



Hertie School

Centre for
Fundamental Rights



Annual Report

2022-2023

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Co-Directors' Welcome

In the course of the academic year 2022/2023, we strength-ened our research and teaching in all four of our thematic clusters: asylum and migration, climate crisis, new technol-ogies, and authoritarianism. In addition to publishing ma-jor works and hosting public events, we also launched three new research projects and offered five new courses. This past year has also saw us developing more linkages across these themes.

Researchers at the Centre have produced leading publications across our different research fields. We would like to highlight just two here:

IOM Unbound: Obligations and Accountability of the International Organisation for Migration in an Era of Expansion (Cambridge University Press 2023) edited by Dr. Angela Sherwood, Prof. Megan Bradley and Prof. Cathryn Costello demonstrates that the International Organisation for Migration (IOM) needs to be more accountable, in particular to those it governs. Bringing together scholars of international law and international relations, the book maps IOM's obligations (legal and political) and identifies multiple accountability gaps. We are particularly delighted that the collection includes a chapter by Hertie School doctoral programme alumna, Dr. Anne Koch, examining the data responsibility deficits of IOM's data gathering and processing practices.

We would like to extend a warm congratulations to current Hertie School doctoral researcher, Joseph Finnerty, for publishing his first peer-reviewed article this year. Joseph's 'When is a State's "Hidden Agenda" Proven? The role of the Mera-bishvili's three-legged evidentiary test in the Article 18 Strasbourg case law' is forthcoming in the European Convention on Human Rights Law Review. It offers an original doctrinal reconstruction of the caselaw to assess whether states pursue ulterior purposes, a significant contribution to the scholarship on effective judicial responses to authoritarian practices.

This academic year we started three new research projects, bringing the total externally funded projects hosted at the Centre to six. ReLiCon, led by Dr. Ivo Gruev, investigates how religious arguments are mobilised to serve anti-constitutional ends in Eastern and Central Europe. A three-year German Research Foundation (DFG) funded research project, led by Prof. Başak Çalı, studies how UN Human Rights Treaty Bodies develop international human rights law against the backdrop of old and new human rights challenges. FRAMES, a Volkswagen Foundation funded project, led by Dr. Demir-Gürsel, focusses on how cross-cutting challenges of authoritarianism, migration and the climate crisis are framed through human rights law in Europe.

Our public engagement in this academic year brought distinguished scholars and practitioners from across the globe to discuss pressing human rights issues, ranging from asylum and migration governance in Germany and combatting intersectional discrimination in the European Union, to the women's rights resistance in Iran. We hosted two sets of public colloquia, one on the theme of Artificial Intelligence and the Automated State and another one on Gender Backlash. Our flagship Annual Research Methods Workshop, now in its fourth year, attracted 17 researchers. Our third Annual Academic Workshop focused on hidden agendas, ulterior purposes and bad faith in international human rights law in the broader context of authoritarian and populist human rights practices. This academic year, we were also happy to offer four human rights graduate courses, and three professional development courses to Hertie School students, as well as five events on human rights research and careers.

Başak Çalı and Cathryn Costello
Co-Directors, Centre for Fundamental Rights
Berlin, 1 June 2023

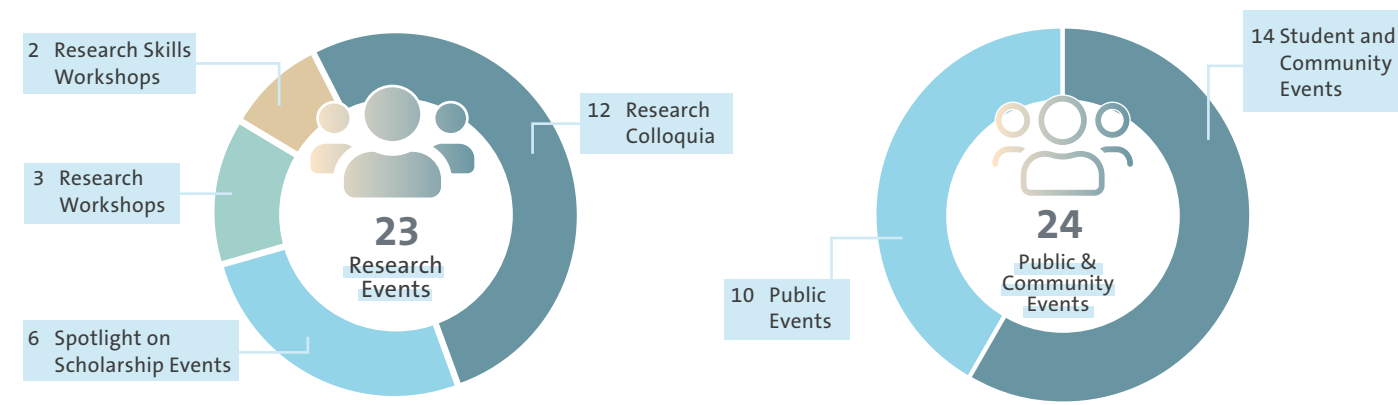


The Centre at a Glance

Academic Record



Events & Activities



The Centre as a hub

The Centre hosted **47 events**, and engaged in collaboration with academic institutions, NGOs and international organisations. We have hosted **122 speakers** from **66 different institutions**, reaching a global audience of over **1390 people**.



Comings and Goings

During the academic year 2022/2023, we were thrilled to welcome several outstanding new researchers at the Centre. Dr. Betül Durmuş joined the Centre in April as the Postdoctoral Researcher for the research project “Deep Impact through Soft Jurisprudence? Exploring the Influence of United Nations Treaty Body Case Law on the Evolution of International Human Rights Law” funded by the German Research Foundation (DFG). Dr. Esra Demir-Gürsel joined the team in April as one of the principal investigators of “Framing Reality and Normativity in European Human Rights Law: Examining Climate Change, Migration, and Authoritarianism”, funded by the Volkswagen Foundation.

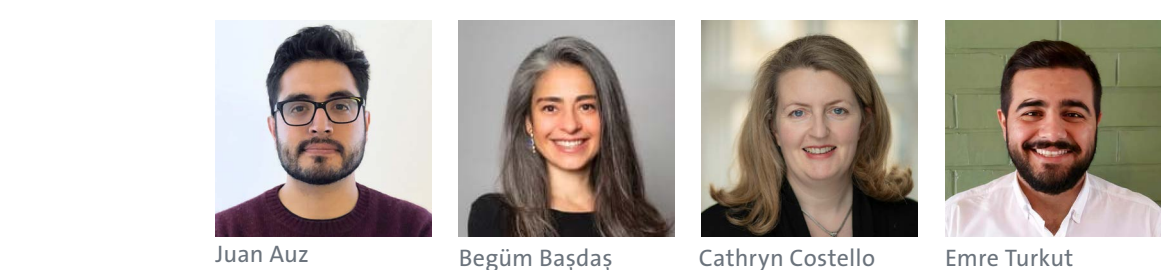
As the academic year drew to a close, we were delighted to welcome Silvia Steininger as the Centre’s new Postdoctoral Researcher. Silvia’s research engages in interdisciplinary perspectives on international law and domestic, regional, and international courts, in particular on human rights and economic law.

In this academic year we also bid farewell to Dr. Emre Turkut, Dr. Begüm Başdaş and our very first Centre PhD graduate Juan Auz, who set off on the next phases of their academic and professional

journeys. We would like to extend our appreciation for their invaluable contributions, which have significantly enriched our community of scholars.

Finally, our heartfelt gratitude extends to our Co-Director, Prof. Cathryn Costello, who concluded her tenure as Co-Director and Professor at the Centre. During her three years, her expertise, dedication, and unwavering commitment to excellence have left an unforgettable impact on our academic community. We thank her deeply for being an invaluable part of our Centre’s journey and are pleased that she will remain as a Visiting Professor at the Centre for the next three years.

The Hertie School advertised the Professorship of Fundamental Rights in February 2023 and notwithstanding the completion of an international recruitment process, regrettably, the school decided not to fill the position for the time being. We thank the many outstanding candidates who applied, the members of the international review recruitment committee, external reviewers and the members of the Centre who volunteered their time throughout the hiring process.



Begüm Başdaş

“During my time at the Centre for Fundamental Rights, I continued my research on Greece and studied how the material landscapes of the Greek hotspot islands have changed since 2015. I examined how the governance of migration in Greece is intricately related to increasing limitations on Greek citizens, creating a chilling effect on freedoms of association, expression, and press. I had the opportunity to teach Professional Development Courses on Strategic Campaigning and Advocacy for Human Rights at the Hertie School. As a geographer, working with experts on international human rights law has significantly supported my training and I learned extensively from collaborating with other researchers”.

Juan Auz

“During my three and a half years as a PhD researcher at the Centre for Fundamental Rights, I can only feel enormous gratitude for an enabling environment conducive to a completed dissertation. Gratitude for the unconditional support of my supervisor, Prof. Başak Çalı, who challenged me to strive to improve every line of argumentation in all my works. Gratitude to my esteemed colleagues, who generously offered their time and intellect to think by my side novel angles in my research, and who allowed me to reciprocate. Gratitude to the Centre’s management, who made sure all events and communications occurred impeccably. This collective labour was instrumental

in generating every milestone during my research, from my first-year prospectus defence to my dissertation submission. If I could choose to do a PhD again, the Centre for Fundamental Rights would undoubtedly be my first option.”

Emre Turkut

“As I look back on my time at Hertie School’s Centre for Fundamental Rights, I do so with immense gratitude and a profound sense of fulfilment. Throughout the past two years as a postdoctoral researcher at the Centre, I have been fortunate to accumulate cherished memories and seize enriching research opportunities that have shaped me both personally and professionally. Undoubtedly, one of the most remarkable aspects of my time has been the extraordinary camaraderie among my colleagues. From day one, I have felt embraced by a network of like-minded individuals who genuinely care about each other’s well-being and success. I consider myself incredibly lucky to have been a part of such a vibrant, welcoming, and intellectually stimulating community. The unwavering support, constant inspiration, and positive energy that emanate from this remarkable group have played a pivotal role in my growth and development. The connections forged here go beyond mere professional acquaintances; they are deep-rooted bonds that I am confident will endure long after my time as a postdoc”.

Leading Research Projects

New Projects

Deep Impact through Soft Jurisprudence? The Contribution of United Nations Treaty Body Case Law to the Development of International Human Rights Law



Funded by the German Research Foundation (DFG)
Prof. Başak Çalı, Dr. Betül Durmuş

The Centre launched this research project, funded by the DFG and welcomed Dr. Betül Durmuş as the project’s Postdoctoral Researcher in April 2023. The project is led by the Centre’s Co-Director Prof. Başak Çalı and has Dr. Alexandre Skander Galand as a collaborating researcher from Maastricht University. It employs two main strands of inquiry. First, it aims to systematise knowledge about UNTB case law by identifying and comparatively analysing the leading cases of all UN human rights treaty bodies. Second, it aims to study their impact on

the case law of other courts and tribunals. The project team aims to publish a book tentatively titled ‘The Leading Cases in UN Human Rights Law’ and has started collating a list of leading cases and worked on their thematic breakdown. The team published a blog post on a recent case of the Committee on the Elimination of Racial Discrimination on racist hate speech and is currently working on a research article investigating the outward impact of the Committee on the Rights of Persons with Disabilities on regional human rights courts.

FRAMES: Framing Reality and Normativity in European Human Rights Law. Climate Change, Migration, and Authoritarianism



Funded by the Volkswagen Foundation under Its funding framework “NEXT”
Prof. Başak Çalı, Dr. Esra Demir-Gürsel

FRAMES is a collaborative project based at Hertie School and Helmut Schmidt University. The project is led by Principal Investigators Prof. Başak Çalı (Centre for Fundamental Rights), Dr. Esra Demir-Gürsel, (Centre for Fundamental Rights) and Dr. Jens Theilen (Helmut Schmidt University). This project investigates the relationship between reality and normativity in European human rights law across three topics: climate change,

migration and authoritarianism. The study leverages frame theory and frame analysis to study how the legal and political practice of the Council of Europe influences our understanding of realities underlying climate change, migration and authoritarianism. Since the launch of the project in April 2023, the FRAMES team has focused on mapping and reviewing the relevant literature. The project will host its first workshop at the Hertie School in November 2023.

ReLiCon: Religion, Illiberal Constitutionalism and the Retrogression of Fundamental Rights in East Central Europe



Funded by CIVICA and EU Horizon 2020 (grant number 101017201)
Dr. Ivo Gruev

In February 2023, the Centre launched the interdisciplinary research project ReLiCon led by Dr. Ivo Gruev in collaboration with Professors Başak Çalı (Centre for Fundamental Rights, Hertie School), Renata Uitz (CEU) and Gábor Halmai (EUI). ReLiCon is set to explore the role that religions play in contexts of illiberalism and democratic backsliding, with a specific focus on religion-based contestations of fundamental rights before constitutional and apex courts and their impact on constitutional and judicial politics. The project’s pilot phase, which runs until December 2023 and focuses on case studies from East Central

Europe, aims to generate both comparative and transnational insights and lay the foundations for a larger investigation on the relationship between religion, law and illiberalism. A one-day workshop on the project will take place on 27 October 2023 at the Democracy Institute of the CEU University in Budapest and establish a CIVICA-led consortium of experts working in these fields. On 31 March 2023, Dr. Gruev was invited to present the project at an expert roundtable on religion and foreign policy held at the German Ministry of Foreign Affairs.

Leading Projects

RefMig: Refugees Are Migrants



Horizon 2020 individual award funded by the European Research Council (grant agreement number 716968)
Prof. Cathryn Costello, Mitali Agrawal, Dr. Natalie Welfens

In its final year, the RefMig project’s “Organisations of Protection” strand has drawn to a close. The open access edited collection **IOM Unbound: Obligations and Accountability in an Era of Expansion** (Cambridge University Press) was published in June 2023. Edited by Dr. Angela Sherwood, Prof. Megan Bradley and Prof. Cathryn Costello, it brings together insights from legal and international relations scholars on the International Organisation for Migration (IOM). In the past academic year, the “Recognising Refugees” strand focussed on completing our efforts to gain better insights of recognition practices around

the globe, with Country Profiles and other Working Papers being published. In cooperation with the Wissenschaftszentrum für Sozialforschung Berlin (WZB), RefMig convened a two-day hybrid meeting in October 2022 with nearly 40 leading migration and refugee protection experts to revise the Model International Mobility Convention (MIMC). We also co-hosted a one-day workshop in February 2023 on “The Global (Mal) Distribution of Mobility Opportunities” in partnership with the Max-Planck-Institute for Social Anthropology.

AFAR: Algorithmic Fairness for Asylum Seekers and Refugees



Funded by the Volkswagen Foundation within the programme “Challenges for Europe”
Prof. Cathryn Costello, Dr. Francesca Palmiotto

The AFAR project examines the fairness of automation in the highly contested field of migration and asylum governance. The report authored by Dr. Derya Ozkul, titled “Automating Immigration and Asylum”, was published in January 2023, mapping the use of new technologies in migration and asylum governance in Europe. AFAR researchers presented at key conferences, including the Nordic Asylum Lab Conference and

the ESIL Annual Conference, showcasing the team’s research findings and insights. The project’s media mentions and public engagement have expanded its reach and influence. The mapping report received media mentions, with the report’s findings being cited in reputable sources and shared by organisations and academic networks.

MIRO: Missing Migrants. Identifying and Shaping Obligations for Protection



A Horizon 2020 award funded by the ERC under the Marie Skłodowska-Curie Actions
Dr. Grażyna Baranowska

During its second year, the MIRO project continued work on how international and EU law relate to missing migrants and their families, as well as started the work on the role of international organisations. The result of the research so far generated three papers: first, on exposing covert border enforcement practices before the European Court of Human Rights, which is forthcoming in the European Convention on Human Rights Law Review. The article demonstrates that the ECtHR applies a high evidentiary threshold in such cases and argues for shifting the burden of proof when applicants are able to provide prima

facie evidence of the contested practice. The second paper on erasure of pushback evidence from ECtHR judgments is currently under review at a socio-legal journal. It analyses the Court’s evidentiary regime for pushback cases and the challenges it poses to litigators. The third paper assesses state responsibility for deaths and disappearances on life-threatening migration routes and argues that such circumstances can fit the enforced disappearances definition. The paper was presented at the Research Group “International Rule of Law – Rise or Decline” at the Freie Universität. It will be submitted to a journal in the summer.

Leading Cases in UN Human Rights Law



Prof. Başak Çalı, Dr. Betül Durmuş

The Centre has continued its collaboration with Oxford University Press on reporting the most salient cases of the UN human rights treaty bodies for the International Human Rights Law module of **Oxford Reports on International Law** together with a global group of expert reporters. Prof. Başak Çalı leads the team and Dr. Alexandre Skander Galand (Maastricht University), Dr. Aristi Volou (Queen Mary University London) and Dr. Betül Durmuş serve as associate editors. The Centre’s researchers Vera Wriedt and Joseph Finnerty also contribute to

the project. In the academic year 2022-2023, the team reported and analysed many important issues including nationality-based discrimination, DNA profiling, enforced disappearances, the right to social security of unpaid domestic workers, reasonable accommodation in the form of sign language interpretation and recognition of same-sex marriage. In Summer 2023, 22 human rights law experts joined the team as new reporters.

PhD Research Projects

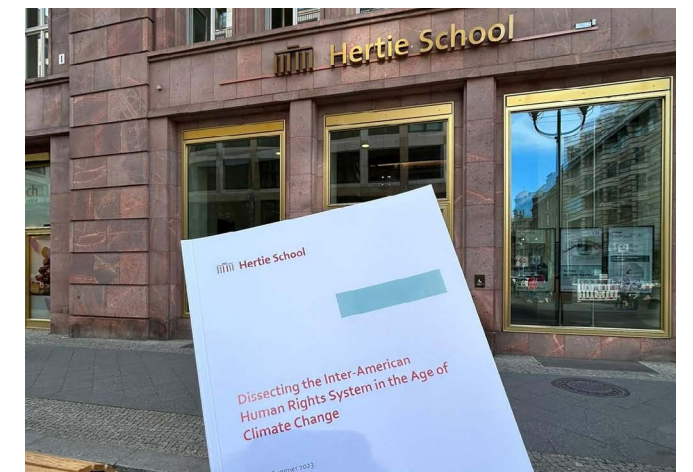
The Inter-American Human Rights System and the Climate Crisis



Juan Auz

Juan Auz’s PhD dissertation, “Dissecting the Inter-American Human Rights System in the Age of Climate Change”, was successfully submitted in Summer 2023. It comprises of six academic papers that seek to explore, from a socio-legal perspectives, the Inter-American Human Rights System’s responses to the climate crisis. It includes a general outlook of rights-based

climate litigation in Latin America. It also enquires why the Inter-American Court of Human Rights is seen as a progressive interpreter of the law and how that might influence future climate litigation. Finally, it examines the opportunities and limits of remedies in the climate crisis context.



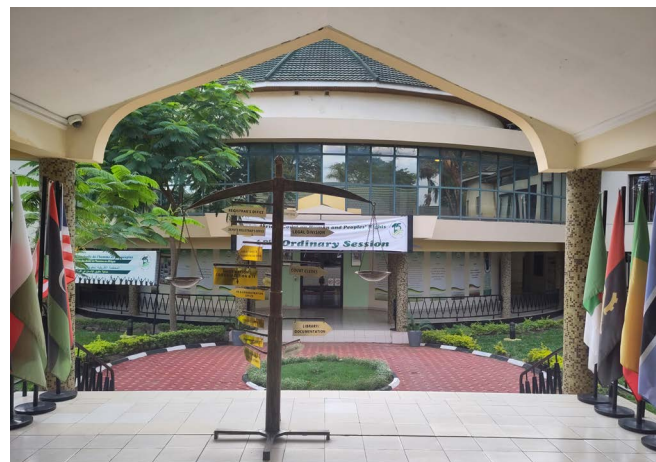
Postcolonial Bordering: Discursive Contestations in Human Rights Law



Supported by the Heinrich-Böll-Foundation
Vera Wriedt

Vera Wriedt's PhD project examines the caselaw on borders, citizenship, and expulsions in the European and African human rights regimes. During the academic year 2022-2023, Vera completed research stays at the African Commission on Human and Peoples' Rights in Banjul (December 2022) and at the African Court on Human and Peoples' Rights in Arusha (March – April 2023), which enabled her to learn more about the caselaw from legal experts working in and on the African

human rights system. She also became a Research Associate at the African Centre for Migration and Society (ACMS), University of the Witwatersrand, Johannesburg, starting from November 2022. This provided her with the chance to present her research on expulsions at ACMS in February 2023. Furthermore, she participated in a discussion with civil society actors, which took place in the wake of Human Rights Day at the University of Pretoria's Centre for Human Rights in March 2023.



Photos from African Court on Human and Peoples' Rights, Arusha, Tanzania

Too Little, too Late?: The Effectiveness of Article 18 ECHR



Joseph Finnerty

In the academic year 2022-2023, the work in this research project continued to assess Article 18 as one of the primary tools in European Court of Human Rights' response to populist, illiberal and authoritarian practices. Against this backdrop, Joseph published one paper concerning the evidentiary regime under Article 18 in the European Convention on Human Rights Law Review. This publication formed part of Prof. Marie-Bénédicte Dembour's (Ghent University) Special Issue on Evidence before the ECtHR under her ERC funded DISSECT project. The research

has since started to explore the hypothesis that Article 18 is not in fact a 'silver bullet', considering the limitations of the provision and reflecting on the prospects of other tools, in addition to Article 18, in the Court's toolbox that may also assist in the Court's response to such practices. Joseph presented his research at the Academy for European Human Rights Protection, University of Cologne (September 2022), Hasselt University (December 2022), PluriCourts, University of Oslo (April 2023), Hertie School (June 2023) and Utrecht University (June 2023).

2022- 2023 Highlights

Public Events

Public Lecture by Minister of State Reem Alabali-Radovan: Current Opportunities and Challenges of Migration and Integration Politics in Germany

On 13 October 2022, the Centre for Fundamental Rights welcomed **Reem Alabali-Radovan**, Minister of State to the Federal Chancellor, Federal Government Commissioner for Migration, Refugees and Integration and Federal Government Commissioner for Anti-Racism, for a **keynote speech**. In her lecture on "Current opportunities and challenges of migration and integration politics in Germany", Minister of State Alabali-Radovan reflected on multiple opportunities and challenges in the fields of migration, asylum, and integration today, saying that European support for refugees from Ukraine should serve as a blueprint for the treatment of all refugees. "Integration from the very start has to be an ideal example for our country," she argued. Comparing the European solidarity with refugees from Ukraine with the treatment that displaced persons from other countries receive, Alabali-Radovan said: "We in Germany need to be aware of the fact that sometimes people must leave their own countries and seek protection in another. In Iran and Afghanistan, for example, people are persecuted, killed and tortured for

voicing their opinion or fighting for their rights and forced to leave. No one leaves home for the sake of it. Those who flee should be able to request asylum. There must be no first and second-class refugees: solidarity should also be given to people who flee across the Mediterranean Sea. We have a duty to offer a safe home to people in need of protection."

The event emerged out of the collaboration between the RefMig project and the Model International Mobility Convention initiative, led by Prof. Michael Doyle, University Professor at Columbia University and Senior Fellow and Director of the Model International Mobility Convention Project at the Carnegie Council. It took place in the context of a workshop convened by Prof. Cathryn Costello (Centre for Fundamental Rights, Hertie School), Prof. Michael Doyle (Columbia University) and Prof. Liav Orgad (EUI and WZB Berlin) on 14 October 2023 on "Revising the Model International Mobility Convention: Finding Solutions to the Challenges of Today's Migration".



The Centre for Fundamental Rights’ 2023 Annual Distinguished Lecture: “Centering Black Women in EU Equality Law” Delivered by Prof. Iyiola Solanke

On 25 May 2023, Prof. Iyiola Solanke, Jacques Delors Professor of European Union Law at the University of Oxford and a Fellow of Somerville College, delivered the **2023 Annual Distinguished Lecture** of the Hertie School’s Centre for Fundamental Rights. In her lecture, Solanke offered an answer to the question: How do we re-centre Black women in intersectional discrimination and EU law? According to Solanke, this question is crucial as the legal concept of intersectional discrimination has been diluted, with EU law neglecting to address it seriously. Solanke explained that intersectional discrimination seeks to highlight the structural embeddedness of discrimination. However, in the context of the EU’s approach to intersectional discrimination, race is not recognised as a meaningful socio-political category. Without recognition of race, intersectional discrimination is failing to protect the group for which it was created.

Solanke suggested that anti-discrimination law be redesigned around her theory of “discrimination as stigma”. A focus on stigma is putting an emphasis on the meaning that is given to the attribute rather than the attribute itself. This way, one can think about different ways in which stigmas exist and operate, focusing on the qualitative experiences. Multiple attributes can create a stigma, which would allow for a better



definition of discrimination against Black woman than adding together the categories of “Black” and “woman”. This way, anti-discrimination law can incorporate the synergy of different characteristics. Solanke concluded her lecture by stating “By centring Black women, my hope is to improve the vision and impact of anti-discrimination law, to make it more effective in securing substantive equality for everyone”.

Following the lecture, three speakers joined Solanke to discuss her lecture: Awet Tesfaiesus, member of the German Bundestag (Green Party) and its first Black woman member; Elisabeth Kaneza, a legal and political scholar at The German Centre for Integration and Migration Research (DeZIM), and Mark Dawson, Professor of European Law and Governance at the Hertie School. The discussion was chaired by the Centre’s Co-Director, Prof. Cathryn Costello.

Prof. Solanke’s Distinguished Lecture was hosted by the Centre for Fundamental Rights with the Hertie School’s Jacques Delors Centre. The event was part of the CIVICA Research Excellence Tours which has received funding from the European Union’s Horizon 2020 research and innovation programme under grant agreement number 101017201.



Voices of Resistance: Women’s Rights Movement in Iran

This online panel discussion took place on 22 February 2023 as part of the event series Fundamental Rights in Practice. The discussion arose against the backdrop of the protests which erupted across Iran in September 2022 after the death of Mahsa (Jina) Amini, a 22-year-old Kurdish Iranian woman detained for wearing an “improper” hijab. Amini’s death sparked nationwide demonstrations, including in schools and universities, demanding equality for women, under the slogan of “Woman, Life, Freedom”. These protests morphed into a nationwide movement by the Iranian people against a government that had systematically denied them their rights, mismanaged the economy, and driven people into poverty. Following the protests, security forces have killed hundreds, detained many more, and the authorities have meted out death penalties.

Panel speakers Bauke Baumann, Senior Programme Officer for Israel, Palestine, and Iran at the Heinrich Böll Foundation in Berlin; Dastan Jasim, a Doctoral Fellow at the German Institute for Global and Area Studies in Hamburg, who researches the political culture of Kurdish people in Iran, Iraq, Syria, and Turkey; and Neda Soltani, a former junior professor of English literature in Iran, who was forced to flee the country and seek asylum in Germany in 2009 during the Green Movement, discussed the history of the women’s movement and the struggle for women’s rights in Iran. They explored the consequences of the recent and ongoing protests and the state’s response, the challenges facing the protest movement and activists, as well as the role of the international community in supporting the movement and advocating for change. The discussion was chaired by the Centre’s Co-Director, Prof. Başak Çalı.



Research Events

Online Symposium: Coping Strategies: Domestic Courts in Times of Backlash

In October 2022, Centre Co-Directors Prof. Başak Çalı and Prof. Cathryn Costello published an online symposium in collaboration with Verfassungsblog on 'Coping Strategies: Domestic and International Courts in Times of Backlash'. The symposium offered a comparative account of how domestic and regional human rights courts across the globe have been responding to populist, illiberal, nationalistic and autocratic attitudes and practices, which have led to attacks

on constitutional democracy, fundamental rights and the rule of law across the globe. The symposium brought together eminent scholars and practitioners addressing the 'coping strategies' of high courts in Brazil, Hungary, Poland, Turkey, the United Kingdom and the United States alongside the European Court of Human Rights and the Inter-American Court of Human Rights.

Workshop: Constitutional Governance: Authoritarian Pushback and Workable Solutions

On 26 November 2022, the Centre and re:constitution co-hosted the workshop "Constitutional Governance: Authoritarian Pushback and Workable Solutions" at the Hertie School. This one-day event, which was led by Postdoctoral Researcher Dr. Ivo Gruev and co-taught by him and re:constitution former fellow Dr. Zuzana Vikarska (Masaryk University, Brno), brought together 19 students with diverse academic backgrounds from various German and European

universities, including the Hertie School, Humboldt University Berlin, Goethe University Frankfurt, European University Institute and the Central European University. The workshop assessed mechanisms that are employed either to facilitate or resist the erosion of rule of law and liberal constitutionalism on a global scale, drawing on examples from Central and Eastern Europe.



Annual Research workshop: Legitimate Aims and Ulterior Purposes in International Human Rights Law

This research workshop, co-organised by the Centre for Fundamental Rights, the Academy for European Human Rights Protection (University of Cologne) and PluriCourts (University of Oslo), took place on 2 June 2022 at the Hertie School and hosted a mix of early career and established scholars to discuss legitimate aims and ulterior purposes in international human rights law.

The organising committee, composed of Prof. Başak Çalı (Centre for Fundamental Rights, Hertie School), Joseph Finnerty (Centre for Fundamental Rights, Hertie School), Prof. Andreas Føllesdal (PluriCourts, University of Oslo), Prof. Angelika

Nußberger (Academy for European Human Rights Protection, University of Cologne), Dr. Paula Rhein-Fischer (Academy for European Human Rights Protection, University of Cologne) and Prof. Geir Ulfstein (PluriCourts, University of Oslo), selected 12 papers from 50 submissions. The presentations shined a light on a particularly underdeveloped area of international human rights law, identifying a fertile ground for further research. The discussions benefitted from comparative insights, identifying similarities and differences in the approaches of different jurisdictions in this field. Scholars were able to present their work in a rich environment and receive dedicated feedback from senior academics and other participants.



The Fourth Annual Workshop on Research Methods in Fundamental Rights

The fourth edition of the Annual Workshop on Research Methods in Fundamental Rights was hosted by the Centre and took place at the Hertie School from 7-9 June 2023. This initiative, launched in 2020, aims to provide doctoral and early-career legal researchers with an opportunity to reflect on diverse research methods in human rights research.

A total of 17 participants from 13 different universities took part in this three-day workshop hosted in June 2023. The workshop included eight master classes led by distinguished scholars, who offered insights and reflections on the methods

they apply in their own research. Additionally, participants also had the opportunity to discuss their own research questions and methods and receive individual feedback on their projects from the faculty and fellow participants.

The workshop was hosted by the Hertie School as a member of CIVICA - The European University of Social Sciences - and co-financed by the German Academic Exchange Service (DAAD) with funding from the Federal Ministry of Education and Research (BMBF).

Read the participants' impressions of the workshop



Alice Fill, PhD Candidate, École Normale Supérieure, Paris

“Embarking on the Research Methods Workshop at the Hertie School was a choice born out of the intention to delve into the methodology of my PhD project and enhance my overall doctoral training.

What unfolded exceeded my expectations. The workshop was an immersive journey that extended well beyond the days spent at the Hertie School, with excellent organisation and learning material of rare quality. The workshop masterfully strikes a balance between presenting diverse research methods and tailoring the experience to individual needs. Not only did I learn more about topics that are directly applicable to my PhD research, but I also took part in far-reaching discussions that made me a more thoughtful both as a researcher and a reader. The dynamic exchange among the participants, the feedback sections, and the informal conversations during coffee breaks have provided me with generous support on the merits of my project. I enthusiastically recommend seizing this opportunity, especially for PhD students engaged in multidisciplinary research.”



Asta Sofie Stage Jarlner, PhD Fellow, University of Copenhagen

“Participating in the Annual Workshop on Research Methods in Fundamental Rights was great for challenging and further developing the methodological framework for my PhD project. But most of all, it was

truly inspiring to meet other young researchers with shared interests and yet so different approaches to the field.”



Rania Muhareb, Irish Research Council and Hardiman PhD Scholar, Irish Centre for Human Rights, School of Law, University of Galway

“The 2023 Research Methods in Fundamental Rights workshop gave me great insights into a variety of research meth-

ods and methodologies employed in human rights research. The workshop combined masterclasses and lectures, as well as class readings, participant papers, and presentations. It helped me deepen my understanding of socio-legal research methods, including when and how to conduct semi-structured interviews, and clarified the process of case study selection and design. I enjoyed learning from leading experts and meeting PhD researchers working in the field of human rights. I would highly recommend this annual workshop for PhD researchers working in the area of human rights, particularly those at an early stage of their project.”



Fundamental Rights Research Colloquium

The Centre’s Fundamental Rights Research Colloquium provides an informal platform for both Hertie School scholars and external speakers to present work in progress in the realm of fundamental rights and related fields. This colloquium occurs biweekly from September to May during the semester and is organised into thematic clusters.

Throughout the academic year 2022-2023, the Fall Semester Colloquia, convened by Dr. Francesca Palmiotto, revolved around the thematic cluster “Human Rights and the Automated State”. The colloquia within this cluster addressed



the challenges posed by automated decision-making, the relationship between states’ use of automated tools and their impact on human rights, as well as the regulation and governance of AI systems. Renowned speakers, such as Prof. Frank Pasquale (Brooklyn Law School), Prof. Fleurs Johns (UNSW Sydney), Prof. Lilian Edwards (Newcastle Law School), Prof. Brent Mittelstadt (University of Oxford), Dr. Dimitri Van Den Meerssche (Queen Mary University of London), and Prof. Gregor Noll and Dr. Matilda Arvidsson (University of Gothenburg), shared their latest research on these topics.

The Spring Semester Colloquia centred around the theme “Gender Backlash.” Dr. Ivo Gruev and Prof. Başak Çalı convened a series of six online colloquia, which delved into a wide array of interdisciplinary topics and case studies. These encompassed topics such as gender and de-democratisation in post-communist Europe, sexuality politics and religion in Africa, anti-abortion legal mobilization in Brazil, and sex segregation in Israel. Esteemed speakers included Prof. Andrea Pető and Prof. Matthijs Bogaards (Central European University), Prof. Ruth Rubio Marín (University of Sevilla), Dr. Kapya John Kaoma (Boston University), Prof. Yofi Tirosh (Tel Aviv University), Prof. Marta Rodriguez de Assis Machado (FGV Sao Paulo Law School), and Dr. Ivo Gruev (Hertie School).

Master’s Thesis Talks

Our Student Advisory Board hosted this event series, bringing together current and former students of the Hertie School to exchange experiences about writing a master’s thesis on humanrights. Former MIA and MPP students were invited to discuss their journey in writing their theses related to human rights.

The theses discussed included: “Age at marriage and inter-partner violence: A quantitative analyses of women’s experience in India: evidence from India National Family Health Survey, 2015-2016” by Vartika Savarna; “Containment

over mobility? To what extent does the EU emergency trust fund for Africa support the ECOWAS regional freedom of movement regime?” by Liam Li; “Finding home away from home: The effects of migratory status on Venezuelan’s access to housing in Latin America” by Marina Monteiro Luna; “Gender norms and institutional reform: Explaining variation in sexual exploitation and abuse between United Nations Peacekeeping Missions” by Jessica Trollip; “Process-tracing the impact of investment disputes threats on the regulation of Paramos in Colombia” by Daniela Alvarado Rincón.



Contributions to Law and Policymaking Globally

Researchers at the Centre have provided expertise in the context of a wide range of real time human rights policy debates in this academic year.

 **Hertie School**
Jacques Delors Centre



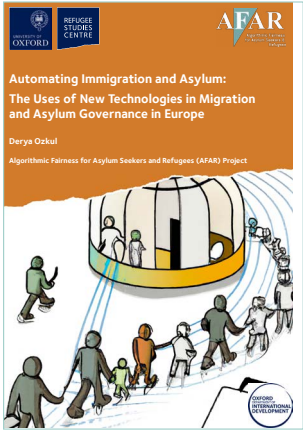
September 2022

Dr. Natalie Welfens co-authored, together with Lucas Rasche (Jacques Delors Centre, Hertie School) and Dr. Marcus Engler (DEZIM Institute), a policy report on the **EU Migration Pact at Two**. The paper asks what remains of the ‘fresh start’ rhetoric and assesses proposed reforms and their potential impact for protection seekers and human rights.



January 2023

Dr. Grażyna Baranowska submitted a Rule 9 submission to the Council of Europe’s Committee of Ministers on the implementation of the M.K. and others vs Poland judgment of the European Court of Human Rights. The judgment refers to the non-acceptance of asylum claims at the Polish-Belarusian border in 2016 and 2017. The submission followed two earlier Rule 9 submissions in January and April 2022, addressing both the deterioration of the situation at the Poland-Belarus border, as well as the regressive legal steps taken by the Polish authorities, which seek to legalise collective expulsions.



January 2023

The AFAR project published its first mapping report. The report **“Automating Immigration and Asylum: The Uses of New Technologies in Migration and Asylum Governance in Europe”**, authored by Dr. Derya Ozkul, maps out the existing uses of new technologies across European immigration and asylum systems both at the national and EU level. The report’s findings were cited in reputable sources and shared by organisations and academic networks.



March 2023

Prof. Cathryn Costello gave **evidence on the Illegal Migration Bill** before the UK Parliament’s Joint Committee on Human Rights. Costello offered insights from the empirical scholarship demonstrating the limited impact of harsh legislation on irregular arrivals, and questioned the legality of the bill, including under Article 31 of the Refugee Convention, which protects most refugees from penalisation for their irregular entry and residence, if they have had good cause for this conduct. She also highlighted the sweeping nature of the legislative powers conferred to the UK Executive by the Bill, concluding that “anybody concerned about British democracy and the rule of law should be also seriously concerned about the Bill.”



November 2022

Prof. Başak Çalı gave expert evidence to the Parliamentary Assembly of the Council of Europe (PACE) and to the German Parliament’s Human Rights and Humanitarian Aid Committee. Her evidence before PACE focussed on the role of national parliaments for the effective implementation of human rights judgments that identify abuse of power practices. **Her evidence before the German Parliament** cautioned against “human rights whataboutism” and underlined that in order to positively contribute to the universal promise of human rights, one can never conceive human rights violations to be solely about the failings of others. She further urged the members of German Parliament to support the accession of the European Union to the European Convention of Human Rights.



March 2023

Dr. Grażyna Baranowska in her capacity as a member of the United Nations Working Group on Enforced or Involuntary Disappearances conducted an official visit to Honduras to assess the situation concerning enforced disappearances in the country. The report from the visit will be presented to the UN Human Rights Council in September 2023. Dr. Grażyna Baranowska, was nominated to the United Nations Working Group on Enforced or Involuntary Disappearances in July 2022, as one of the five expert members of this working group. She took part in two official sessions in Geneva in September 2022 and Santiago de Chile in February 2023.



Visiting Fellowship Programme

The Visiting Fellowship Programme at the Centre welcomes scholars, practitioners and doctoral researchers specialising in fundamental rights to the Centre for Fundamental Rights to pursue their own work and to interact with the Hertie School's faculty, researchers, and students.

In the academic year 2022-2023, the Centre hosted three practice fellows, Fred Abrahams (Human Rights Watch), Lisa Reins-

berg (International Justice Resource Center), and Nino Tsereteli (Democracy Reporting International); two academic fellows, Prof. Stefan Salomon (University of Amsterdam), and Prof. Li-ora Lazarus (Peter A. Allard School of Law, University of British Columbia); and five doctoral fellows, Fekade Abebe (IHEID Geneva), Derya Cakim (IHEID Geneva), Alezini Loxa (Lund University), Nicola Sharman (University of Eastern Finland), Jasmine Sommardal (EUI), and Lucia van der Meulen (KU Leuven).

Reflections of our visiting fellows on their stay at the Centre



Lisa Reinsberg, Founder and Executive Director of the International Justice Resource Center

"I am grateful for my time as a Visiting Fellow, which was intellectually and socially enriching. The Centre for Fundamental

Rights proved to be a lively and welcoming home base for me in Berlin. During my fellowship, I made progress on two projects related to the accessibility and fairness of international human rights mechanisms, thanks to the time, space, and support provided by the Centre. I had the opportunity to present one of my papers, on the UN human rights treaty bodies' substantiation requirement at admissibility, at a Centre research meeting and am grateful for the wealth of insightful and helpful feedback that Centre members and fellows provided. I was also able to participate in other CFR research meetings and colloquia, which I enjoyed because of the novel and thought-provoking substance, the intimate dynamic, and the opportunity to connect with scholars and their work. As a practitioner, I was glad to be able to share some of my experience with Hertie School students. Being affiliated with the Centre helped me to forge new professional relationships in Europe, as well".



Alezini Loxa, PhD Researcher at the Faculty of Law, Lund University

"The academic staff of the Centre nourishes a wonderful atmosphere for visiting researchers. Not only are we provided with an intellectually stimulating environment where we can collectively discuss and re-

fect on research of significant social relevance. We are also warmly welcomed in an inclusive work environment of academics with great passion and commitment to their research".



Jasmine Sommardal, PhD Researcher at the European University Institute

"My visiting PhD fellowship at the Centre for Fundamental Rights during the autumn semester 2022 was absolutely wonderful. Not only because of the warm

welcome and collegial community at the Centre; I found the research meetings and workshops, colloquia, and discussions with researchers intellectually stimulating. During the fellowship, I had the chance to present and get feedback on my work at one of the Centre's research meetings. I found the interactions at the Centre highly valuable, supportive and useful."



Fred Abrahams, Associate Program Director at Human Rights Watch

"The Centre for Fundamental Rights offered an academic and intellectual forum to discuss and deliberate human rights issues away from the daily drumbeat of my Human Rights Watch work. The thoughtful

intersectional approach helped me to make connections and to challenge assumptions in ways that make a practitioner's efforts more strategic and impactful. I valued learning about the latest research by students and staff on contemporary issues of concern. The Centre has assembled an impressive array of scholars working on diverse projects with a spirit of rigorous research and critical thought."

Teaching

Faculty and researchers at the Centre for Fundamental Rights offer master's courses, professional development courses and other practical workshops on a range of fundamental rights topics, reflecting on the cross-cutting nature of challenges to effective human rights policy and practice. The following courses were offered during the academic year 2022-2023 to Hertie School's MPP and MIA students:

International law, Prof. Başak Çalı & Prof. Cathryn Costello

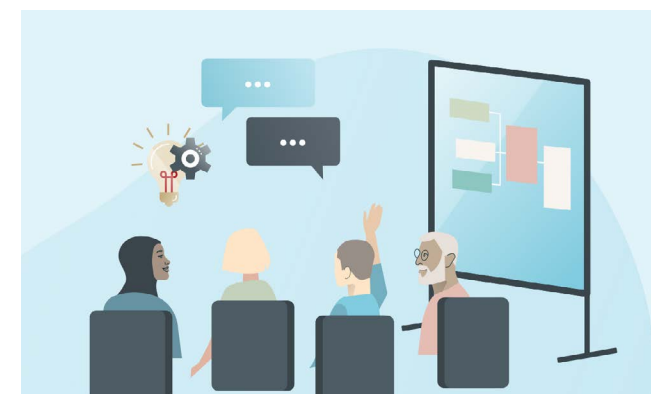
This course aims to provide a foundational basis in international law for MIA students. It covers the structure and the sources of international law and operation in selected substantive areas covering international security, migration, the global economy, and the climate crisis. The role played by human rights in these fields is a cross cutting theme across the course.

Global Refugee Regime: Law, Politics & Ethics, Prof. Cathryn Costello

This course is an interdisciplinary take on the global refugee regime, meaning the institutions, norms (both legal and non-legal) and institutional practices that determine who is (and who is not) regarded as a refugee, their rights, practices that shape and restrict their rights, including their rights to flee, migrate, enjoy 'protection' and find a 'solution' to their refugeehood. The course examines global norms and practices, as well as compares diverse regional approaches, in particular in Africa, Latin America and Europe. The course aim is to equip students with knowledge and understanding of the global refugee regime and debates about whether it is just.

Global Governance of Migration, Dr. Natalie Welfens

Global governance of migration refers to policies, norms and practices that internationally regulate the mobility and rights of mobile populations. This course examines global migration governance with a focus on key International Organisations at the international level as well as the specific dynamics and actors in the context of the European Union.



Climate Crisis & Human Rights, Prof. Başak Çalı & Juan Auz

The course offers an in-depth examination of the relationship between the climate crisis and human rights. The course will cover why and how the climate crisis is a prominent human rights issue globally and will offer tools to critically evaluate the mutual supportiveness and possible tensions between human rights and climate action.

Migration & Human Rights, Dr. Grażyna Baranowska

The course serves as an introduction to current migration practices and their interconnection with human rights. Many states are engaged in migration practices, which are in violation of their human rights commitments, such as push-backs. During the course, the reasons and implications of such involvements will be assessed and discussed.

The Centre also offered the following professional development courses:

- Strategic Campaigning for Human Rights, Dr. Begüm Başdaş
- Skills Tools for Human Rights Advocacy, Dr. Begüm Başdaş
- Open-source Investigation for Human Rights: Ethics, Methods, and Practices, Sam Dubberley (in collaboration with Human Rights Watch).

Berlin as a Human Rights Classroom

The Centre for Fundamental Rights approaches the city of Berlin as a human rights classroom. We aim to learn from Berlin's human rights history and collaborate with human rights organisations and activists working in Berlin.

At the beginning of the academic year, the Student Advisory Board for the Centre organised a walking tour of the Afrikanische Viertel in Berlin-Wedding. The aim of this walking tour was to provide a deeper understanding of Germany's colonial past to Hertie School students. The Afrikanische Viertel is a neighborhood in the heart of Berlin, where the street and place names (Togo Strasse, Windhuker Strasse, Kolonie Klein Afrika) reflect Germany as a colonial power in the late 19th and early 20th centuries. During a two-hour guided walk through the neighborhood, students engaged in thoughtful conversations on topics of racism, colonialism, and fundamental rights. They also learned how Germany's colonial past continues to be present in the city to this day.

In October 2022, we took part in the Berlin Human Rights Film Festival for the fourth consecutive year. We hosted the film festival at the Hertie School featuring a screening of the prize-winning documentary 'Duty of Care', which traces the climate litigation against the Dutch state and the oil company, Shell, in the Netherlands. This was followed by a post-screening discussion on climate change litigation and challenges of climate change litigation against governments and corporations across different parts of the world. Researches from the

Centre also participated in post screening film talks on 'Judges Under Pressure', a documentary about the attacks on judicial independence in Poland.

Together with our Student Advisory Board and with the support of Hertie School's Career Development Unit, the Centre hosted a human rights networking event in February 2023. Over 120 students and alumni gathered to take part in an exchange with human rights practitioners working in Berlin. The nine organisations that participated in the event included Amnesty International, Democracy Reporting International, Human Rights Watch, International Organisation for Migration, Save the Children, SOS Humanity, Stiftung Wissenschaft und Politik, Transparency International Deutschland e.V., and the United Nations High Commissioner for Refugees.

Later in the year, the Centre organised a visit by Hertie School MIA students specializing on human rights and global governance to the Berlin office of Human Rights Watch (HRW). This visit gave students the opportunity to meet HRW experts working in the fields of human rights advocacy, communications and research.

Finally, Prof. Çalı delivered a training course at the Brandenburg Police Academy on policing and human rights with a focus on how the judgments of the European Court of Human Rights are important tools to improve human rights compliant policing.



Who We Are

Academic Staff



Prof. Başak Çalı, PhD
Professor of International Law | Co-Director,
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Prof. Cathryn Costello, DPhil (Oxon)
Professor of Fundamental Rights | Co-Director,
Centre for Fundamental Rights (2020 – 2023)



Mitali Agarwal
Research Associate, RefMig project, Centre
for Fundamental Rights



Juan Auz
PhD Researcher, Doctoral Programme in
Governance 2019



Dr. Grażyna Baranowska
MSCA Fellow | Postdoctoral Researcher,
Centre for Fundamental Rights



Dr. Begüm Başdaş
Postdoctoral Researcher, Centre for
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Joseph Finnerty
PhD Researcher, Doctoral Programme in
Governance 2021



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Postdoctoral Researcher | PI FRAMES Project,
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Dr. Betül Durmuş
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Treaty Body Case Law project, Centre for
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Postdoctoral Researcher, ReLiCon project,
Centre for Fundamental Rights



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Centre for Fundamental Rights



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Prof. Joseph Weiler, PhD
Radbruch-Kantorowicz Visiting Professor at the Hertie School | University Professor at NYU Law School and Joseph Straus Professor of Law European Union Jean Monnet Chaired Professor

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Luis Barrueto, MPP 2024
Diana Bernardini, MIA 2024
Ana Carolina Fischer, MIA 2024
Laura Hamilton, MIA 2023
Shruthi Naik, MPP 2023
Ofelia Ortega, MPP 2023
Yu Wang, MPP 2024
Brian Weatherby, MPP 2023
Nina Wunderlich, MPP 2024



Academic Record

Books

- Başak Çalı, Gábor Kajtár, and Marko Milanovic (eds.), *Secondary Rules of Primary Importance in International Law: Attribution, Causality, Evidence, and Standards of Review in the Practice of International Courts and Tribunals* (Oxford University Press 2022)
- Cathryn Costello, Megan Bradley and Angela Sherwood (eds.), *IOM Unbound? Obligations and Accountability of the International Organisation for Migration in an Era of Expansion* (Cambridge University Press 2023).
- Francesca Palmiotto and Francisco de Abreu Duarte (eds.), *Sovereignty, Technology and Governance after COVID-19: Legal Challenges in a Post-Pandemic Europe* (Bloomsbury Publishing 2022)

Peer reviewed journal articles

- Grażyna Baranowska, ‘How long does the past endure? ‘Continuing violations’ and the ‘very distant past’ before the UN Human Rights Committee’ (2023) 41 *Netherlands Quarterly of Human Rights* 97
- Başak Çalı, ‘The Present and the Future of Infringement Proceedings: Lessons Learned from Kavala v. Türkiye’ (2023) *European Human Rights Law Review* 156
- Başak Çalı and Esra Demir-Gürsel, ‘Continuity and change in human rights appropriation: The case of Turkey’ (2023) 21 *International Journal of Constitutional Law* 266
- Başak Çalı and Alain Zysset ‘Exhausting domestic remedies or exhausting the rule of law? Revisiting the normative basis of procedural subsidiarity in the European Human Rights System’ (2023) 14 *Transnational Legal Theory* 157
- Cathryn Costello, ‘Who is Recognized as a Refugee? Insights from Diverse Disciplines’ (2023) 1 *Z’Flucht. Zeitschrift für Flucht-und Flüchtlingsforschung* 7
- Alexander Skander Galand, ‘Defer or Revise? Horizontal dialogue between UN Treaty Bodies and Regional Human Rights Courts in Duplicative Legal Proceedings’ (2023) 23 *Human Rights Law Review* 1
- Alexander Skander Galand, ‘Victims’ Right to Justice, Immunities and New Avenues for International Criminal Justice’ (2023) 25 *International Community Law Review* 184
- Lilly Pijnenburg Muller and Natalie Welfens ‘(Not) Accessing the Castle: Grappling with Secrecy in Research on Security Practices’ (2023) 3 *Secrecy and Society* 1
- Natalie Welfens, ‘Promising Victimhood: Contrasting Deservingness Requirements in Refugee Resettlement’ (2023) 49 *Journal of Ethnic and Migration Studies* 1103

• Natalie Welfens and Saskia Bonjour, ‘Seeking Legitimacy through Knowledge Production: The Politics of Monitoring and Evaluation of the EU Trust Fund for Africa’ (2023) 41 *JCMS: Journal of Common Market Studies* 951

• Natalie Welfens, ‘Ungleicher Zugang. Kategorisierungspraktiken in Aufnahmeprogrammen für syrische Geflüchtete.’(2023) 6 *Z’Flucht. Zeitschrift für Flucht- und Flüchtlingsforschung* 249

Book chapters

- Juan Auz, ‘Two Reputed Allies: Reconciling Climate Justice and Litigation in the Global South’ in César Rodríguez-Garavito (ed.), *Litigating the Climate Emergency: How Human Rights, Courts, and Legal Mobilization Can Bolster Climate Action* (Cambridge University Press 2022)
- Başak Çalı, ‘Regional Protection’ in Daniel Moeckli and others (eds.), *International Human Rights Law* (Oxford University Press 2022)
- Başak Çalı, ‘Human Rights Organizations in Turkey’, in Günes Murat Tezcür (ed), *Oxford Handbook of Turkish Politics* (Oxford University Press 2022)
- Cathryn Costello and Minos Mouzourakis, ‘Effective Judicial Protection of Migrants and Refugees? The role of Europe’s supranational courts in protecting and generating rights’ in Evangelia Tsourdi and Philippe De Bruycker (eds.), *Research Handbook in EU Migration and Asylum Law* (Elgar 2022)
- Aleksandra Gliszczyńska-Grabias and Grażyna Baranowska, ‘Using and Abusing Memory Laws in Search of “Historical Truth”: The Case of the 2018 Amendments to the Polish Institute of National Remembrance Act’ in Noam Tirosh and Anna Reading (eds.), *The Right to Memory: History, Media, Law, and Ethics* (Berghahn 2023)
- Francesca Palmiotto, ‘Tracing Transparency: Public Governance of Algorithms and the Experience of Contact Tracing Apps’ in Francesca Palmiotto and Francisco de Abreu Duarte (eds.), *Sovereignty, Technology and Governance after COVID-19: Legal Challenges in a Post-Pandemic Europe* (Bloomsbury Publishing 2022)
- Emre Turkuť, ‘The Turkish post-coup emergency and European responses: shortcomings in the European system revisited’ in Philip Czech and others (eds.) *European Yearbook of Human Rights* (Intersentia 2022)
- Natalie Welfens, ‘Resettlement’ in Tabea Scharrer and others (eds.), *Flucht- und Flüchtlingsforschung. Handbuch für Wissenschaft und Studium* (Nomos 2022).

Academic blog posts

- Juan Auz, “**The Configurations of Latin American Climate Law**” (CIL Dialogues, 19 September 2022)
- Juan Auz and Thalia Viveros-Uehara, “**Another Advisory Opinion on the Climate Emergency? The Added Value of the Inter-American Court of Human Rights**” (EJIL: Talk!, 2 March 2023)
- Juan Auz and Thalia Viveros-Uehara, “**The climate emergency at the Inter-American Court of Human Rights**” (OpenGlobalRights, 27 February 2023)
- Grażyna Baranowska and Gabriella Citroni “**The UN Independent Institution on Missing Persons in the Syrian Arab Republic. A marathon, a spring, or a hurdle race?**” (EJIL: Talk!, 7 July 2023)
- Başak Çalı and Cathryn Costello, “**Coping Strategies: Domestic and International Courts in Times of Backlash**” (Verfassungsblog, 26 September 2022)
- Başak Çalı and Esra Demir-Gürsel, “**Misappropriating human rights: Examining Turkey**” (OpenGlobalRights, 4 May 2023)
- Başak Çalı and Sam Dubberley, “**Reporter’s Guide to Investigating War Crimes: Open Source Research**” (Global Investigative Journalism Network 19 April 2023)
- Başak Çalı and Laurence Helfer, “**The Gender of Treaty Withdrawal: Lessons from the Istanbul Convention**” (EJIL: Talk!, 28 November 2022)
- Cathryn Costello and Minos Mouzourakis, “**Human rights violations to deflect refugees**” (Verfassungsblog, 25 June 2023)
- Betül Durmuş, “**Cupiał v Poland: What Could This Case Offer on Religious Upbringing?**” (Strasbourg Observers, 4 May 2023)
- Betül Durmuş, “**The CERD stands firm against racist hate speech: Jallow v. Denmark**” (EJIL: Talk!, 2 June 2023)
- Joseph Finnerty, “**Juszczyzyn v. Poland: Article 18 ECHR’s Conservative Contribution to the Polish Rule of Law Crisis**” (Strasbourg Observers, 23 November 2022)
- Francesca Palmiotto, “**Preserving Procedural Fairness in The AI Era: The Role of Courts Before and After the AI Act**” (Verfassungsblog, 5 January 2023)
- Francesca Palmiotto, “**Is Credit Scoring An Automated Decision? – The Opinion Of The Ag Pikamäe In The Case C-634/21**” (DigiCon, 17 March 2023)
- Francesca Palmiotto and Derya Ozkul, “**‘Like Handing My Whole Life Over’: The German Federal Administrative Court’s Landmark Ruling on Mobile Phone Data Extraction in Asylum Procedures**” (Verfassungsblog, 28 February 2023)

- Natalie Welfens, Lucas Rasche and Marcus Engler, “**The Migration Pact at Two: What Remains of the Fresh Start?**” (Refugee Law Initiative 14 September 2022)
- Marcus Engler, Natalie Welfens und Lucas Rasche, “**Zwei Jahre nach dem Migrationspakt. Was bleibt vom Neustart?**” (Netzwerk Fluchtforschung 14 September 2022)

Policy papers/Briefs/Working papers/Case law notes

- Ivo Gruev, “**RESILIO Snapshot Series: Judicial resilience as a systemic factor for rule of law resilience**” (2023) Institut für Europäische Politik
- Emre Turkut, Ali Yildiz and Kevin Dent, “**Perils of Unconstrained Prosecutorial Discretion: Prosecuting Terrorism Offences in Post-Coup Turkey**” (2023) The Italian Federation of Human Rights
- Emre Turkut, ‘**Endogenous Sources of Pandemic Governance: Executive Power and Lockdown Measures in Turkey, the United Kingdom and Germany**’, (2023) 20 Re:Constitution Working Paper, Forum Transregionale Studien
- Natalie Welfens, Marcus Engler and Lucas Rasche, “**Zwei Jahre nach dem Migrationspakt: Was bleibt vom Neustart?**” (2022) Jacques Delors Centre
- Vera Wriedt, ‘Report and Analysis: DD v Spain, 1st February 2019, United Nations Committee on the Rights of the Child’ (2022) Oxford Reports on International Law (ORIL) Module International Human Rights Law

Our Funding

The research and engagement activities at the Centre for Fundamental Rights are funded through core funding provided by the Hertie School and by third-party research funding. The following research projects at the Centre were funded via third party funding in the academic year 2022-2023:

AFAR - Algorithmic Fairness for Asylum Seekers and Refugees, funded by the Volkswagen Foundation in the frame of its “Challenges for Europe” programme. Grant amount: 1,496,900€ from October 2021 – September 2025. Grant amount at the Hertie School: 353,300€

Deep Impact through Soft Jurisprudence? The Contribution of United Nations Treaty Body Case Law to the Development of International Human Rights Law, funded by the German Research Foundation (DFG). Grant amount at the Hertie School: 513,908€ from April 2023 – March 2026.

FRAMES - Framing Reality and Normativity in European Human Rights Law: Climate Change, Migration, and Authoritarianism, Funded by Volkswagen Foundation under its funding framework ‘NEXT’. Grant amount at the Hertie School 279,000€ from April 2023 – March 2025.

MIRO - Missing Migrants: Identifying and Shaping Obligations for Protection: European Union’s Horizon 2020 research and innovation program under the Marie Skłodowska-Curie Actions. Grant amount at the Hertie School: 174,806€ from September 2021 – February 2024.

RefMig - Refugees Are Migrants: Horizon 2020 award funded by the European Research Council. Grant amount: 1,499,611€ from January 2018 – December 2023. Grant amount at the Hertie School: 749,000€.

ReLiCon - Religion, Illiberal Constitutionalism and the Retrogression of Fundamental Rights in East Central Europe, CIVICA Research, funded by the Horizon 2020 research and innovation programme of the European Union under grant agreement No 101017201. Grant amount at the Hertie School: 17,500€ from January 2023 – December 2023.

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re:constitution

- Workshop on “Constitutional Governance: Authoritarian Pushback and Workable Solutions”, November 2022

CIVICA – The European University of Social Sciences

- The Centre for Fundamental Rights’ 2023 Annual Distinguished Lecture: “Centering Black women in EU equality law” delivered by Prof. Iyiola Solanke, May 2023
- The Fourth Annual Workshop on Research Methods in Fundamental Rights, June 2023



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