UK.

This project sought to address the question of how changes to UK immigration laws have changed and led to the criminalisation of asylum seekers. This has been at the forefront of public and political debates in the country. The project specifically considered the compatibility of recent law and policy initiatives – particularly, National and Borders Act 2022, Illegal Immigration Act 2023, and the so-called Safety of Rwanda (Asylum and Immigration) Act 2024 – with human rights standards under international and domestic law. The project also examined the impact of these law and policy changes on the actual enjoyment of human rights by migrants and people seeking asylum living in Essex.

The relevant international legal standards include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Refugee Convention, the European Convention on Human Rights and the Convention Against Trafficking in Human Beings. Concerns have been raised by the UN Human Rights Council, the European Court of Human Rights, the Human Rights Commissioner of the Council of Europe, and the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), among others. For example, in March 2024, the UN Human Rights Committee [urged](#) the UK Government to “swiftly repeal the legislative provisions, including within the Illegal Migration Act 2023, that discriminate against migrants and that seek to limit access to rights for asylum seekers, refugees and migrants in the” UK, and to “withdraw the Safety of Rwanda (Asylum and Immigration) Bill, or repeal the bill if passed, with a view to strictly upholding the principle of non-refoulement in both law and practice”.

The research included a series of interviews, which provided important insight into the effects of recent legal changes in real life. The team met with various experts who have seen first-hand how these changes impact asylum seekers in the UK. Much of these developments happened recently and are still ongoing. The team conducted eight interviews with people who have worked directly with asylum seekers dealing with these changes. Additionally, the team gathered evidence of unintended outcomes

unearthed by the policies, which include lack of adequate housing, poor conditions for physical and mental health, lack of access to legal aid, and no rights to work or self-provide. Each of these issue areas reveals several human rights concerns in relation to socio-economic rights and access to justice, in particular.

The report uncovered a web of human rights issues that raise concerns about the effectiveness of these policies as well as their compatibility with the UK's international commitments. The UK has walked a long road towards increased stringency with immigration policy for years, fueled by harmful rhetoric. It has arrived at a point where the system is busting at the seams, resulting in minimal protection for asylum seekers' rights.

Energy transition, health and gender: Mapping the legal framework and potential policy solutions

Partner: [Global Initiative for Economic, Social and Cultural Rights \(GI-ESCR\)](#)

Team: Siân Posy, Genta Suzuki and Zeynep Baysar

Supervisor: Dr Zainab Lokhandwala



Global Initiative
for Economic, Social
& Cultural Rights

GI-ESCR uses human rights law to end social and economic injustice. Together with partners around the world, GI-ESCR seeks to achieve a world in which every person and community lives in dignity and in harmony with nature.

Energy production and use account for most greenhouse gases driving the escalating climate emergency. International scientific consensus warns that there is only a tiny window of opportunity to decarbonise our societies and economies before reaching irreversible tipping points with

catastrophic implications for humanity, including violations of internationally recognised human rights norms and principles. In addition, global energy systems have failed to address structural conditions of energy poverty. Similarly, stark inequalities exist in access to, control, and use of energy resources worldwide.

Transforming our energy systems to rapidly phase out all fossil fuels and ensure a just transition to renewable energy systems is thus imperative to arrest the climate emergency, contribute to the realisation of several rights, such as the rights to an adequate standard of living, education, health, water and sanitation, and ensure a sustainable future for all.

The research team analysed the UN international human rights framework, including international human rights treaties, General Comments and Concluding Observations of Human Rights Treaty Bodies, and thematic reports by UN Special Procedures, by conducting a full-text search on the [Universal Human Rights Index](#). The team created a database of all search results that pertain to health and gender, energy and gender, and health, energy and gender taken together. The project analysed the relation between these factors in reporting on the patterns and gaps among existing standards on decarbonisation of energy systems and the provision of sustainable energy. The report concluded with

a series of recommendations for further development of these standards to ensure effective regulation or change of policies to ensure quality public health services.

Energy poverty has several impacts on the economic, social, cultural and environmental rights, including the right to health of girls and women. In communities suffering from energy poverty, women and girls carry out most care work and they might use inadequate fuels, such as firewood, kerosene and other forms of biomass for activities such as cooking, washing clothes and direct care of other persons. In the same contexts, lack of or restricted access to energy might undermine the quality and availability of public services such as health care, education, and water and sanitation, in particular for marginalised women and girls. Without access to sustainable and safe power systems, some regions cannot provide the infrastructure necessary to deliver services essential for realising economic, social, cultural and environmental rights and advancing substantive gender equality.

Furthermore, fossil-fuel-based energy systems driving the climate emergency are producing more frequent and severe slow onset and extreme weather events with disproportionate impacts on the rights of women and girls, including higher risks of losing their lives and being exposed to heightened health risks. The construction and operation of energy infrastructure projects worldwide all too often adversely affect local communities, among other things, by polluting the environment or restricting access to land and natural resources necessary to realise economic, social and cultural rights.

The transition to renewable energy sources commonly reproduces negative gender stereotypes that limit women's and girls' meaningful and effective participation in energy-related decision-making processes. The underrepresentation of women is also evident in employment and education opportunities created by the expanding, largely male-dominated, renewable energy sector. However, the intersections between women's rights and the energy transition are still mostly underexplored.

Against this background, the project reviewed and mapped the existing interpretation of relevant human rights norms and standards to understand how a feminist energy transition, including the realisation of the right to health, would look like. There have been significant developments in human rights norms surrounding a gender equal energy transition, and this project analysed the human rights implications of a gender-unequal transition to renewable energy, and to the need to provide access to energy to all as human rights and gender equality issues. Another aspect that seems underdeveloped in human rights standards are the human rights implications around measures to increase energy efficiency and ensure sustainable energy consumption patterns, which are core to the promotion of an equitable and gender-responsive transition to renewable energy.

Environmental crimes as war crimes in the context of the Colombian armed conflict

Partner: [Special Jurisdiction for Peace \(Colombia\)](#)

Team: Itzia Miravete Veraza, Keira Jones and Sungeun Choi

Supervisor: Prof Sabine Michalowski



The Colombian Special Jurisdiction for Peace was set up by the peace agreement between the Colombian Government and the FARC guerrilla in 2016. It aims to administer transitional justice in Colombia and deal with crimes committed in the context of the armed conflict up until December 2016.

These Human Rights Centre Clinic project was launched and implemented in response to a request from the Colombian Special Jurisdiction for Peace (JEP in Spanish). Its objective was to provide the JEP, specifically the Chamber responsible for adjudicating cases where

the accused admit their responsibility, with a thorough analysis of the intricate and potentially contentious questions raised concerning the criminal prosecution of environmental crimes and the design of restorative sanctions and reparation to provide redress to victims. These are novel issues and the approaches to them are highly contested within and outside the JEP.

The project team was asked to examine, first, what causal link is required between the harm inflicted to nature and the commission of an international crime. This included an understanding of the evidence required to prove it, and an exploration of international experiences that may guide the evidence gathering for establishing environmental harm as an international crime. Secondly, the team investigated how and to what extent environmental projects could contribute to the reparation of victims and the reconstruction of the social fabric of communities affected by armed conflict as well as territorial peace, and what lessons could be drawn from environmental projects at the international level in terms of their contributions to restoring the harm inflicted on nature during armed conflicts.

The team had the opportunity to deepen their understanding of the complex issues inherent in the project, such as the challenges of addressing environmental crimes under international criminal law and in a transitional justice setting. The students approached these questions based on thorough desk-based research, drawing upon a variety of sources such as scholarly works, legal cases, practitioners' reports, blogs and commentaries. They then complemented this theoretical approach with semi-

structured interviews with seven relevant experts from academia and legal practice from Colombia and the UK, who generously shared their experience with the team.

In the course of the project, the team decided to adopt an approach that shifts the focus of the analysis of environmental crimes and their consequences for victims from an anthropocentric perspective to a broader understanding of the impact of the Colombian armed conflict on nature and its link with indigenous and Afro-Colombian communities. As such, the questions were analysed from perspectives highlighting the importance of nature as a living organism with rights and its sacred and cultural relations with indigenous communities. Amidst the complexity of the existing human-centred international law system, the project served as an invitation to explore innovative perspectives and to understand legal implications through diverse lenses beyond traditional boundaries. This was a complicated task, among other things, due to the strong anthropocentric bias of international criminal law and even international human rights law, but allowed the students to bring in their views on how the law can be interpreted in an innovative way to provide justice to victims who do not share this perspective of the law.

The project also unpacked international legal cases such as the Al Mahdi case at the International Criminal Court, the Lhaka Honhat (Nuestra Tierra) v. Argentina case at the Inter-American Court on Human Rights, as well as various experiences and lessons learned across regions accumulated by implementing environmental projects in development and peacebuilding projects. These case studies aim to enable the JEP to evaluate some of the factors that need to be understood and taken into account when designing environmental projects for the reparation of victims, both nature and communities. It is hoped that these findings will contribute to developing appropriate reparation and restorative justice projects sensitive to the Colombian context to repair the damage to nature as well as environmentally, culturally and religiously affected communities.

International monitoring of the right to adequate housing

Partner: [The Shift](#)

Team: Taro Yoshii, Natsuka Oishi and BSM Aurangazeb

Supervisor: Dr Koldo Casla



Founded by the former UN Special Rapporteur on Adequate Housing, Leilani Farha, The Shift is an international NGO based on the recognition of housing as a human right, not a commodity or an extractive industry. The Shift restores the understanding of housing

as home, challenging the ways financial actors undermine the right to housing. Using a human rights framework, The Shift provokes action to end homelessness, unaffordability and evictions globally.

In her [annual report](#) of 2017, then UN Special Rapporteur on Adequate Housing Leilani Farha focused her attention on the financialization of housing, meaning, the growing phenomenon of treating housing as a financial asset or commodity instead of a basic human need and a fundamental human right.

Purpose-built student accommodation (PBSA) is an expression of the financialization of housing in the UK. Housing conditions in student accommodation require much more attention in human rights research at least for two main reasons. Firstly, students typically have comparatively low incomes. This makes them more likely to struggle to pay rent. Secondly, it is a residence where they live while they are at university, an important time for their future lives. The residence environment can have significant effects in their academic performance and mental health, which could have a long-term impact on their careers and lives in general.

Student accommodation in the UK has become an attractive market for wealth creation as an investment opportunity in the financial market. By some margin, the UK is the largest builder in PBSA in Europe. It shows that the experience of living in PBSAs in the UK is not always compliant with the right to adequate housing as recognised in international human rights law. Students report concerns regarding the unaffordability of accommodation, and the number of such cases has been increasing, as evidenced by interviews conducted with student union representatives and academics. The report focuses on the case study of the UK, but includes comparative information concerning Germany, The Netherlands and Spain as well.

The rents in most PBSAs exceed the amount students receive in maintenance loans, meaning that the rents exceed the Government's assumed cost of living for students. Although students' income is not only based on loans, but in addition on wages from part-time jobs and support from their families, there

is reason to conclude that most PBSAs do not meet the criterion of affordability of the right to adequate housing.

Furthermore, the high cost of housing can cause psychological stress due to the pressure to pay rent on students, and physical stress as a result of the amount of time students need to work part time. The stress can be particularly severe for students who face difficulties in finding affordable housing. All of this may result in negative consequences for the enjoyment of the right to education and the right to the highest level of health, including mental health.

The financialization of student housing has transformed student accommodation and university life in the UK. Whereas once student housing was primarily a place for those at university to live, it is now an opportunity for financial investment – a device to increase the wealth of international real estate investors. Universities, PBSA providers, and local and national governments in the UK need a new approach to student housing. They must recognise that all students are holders of human rights and have a right to a home that provides them with peace, security and dignity, a home that promotes their well-being, and serves as a positive foundation for their academic performance and future livelihoods.

Actualising a rights-based economy through synergies from alternative economic models

Partner: [Center for Economic and Social Rights](#)

Team: Charlie Meidino Albajili, Charles Duah Badu-Kusi, Oghenevomega T Ejokpa and Gülberk Gür

Supervisor: Dr Claiton Fyock



The Center for Economic and Social Rights is an international non-governmental organisation registered in New York. CESR's vision is of a world in which a just distribution of resources and power enables current and future generations to live with dignity, in full enjoyment of their economic, social and cultural rights. In pursuit of that vision, CESR's mission is to harness the power of human rights to inspire fairer and more sustainable economies.

After years of increasing global wealth inequality and [multiple environmental crises](#), both instigated by decades of a neoliberal world order, many groups and social movements at the margins of society are actively organising for alternative modes of life. From women's movements to housing cooperatives, indigenous land movements to scholars interested in postgrowth economies, these groups are living examples of different ways of working, living and farming.

In 2023/2024, Essex Human Rights Centre Clinic teamed up with the Center for Economic and Social Rights (CESR) to investigate how these different lived experiences of alternative economic models can inform the actualisation of a Rights-Based Economy (RBE).

During this partnership, the Clinic research team supported CESR's mission by researching and collecting qualitative data from various organisations, social movements and individuals actively involved in practicing different economic models. The Human Rights Centre Clinic interviewed representatives from groups as diverse as the Feminist Macroeconomic Alliance Malawi, the Tax Justice Network and Wellbeing Economy Alliance Mexico to gain an understanding of how these different modes of living promote realistic alternatives to the market-driven, free trade prioritised, privatised and deregulated economic policies that currently dominate our world economy. The Clinic team collated these experiences to map out some of the synergies where these disparate practices and ideas can come together to offer a possible roadmap for the actualization of the RBE. In doing so, the

project highlights how many of the solutions to global wealth inequality and human-caused environmental degradation are already being practiced by communities all around the globe.

The report focuses on four major areas of synergy across the many different movements and individuals practicing and advocating for alternative economic models. First, any RBE will necessarily be one that re-envisioning humans' relationship to the environment. A global political economy that presupposes unlimited economic growth is wholly inconsistent with the natural limits of the world's ecosystems. Second, alternatives to the neoliberal status quo often organise themselves in ways that reconnect individuals' daily lives and practices to the local sphere. A RBE is an economy that emphasises taking care of one's community while respecting other communities' interests and needs. It is at the community level where people are most able to help, care and nurture both one another and their environmental surroundings. Third, a RBE necessarily entails the re-envisioning of people's relationship to work. Both human and environmental exploitation are largely carried out at the sites of production, trade and consumption. Alternative models provide different strategies by which people can reorient how they reproduce their daily lives. Through practices such as reduced working hours, universal basic income and workers' cooperatives, there are already ways available in which people can transform their relationship to work and the environment. Fourth, a RBE economy that accounts for all the above must also do so in a way free of coercive hierarchical social relations. A RBE comprised of alternative economic models will necessarily be one in which there is genuine equality between sex, race, gender, etc.

The Human Rights Centre Clinic team collected the experiences, thoughts and feelings of individuals directly involved with many of the currently existing alternative economic models such as the Jakarta Urban Poor Network or the Seasalt Student Housing Cooperative. The Clinic team used the information gained from these interviews to map out the many synergies between different movements that are focused on different aims, but all share the core belief that different ways of living are possible. More importantly, these alternatives complement one another in ways that challenge neoliberalism's grip on global policy and represent solutions to the multiple environmental crises and intensifying wealth inequality.

Arbitrary Detention Redress Unit

Team: Virginia Carnabuci, Daniel Jones, Martha Lewis, Mohammad Natiq Malikzada, Valeria Martínez García, Lilia Natalia Montes de Oca Gatica, Nguyen Thi Ly Ly and María Fernanda Orozco Naranjo

Supervisors: Dr Matthew Gillett and Dr Sabina Garahan



For the second consecutive year, in 2023-24, the Arbitrary Detention Redress Unit (ADRU) ran as a project under the auspices of the Human Rights Centre Clinic. Dr Gillett is a member of the [UN Working Group on Arbitrary Detention](#), and was appointed Chair Rapporteur of the Working Group in April 2024.

A cohort of eight students was selected out of a competitive pool of 25 applicants. The selected students brought a diverse range of experience and linguistic ability to the team, including French, Italian and Spanish. Most students were taking the LLM in International Human Rights Law or the MA in Theory and Practice of Human Rights. One student was in the final year of her BA in Criminology.

Over the course of the academic year, the ADRU worked with Dr Gillett, Dr Garahan, and United Nations experts to redress cases of alleged arbitrary detention. The team received specialised training on key legal and human rights concepts related to protections against arbitrary detention. This equipped team members for their effective work on real cases. They learned how to review and analyse submitted complaints of arbitrary detention, assessed government responses concerning allegations of human rights violations, and researched novel issues regarding detention-related human rights violations. The case work covered a range of regions and issues, ranging from detention without lawful basis, to detention as a reprisal for the exercise of human rights, to detention and fair trial breaches.

Team members also conducted thematic research on various topical strands of the right to liberty, including immigration detention, fact-finding, and the detention of environmental human rights defenders. After producing research briefings, the students developed their research further, assessing and making proposals for the approach to the thematic issue taken by the Working Group and other UN bodies.

Throughout the year, the students received relevant training from Dr Gillett and Dr Garahan on the law concerning arbitrary detention and the definition under which it is assessed by the Working Group, legal drafting and strategy for litigation purposes, planning and conducting missions, and country visits.

The ADRU sessions were typically held on a weekly basis. Alongside discussions on case work and thematic research, guest speakers provided insights on both international law and careers. This included Vanya Kumar, Legal Officer in the Office of the Legal Adviser at the Organisation for the Prohibition of Chemical Weapons, who addressed the team on “ICL and ILC: Navigating International

Criminal Law and International Legal Careers”. The students were also able to meet with Patrice Wellesley-Cole, an experienced immigration and asylum judge, who was able to share insights with the students, in particular as regards the immigration detention issues being researched by the team.

Importantly, to provide contextual understanding and opportunities to meet with professionals and experts on human rights, the ADRU carried out a [field trip to Geneva](#), with the support of a University of Essex impact grant. This took place on 25-26 March 2024. The visit coincided with the Spring session of the 99th UN Working Group on Arbitrary Detention and the 55th session of the Human Rights Council. During the trip, the students met with expert members of the Working Group on Arbitrary Detention, as well as professional human rights officers, and other human rights actors. Meeting with the Working Group allowed students the opportunity to share the key findings of their thematic research with experts in the field. This was followed by an exchange with the Working Group’s members who shared insightful reflections on the topics presented by the team members.

Restricting the civil society space of NGOs helping refugees and other migrants in Europe

Team: Güley Bor, Itzia Miravete Veraza, Léonie Ngom and Vanessa Topp

Supervisor: Prof Carla Ferstman



This ad hoc project was supervised by Professor Carla Ferstman at Essex Law School, who is a Member of the Council of Europe Conference on INGOs [Expert Council on NGO Law](#). The purpose of the project was to assist Professor Ferstman to produce a thematic study for the Expert Council on NGO Law: Restricting the Civil Society Space of NGOs Helping Refugees and Other Migrants in Europe.

Established in 2008, the aim of the Expert Council on NGO Law is to create an enabling environment for NGOs. The Expert Council examines national NGO legislation and its implementation, and it also provides advice on how to bring national law and practice into line with Council of Europe standards and European good practice. The Expert Council carries out thematic and country studies on specific aspects of NGO legislation and its implementation that pose problems of conformity with international standards, notably the European Convention on Human Rights and the [Recommendation \(2007\)14](#) on the legal status of NGOs in Europe. Its work covers all member countries of the Council of Europe and Belarus.

Professor Ferstman conducted an [initial thematic study on this topic for the Expert Council in 2019](#), as well as commentaries on national legislation pertaining to NGOs supporting refugees and other migrants in [Greece](#) (and [here](#)) and [Italy](#).

Four students – three Masters’ students (LLM in International Human Rights Law) and one PhD student – participated in this project. The students carried out a variety of primary and secondary research on specific challenges facing civil society groups providing support and assistance to refugees and other migrants. This involved consulting domestic laws, researching news reports and court judgments, contacting civil society groups, and analysing state practice. Particular themes advanced by the research team included the criminalisation of humanitarian action linked to sea rescues and the provision of humanitarian support in-country and at land border crossings, states’ duty to protect against violence and threats of violence perpetrated against humanitarian actors, the impact of “pushbacks” on civil society space in Europe, and the impact of external cooperation frameworks related to border and migration management on civil society space.

The Expert Council thematic study was launched in June 2024 at the Council of Europe in Strasbourg at a meeting organised by the Expert Council on NGO Law, at which members of the research team presented their findings.

“Through this project, I learned about how the EU-Turkey deal commodifies and lays the ground for the lives of refugees and migrants to be used as political leverage regionally and domestically, which also impacts the prevalence and severity of pushbacks. This leads to significant political, social and economic challenges for refugees and migrants in Turkey as well as organisations, groups and people defending them in an increasingly shrinking civic space, and amidst worsening xenophobia in Turkey and Europe.” Güley Bor.

“Exploring this fascinating topic has been an incredibly rewarding experience, as we went beyond what we typically learn in class. It is inspiring to see how the team’s work evolved over the months, and how collaborating from different perspectives on such an important issue brought out the richness of teamwork.” Léonie Ngom.

“The project allowed me to connect academic research and the application of human rights to a specific problem. It also allowed me to work in a team with colleagues from other backgrounds with the support of professors involved in the practice of human rights. That gives you another perspective on the challenges and also opportunities that we have as human rights defenders and how I can do better to contribute to making a positive impact.” Itzia Miravete Veraza.

Prof Carla Ferstman is currently coordinating another Human Rights Centre Clinic project on **Combatting sexual exploitation and abuse within the United Nations**, in partnership with the UN Office of the Special Coordinator on improving the UN response to sexual exploitation and abuse ([OSCSEA](#)). The report will be completed in the second half of 2024.



Last class of the Human Rights Centre Clinic in March 2024.



Visit to the UN headquarters in Geneva of the Arbitrary Detention Redress Unit team in April 2024.