



Nordic Summer University



European Humanities
University

Study Circle 5:
International Relations and Human Rights.
A Joint Venture Between NSU and EHU.

CALL FOR PAPERS WINTER SESSION 2017

THE CITIZENS OF HUMANITY: MEMBERSHIP AND HUMAN RIGHTS OF DIASPORAS

IN COOPERATION WITH WROCLAW UNIVERSITY

The winter session will take place from **24th to 26th February in Wroclaw, Poland**

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The deadline to submit proposals is 15th October 2016. Please send title and abstract to both coordinators

Preliminary program to be announced: 15th December 2016 on www.nordic.university where you can also find more information about NSU. (See <http://www.nordic.university>)

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For the winter session 2016 we would propose a special opening focus on:

THE CITIZENS OF HUMANITY: MEMBERSHIP AND HUMAN RIGHTS OF DIASPORAS

An opening focus will head the program of the session sincerely welcoming other subjects related to our six themes in the program to follow.

We invite participants to the 5th session of NSU Study Circle "International relations and Human rights". Among the previous topics of our Study Circle we had: Human rights and Dirty war, Human rights and Citizenship, Human rights and Migration and Understanding the Global Human Rights Regime. This session will be focused around the discussions on The Citizens of Humanity: Membership and Human Rights of Diasporas.

The today's world is profoundly characterised by migration throughout the globe. Yasemin Soysal believes that contemporary membership formations are thus faced with transformations which impose meanings beyond the boundaries of nations and nation-states. Existing citizenship has overcome the traditional dichotomy of the past century between the national citizen and the alien, by including populations that were previously defined as outside the national polity. Rights that once belonged exclusively to nationals are now extended to foreign populations. As Soysal notes, practices of citizenship became multi-connected, multi-referential and postnational.

Does this mean that we are a step closer to achieving membership based on humanity? Does it mean that everybody has a right to have rights by virtue of the indisputable attributes inherent to human dignity? The human rights discourse unambiguously strives to define human as the subject of rights and there are unquestionably some rights which are included in *jus cogens* according to present-day international law, namely right to self-determination, prohibition of slavery, torture, genocide, collective punishment and racial discrimination, prohibition of arbitrary deprivation of free movement, right to equality, before the law, right to body integrity, right to effective legal remedy and use of *non-refoulement* principle.

However, in contemporary world of nation-states there are still very strong mechanisms of inclusion and exclusion, also in terms of *the right to have rights*, which determines access to basic human rights such as right to education, work, health care, social security and adequate standard of living. What is the historical development of the processes and reasons for widening of the national citizenship? And what are the appearing practices related to the diasporas and implementation of their human rights? What are the principal parameters of their recognition? Is it their humanity, their loyalty and/or beneficent economic effects?

When analysing right to have rights as humanity, Alison Kesby highlights essential question in this regard i.e. does transformation of contemporary citizenship also corrodes the "internal borders" within states, namely the practice of implementing human right according to person's migration status or his/her ethnic background so that those whom a state has failed to exclude physically from its territory are nevertheless internally excluded. Do human rights have the power to challenge this exclusion? What does it take for diasporas to become full member in terms of right to have rights?

We would like to ask ourselves, how are diasporas and population movements contributing to transformations of modern citizenship. Are we getting closer to the notion of postnational citizenship based on common humanity or are diasporas in fact just a continuation of use of political and intellectual discourses about metaphors of roots, soil and kinship, while the right to ethnic/national identity is becoming more important among human rights?

Bibliography

Yasemin Nuhoglu Soysal (1994): *Limits of Citizenship: Migrants and Postnational Membership in Europe*. Chicago: University of Chicago Press.

Yasemin Nuhoglu Soysal (2000): *Citizenship and identity: living in diasporas in post-war Europe?*, *Ethnic and Racial Studies*, 23:1, 1-15

Alison Kesby (2012): *The Right to Have Rights: Citizenship, Humanity and International Law*. New York: Oxford University Press.

KEYNOTE SPEAKER

We are very honoured to announce that Professor Marianna Muravyeva has accepted our invitation to speak at the seminar.



Ageing with Human Rights: challenges to the Human Rights of the Elderly in Diasporas

World population is ageing (10% of the world population is over 60), but the society still thinks about a normative person as being young, married with kids, having a good job (or a perspective career) and of dominant ethnicity. While the human rights perspective is applied based on gender, race, sexuality, religion, it rarely involves age. For human rights purposes, age is not merely a numerical designation, but a social construct based on custom, practice and the perception of the role a person plays in his or her community. The specific vulnerabilities of older persons can be the result of physical and mental conditions, but can also result from the obstacles encountered due to societal perception and the interaction of an individual with his or her environment.

These vulnerabilities are further specified by displacement and significant change in usual practice or habit of ageing characteristic of the specific community. This is particularly true about older people in diasporas who not only feel a burden of discrimination based on their race and gender, but also their age as the receiving societies often stigmatise them as a burden. As a result, older persons from diasporas cannot fully enjoy their human rights and might feel even more vulnerable by being denied social and health support.

Every diaspora is different and has a different standing in their respective receiving countries. They might have different paths of migration and settlement. In the current migration crisis in Europe, mass media keeps circulating the portrait of a typical migrant as that of a young male in his early twenties in search for a job. However, the diasporas are ageing together with the receiving country's population. The Ghanian Diaspora in Germany, for example, include approx. 30% of people older

than 45 (2007) and this has been increasing lately, because they are ageing. Within the diaspora, older people are seen as containers of homeland's culture and traditions, carriers of authentic ethnic identity. At the same time, being Ghanian old, Volga German (Russian) old and German old in Germany provides for three different human rights regimes having depending on power hierarchies and race.

Marianna Muravyeva is a Professor of Law at the National Research University Higher School of Economics, Moscow, Russia and a Senior Research Fellow at the Institute for Advanced Social Research at the University of Tampere. Her research focuses on the human rights, legal history, gender studies, violence and ageing. She has published extensively, including edited volumes *Women's History in Russia: (Re)Establishing the Field* (Cambridge: Cambridge Scholars Publishing, 2014); *Gender in Late medieval and Early Modern Europe* (London and New York: Routledge, 2013); *Shame, Blame, and Culpability: Crime and Violence in the Modern State* (London and New York: Routledge, 2012) and recent articles such as "History of Social Law in Russia," *Rechtsgeschichte/Legal History* 24 (2016): 420-427; "Family Authority, Violence against Parents, and Parricide in Russia, 1600–1800," *Journal of Family History* 41 no. 3 (2016): 294-317; "Traditional Values and Modern Families: Legal Understanding of Tradition and Modernity in Contemporary Russia," *Journal of Social Policy Research* 12(4) (2014): 625-638; "Bytovukha: Family Violence in Soviet Russia," *Aspasia* 8 (2014): 90-124. E-mail: muravyevam@gmail.com

Other themes are:

A)

The UDHR and the core UN human rights instruments: Philosophical foundations of the regime. The question has come to forefront by Johannes Morsink's book: *Inherent Human Rights, Philosophical Roots of the Universal Declaration* (2009). It seems important to identify the philosophical import of the international human rights regime, if this is possible, and investigate its relation to legal reasons and foundations. Does philosophical and legal conceptions of human rights cohere? Do they need each other? This leads to another question concerning the understanding of this regime by the actor's of international relations: How important is ideology, religion, philosophy and the moral judgment of history for foreign policy when it comes to human rights? Does different outlooks shape foreign policies? Is this influence marginal or negligible? How does human rights enter international relations theory: Realism would not accommodate these matters in the same way as internationalism, critical theory or the Copenhagen school.

B)

The role of public opinion. According to Kathleen Pritchard there has been little research into the role of public opinion for human rights (Pritchard, 1991), and this still seems to be the case (Hertel et al., 2009: 443444). These questions have, however, some urgency. To what extent does public opinion shape foreign policy? How strong is public opinion in different countries and does it take any interest in human rights at all? Is there a world public opinion? The role of media and NGO's? Does anyone listen to the UN? How does public opinion makes an impact? Consumer boycotts? Why is a good reputation important for certain countries? What is the role of social movements in relation to human rights and more specifically in Eastern Europe? Does social movements make a difference? The notion of public opinion seems related to the concept of civil society. To what extent does public opinion depend on civil society and what does this means for human rights? What is the role of citizenship and labour rights? How does social groups use human rights globally and more particularly in the Nordic countries and Eastern Europe. Does these groups impact international relations and how (for example through EU, OSCE or other entities)?

C)

Two dimensions of Human rights: In the last centuries there has been an increasing tendency to give policy matters a legal form. This leave us with two contradictory approaches: 1) A normative approach considering law like a list of rules and a 2) procedural approach taking law as a system conciliating human claims (needs). The choice of model will have important consequences. In this context we can ask how we should understand human rights: Do they constitute a (legal or a moral) code with universal and more or less general rules, or should we rather as Jack Donnelly consider human rights as a system devoted to the most complete possible realization of the human potential 'creating' the envisioned person by their protection and implementation? (Donnelly, 1985: 31-32) Are we confusing politics with law or is this the only realistic way to approach the matter? What impact does this disagreement have on international relations and especially on the regional dimension in the Nordic Countries and Eastern Europe? How should human rights accordingly relate to the welfare state, labour issues, citizenship, participation etc.? Another interesting topic is the development of supranational Justice, for example, the ECHR. Judgements of this court influence the states, their domestic and international policy, but the main importance of the Court is to make the individual person a subject of international relations. What would then be the status of a person in international relations and international law? What could we say about "international citizenship"? How are Human Rights implemented through the national citizenship? How will the 'policy of belonging' provided by the National State connect with Human Rights? How does "migrants" and human rights work together? Speaking about the ECHR, we should also consider the role of the Council of Europe. During the Cold War it was rather slumbering, but afterwards it has had a more active role as protector of HR in national legislations.

D)

The war on terrorism and human rights. The recent revelations of US surveillance (Prism) and a long row of special legislation make one worry about the fate of human rights. Postal secrecy, one time a sacrosanct right, has no avail in the Internet era. Surveillance of any kind is now part of our daily lives. Will human rights concerns stand against worries about security? The subject has been the object of numerous reports on the part of OAS and the Council of Europe among others. The Security Council has devoted a special

committee to the subject and the Human Rights Council has nominated a special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. Despite these efforts public awareness seems to erode. The fact that nearly one third of the respondents from a well established democratic country believes that torture can be necessary in special cases (Berlingske Tidende – 14/03/2012, Fokus p. 10) is telling. Is the population in well-established democracies slowly getting used to methods that human rights groups are fighting in Belarus and other places?

E)

The UN System in the turmoil of international relations: The UN politics of human rights is complicated. What are the strategic goals of the different parties? A historical survey would certainly be illuminating. The Cold War impacted significantly impacted the whole process. The fight against Apartheid and the Palestinian conflict has been important factors. The Human Rights Commission was highly politicised and its successor, the Human Rights Council, suffer from some of the same problems. A Global Force for Human Rights? (2008), a report from The European Council on Foreign Relations, lists some of the problems with promoting human rights through the UN. The expert committees of the Treaty Bodies seem to function better. Is it possible to reform this system? Will the UN System be able to incite the state parties to respect their obligations, or will the system collapse from overload in general indifference? New norms and instruments are added along the way. Will these make the system more opaque and less visible to the public? Rights of development and peace are relatively new rights. Do they serve a real purpose? Will nature, environment and animals be the future subject of treaties?

F)

Promotion of human rights. Humanitarian intervention (Responsibility to protect); a new UN policy? Is it legitimate? What is the role of foreign policy? Does human rights promotion by foreign policy work? Education in human rights; where and how? Should the educational system approach this subject more systematically? How to disseminate knowledge of human rights in a population largely uninterested or more focussed on other matters such as unemployment, security or stability? How can social groups and civil society contribute? In which cases can external entities help, and when does they make things worse? How should one counter argument of cultural relativism, which has become a main ideological issue for Russia and other former Soviet countries looking for loopholes allowing them to hide from criticism of their human rights record? Is promotion of human rights about extending the human rights movement to all countries? What is the human rights movement? Has it any unity, vested interests or a political agenda? What are the responsibilities of entrepreneurs and business corporations concerning promotion of human rights? The role of professional groups in key positions such as administrators and lawyers working with human rights. How to promote awareness, knowledge and dedication within these groups?

Practical Information

Location: Wroclaw, Poland

Hotel (2 nights / double rooms – extra charge for single rooms if available) and dinner Saturday evening is covered by the seminar.

Please indicate whether you need a hotel room.

Fee: 50 €, 375 DKK, 470 SEK, 475 NOK, 7150 ISK (Cover expenses for lunch two times and dinner Friday evening)

The fee should be paid immediately after registration to this bank account (bank fees are at the charge of the participant):

Please notice that fee or other costs will not be reimbursed if the participant cancels.

Den Danske Bank (Gammel Kongevej Branch)

Seminar - Kontonummer	3106756686
Registreringsnummer:	1551
IBAN kontonummer:	DK6730003106756686
BIC (SWIFT-adresse)	DABADKKK

Please indicate your name on the bank transfer to identify payment.

Travel expenses are reimbursed partly on the basis of an economy ticket. We will try to reimburse all with the same percentage. Please keep your receipts, boarding cards, etc. Please book your tickets in good time in order to keep expenses low. Please take out a cancellation insurance. We cannot reimburse transport, if you cannot come for some odd reason.

Please indicate a preliminary paper title and a short abstract.

Please register to these email addresses: chrom@cegetel.net, olga.breskaya@ehu.lt

European Humanities University (<http://www.ehu.lt/en>) is private non-profit liberal arts Lithuanian University with unique origin and history. Founded in 1992, the university has been headquartered in Vilnius, Lithuania since authorities expelled it from Belarus in 2004. EHU is the only Belarusian University that has succeeded in maintaining its independence and commitment to academic freedom. EHU offers both high residence and low residence (distance learning) degree programs in the humanities and social sciences that fully accord with European standards and norms.

Approximately 1800 students are enrolled in European Humanities University (1/3 high residence students and 2/3 low residence), 249 (99 full-time and 150 part-time) faculty members conduct teaching and research activities in EHU within Historical, Socio-political, Law and Media academic departments and 10 research centers (see: <http://www.ehu.lt/en/research/centers-laboratories-and-institutes>).

The EHU provides students from Belarus and the region with an education in the European liberal arts tradition in a free and democratic environment - an opportunity, unfortunately, not available in Belarus today. At EHU, students can learn media and communications skills in a state-of-the-art [media lab](#), become election observers through a hands on program conducted together with [Belarusian Human Rights House](#) and [Belarus Watch](#) called [Election Observation: Theory and Practice](#) (EOTP), study European politics and policy as part of the political science and European studies program, and many other opportunities. Law students learn about human rights law from Western experts and practice their courtroom skills and meet students from around the world at the Philip C. Jessup International Moot Court Competition. New center for Constitutionalism and Human rights was established in 2012 <http://www.ehu.lt/en/research/research-centers/center-for-constitutionalism-and-human-rights/activities> along with announcement of new academic journal with the same title <http://chr-centre.org/>

These and other opportunities make EHU a unique place for young people from Belarus and the region. The commitment of EHU's faculty, students, staff, and donors is an important signal to Belarusian authorities and society that there is an alternative to state ideological control. For Belarusians who seek the freedom to think creatively and critically—to study, learn, teach, and conduct research without ideological restrictions—EHU provides a home away from home.

The [Nordic Summer University](#) (NSU) is an independent and open academic institution, which organises seminars crossing academic and national borders. NSU is a democratic institution organized and run by its participants through different study circles.

Through two yearly seminars the cross-disciplinary study circles fertilise collaboration between academics, build up networks and contribute to create research agendas throughout the Nordic/Baltic countries as well as establishing contacts "abroad". The research in the study circles is documented in publications link: [NSU-Press](#)

The two yearly seminars take place in the Nordic/Baltic countries. In the winter each study circle organize their own seminar; in the summer all circles are brought together for also enhancing further cross-disciplinary collaboration. Furthermore, the summer meeting is also the political organ of NSU inviting all participants to exercise their influence on the activities of NSU.

It is the policy of NSU to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. NSU opposes any policy or practice, which discriminates against any individual or group on grounds of race, gender identity and expression, sexual orientation, class, age, disability, creed, and ethnic/national origins. NSU aims at being an open and inclusive organization.

NSU receives financial support from the [Nordic Council of Ministers](#) and operates in cooperation with [Foreningerne Nordens Forbund](#) (FNF).