Towards an ASEAN Court of Human Rights? 
The example of the European Court of Human Rights

By Professor Robert Wintemute
School of Law, King's College London

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ABOUT THE SPEAKER
Professor Wintemute teaches European Union Law, Human Rights Law, and Anti-Discrimination Law at King's College London. Originally from Calgary, he studied Canadian common law and Québec civil law at McGill University in Montréal. A member of the Bar of New York, he practised bankruptcy law with Milbank Tweed, before doing his doctorate at the University of Oxford. He is the author of "Sexual Orientation and Human Rights" (Oxford University Press, 1997), and the editor of "Legal Recognition of Same-Sex Partnerships" (Oxford, Hart Publishing, 2001). He has done pro bono legal work on cases challenging discrimination against lesbian and gay people in the European Court of Human Rights, the European Union Court of Justice, and the Supreme Courts of Argentina, Massachusetts, and the United States. He was a Senior Research Associate at Yale Law School in 2001, and a Distinguished Visiting Professor at the University of Toronto Faculty of Law in 2002. From Oct. 2002 to June 2004, he was the United Kingdom expert in the European Commission's group of experts monitoring implementation of the Nov. 2000 EU Directive banning discrimination based on sexual orientation in employment and higher education. In July 2006, he served as Co-President of the 1500-participant "International Conference on Lesbian, Gay, Bisexual and Transgender Human Rights", held at Montréal's convention centre and opened by Louise Arbour, United Nations High Commissioner for Human Rights. In Nov. 2006, he was one of the experts invited to Universitas Gadjah Mada, Indonesia, to draft "The Yogyakarta Principles on the application of International Human Rights Law in relation to Sexual Orientation and Gender Identity".

ABSTRACT
Regional human rights treaties, setting up regional human rights courts with the power to issue binding judgments, exist for Africa (the African Charter on Human and Peoples' Rights, interpreted by the African Court on Human and Peoples' Rights in Arusha, Tanzania), the Americas (the American Convention on Human Rights, interpreted by the Inter-American Court of Human Rights in San José, Costa Rica), and Europe (the European Convention on Human Rights, interpreted by the European Court of Human Rights in Strasbourg, France). No such court exists for Asia. Given that it has over 60% of the world's population, more than Africa, the Americas and Europe combined, Asia is probably too big to form a "human rights region". But sub-regions within Asia, that have already established international organisations to promote regional cooperation, could consider adding to their organisation's core agreements a human rights treaty, which a human rights court would be authorised to interpret. A leading candidate is the Association of Southeast Asian Nations (ASEAN), which has 10 member states and a combined population of over 570,000,000 (more than the European Union). Professor Wintemute will compare ASEAN with Europe's two international organisations, the 47-member-state Council of Europe and the 27-member-state European Union, before discussing the evolution of the European Convention and Court of Human Rights, the Court's procedures and reasoning, governments' compliance with its judgments, and the problem of managing over 100,000 pending cases. He will then consider the challenges involved in persuading the ASEAN member states that the benefits of international human rights supervision, at the regional level, would justify a modification of ASEAN's principle of "non-interference" in each member state's internal affairs.

REGISTRATION
If you wish to attend this seminar, please email to clemail@nus.edu.sg. There is no registration fee for this seminar but seats are limited. For enquiries, please contact Ms Poova at Tel: 6516 3644. Directions to the law school may be found at http://law.nus.edu.sg/faculty/Location.htm