

The Law Of Human Rights Law Of Human Rights Series

This book explores the role human rights law plays in the formation, and protection, of our personal identities. Drawing from a range of disciplines, Jill Marshall examines how human rights law includes and excludes specific types of identity, which feed into moral norms of human freedom and human dignity and their translation into legal rights. The book takes on a three part structure. Part I traces the definition of identity, and follows the evolution of, and protects, a right to personal identity and personality within human rights law. It specifically examines the development of a right to personal identity as property, the inter-subjective nature of identity, and the intercession of power and inequality. Part II evaluates past and contemporary attempts to describe the core of personal identity, including theories concerning the soul, the rational mind, and the growing influence of neuroscience and genetics in explaining what it means to be human. It also explores the inter-relation and conflict between universal principles and culturally specific rights. Part III focuses on issues and case law that can be interpreted as allowing self-determination. Marshall argues that while in an age of individual identity, people are increasingly obliged to live in conformed ways, pushing out identities that do not fit with what is acceptable. Drawing on feminist theory, the book concludes by arguing how human rights law would be better interpreted as a force to enable respect for human dignity and freedom, interpreted as empowerment and self-determination whilst acknowledging our inter-subjective identities. In drawing on socio-legal, philosophical, biological and feminist outlooks, this book is truly interdisciplinary, and will be of great interest and use to scholars and students of human

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rights law, legal and social theory, gender and cultural studies.

Since it was first published in 2000, The Law of Human Rights has become the leading practitioner text in this rapidly developing area of law. Written by two leading silks, it provides comprehensive and systematic treatment of human rights law and practice in the UK, including an examination of the wider impact of the Human Rights Act 1998 upon the civil and criminal law. The second edition has been fully updated to provide detailed coverage of developments as the human rights legislation continues to be tested out in the courts. The authors have tracked the growing body of case law and the book includes comprehensive case references for the UK and other jurisdictions. The Law of Human Rights is divided into two volumes. The Main Work includes a detailed analysis of the rights granted by the Human Rights Act 1998. Each chapter in this section focuses upon a particular rights and offers a thorough examination of European and domestic case law. This impact is considered in relation to a number of subject areas, including business and commerce, criminal law and justice, education, employment, immigration, media, mental health, police and prisoners. The Law of Human Rights will be kept up to date by way of regular paperback supplements which provide full updates of relevant case law and legislation.

This book provides a precise concept of international human rights law, its development and the tangible meaning of civil and political rights, economic and social rights. It has highlighted women's rights, globalization, human rights education, role of the UN and NGOs to protect human rights. The 60 or so nations that subscribe to the common law tradition had for centuries broadly accepted the same legal definitions of what constitutes a charity. In recent years, however, a number of countries have embarked on charity

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law reform processes, designed to strengthen the regulatory framework and to review and encode common law concepts. A primary driver of reform was the need to modernise national charity law and ensure human rights compatibility. In light of these reforms, this book takes stock of how charity law is adapting to face the challenges presented by human rights. The book identifies the key areas where human rights and charity law intersect and examines the importance of those areas, the principles involved and their political significance. It offers a comparative analysis of selected common law countries including England, Wales, Ireland, US, Canada, Australia and New Zealand, assessing the extent of national human rights and charity compatibility. Kerry O'Halloran also goes on to consider tensions arising from the intersection of human rights and charity law, including the significance of cultural values and heritage, the importance of proportionality and striking a balance between public and private interests in current society.

This book explores the effects of institutional fragmentation in international human rights law, by comparing the rights jurisprudence of three human rights courts and bodies, namely the European Court for Human Rights, the Inter-American Court for Human Rights and the Human Rights Committee. Contributions cover the areas of freedom of expression (journalism and the media), right to privacy, freedom of assembly and freedom of association (political parties), and measure the extent of fragmentation of human rights protection. Moreover, the volume argues that, while the conflict of laws approach, favoured by the International Law Commission, might work in avoiding outright conflict in obligation, in practice it is not an approach that presents a viable research agenda when it comes to understanding the causes and consequences of institutional fragmentation. This is especially evident in areas like international human rights,

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where the possibility of a silent drift between the jurisprudence of the three courts is a real possibility. This book was originally published as a special issue of the Nordic Journal of Human Rights.

The Law of Human Rights

The Oxford Handbook of International Human Rights Law provides an authoritative and original overview of one of the key branches of international law. Forty contributors comprehensively analyse the role of human rights in international law from a global perspective, examining its origins and principles, and measuring its impact on the world. This new book examines the relationship between culture and respect for human rights. It departs from the oft-made assumption that culture is closely linked to ideas about community. Instead, it reveals culture as a quality possessed by the individual with a serious impact on her ability to enjoy the rights and freedoms as recognised in international human rights law in meaningful and effective ways. This understanding redirects attention towards a range of issues that have long been marginalised, but which warrant a central place in human rights research and on the international human rights agenda. Special attention is given to the circumstances induced by cultural differences between people and the laws by which they are expected to live. The circumstances are created by differing tools, know-how and skills (cultural equipment), diverse settlements on matters that are ultimately indifferent from the standpoint of cosmopolitan moral law (adiaphora), and conflicts having their source in conflicting doctrines ethical, religious and philosophical addressing deep questions about the ultimate purpose of human life (comprehensive doctrines). Each of the circumstances shifts the focus with the aim of securing effective and adequate protection of individual freedom, as societies become increasingly diversified in cultural terms and

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issues arise of access to laws and public institutions, exemption from legal obligations for reasons of conscience, fair resolution of conflicts having their source in differing ethical, religious and philosophical outlooks, and, excuse for breach of law in case of involuntary ignorance.

The Internet has created a formidable challenge for human rights law and practice worldwide. International scholarly and policy-oriented communities have so far established a consensus regarding only one main aspect – human rights in the internet are the same as offline.

There are emerging and ongoing debates regarding not only the standards and methods to be used for achieving the "sameness" of rights online, but also whether "classical" human rights as we know them are contested by the online environment. The internet itself, in view of its cross-border nature and its ability to affect various areas of law, requires adopting an internationally oriented approach and a perspective strongly focused on social sciences. In particular, the rise of the internet, enhanced also by the influence of new technologies such as algorithms and intelligent artificial systems, has influenced individuals' civil, political and social rights not only in the digital world, but also in the atomic realm. As the coming of the internet calls into question well-established legal categories, a broader perspective than the domestic one is necessary to investigate this phenomenon. This book explores the main fundamental issues and practical dimensions related to the safeguarding of human rights in the internet, which are at the focus of current academic debates. It provides a comprehensive analysis with a forward-looking

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perspective of bringing order into the somewhat chaotic online dimension of human rights. It addresses the matter of private digital censorship, the apparent inefficiency of existing judicial systems to react to human rights violations online, the uncertainty of liability for online human rights violations, whether the concern with personal data protection overshadows multiple other human rights issues online and will be of value to those interested in human rights law and legal regulation of the internet.

Pierre Manent is one of France's leading political philosophers. This first English translation of his profound and strikingly original book *La loi naturelle et les droits de l'homme* is a reflection on the central question of the Western political tradition. In six chapters, developed from the prestigious Étienne Gilson lectures at the Institut Catholique de Paris, and in a related appendix, Manent contemplates the steady displacement of the natural law by the modern conception of human rights. He aims to restore the grammar of moral and political action, and thus the possibility of an authentically political order that is fully compatible with liberty rightly understood. Manent boldly confronts the prejudices and dogmas of those who have repudiated the classical and (especially) Christian notion of "liberty under law" and in the process shows how groundless many contemporary appeals to human rights turn out to be. Manent denies that we can generate obligations from a condition of what Locke, Hobbes, and Rousseau call the "state of nature," where human beings are absolutely free, with no obligations to others. In his view, our ever-more-imperial

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affirmation of human rights needs to be reintegrated into what he calls an 'archic' understanding of human and political existence, where law and obligation are inherent in liberty and meaningful human action. Otherwise we are bound to act thoughtlessly in an increasingly arbitrary or willful manner. Natural Law and Human Rights will engage students and scholars of politics, philosophy, and religion, and will captivate sophisticated readers who are interested in the question of how we might reconfigure our knowledge of, and talk with one another about, politics.

Surrogacy presents particularly complex questions for human rights law and theory. This book provides a unique and insightful examination into the underexplored issues of how domestic and international law is responding to the sharp increase in the use of surrogacy. The work presents critical analysis of the current regulation of surrogacy via domestic law in Australia, India and the USA, and international law in the form of the UN Convention on the Rights of the Child. Including a wide range of views from academics and practitioners around the world, the contributors consider what could be done to further protect the rights of all persons involved in surrogacy arrangements. This in-depth study of the international and domestic law governing surrogacy provides much needed scholarly knowledge of this contemporary phenomenon, along with recommendations for improvement, regulation and reform. The book will be of great importance to human rights and legal scholars, and well as practitioners in this field.

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The only human rights textbook truly merging law with practice in a comprehensive and enjoyable manner. This book addresses the legal issues raised by the interaction between human rights and development in contemporary international law. In particular, it charts the parameters of international law that states have to take into account in order to protect human rights in the process of development. In doing so, it departs from traditional analyses, where human rights are mainly considered as a political dimension of development. Rather, the book suggests focusing on human rights as a system of international norms establishing minimum standards of protection of individuals and minimum standards applicable in all circumstances on what is essential for a dignified existence. The various dimensions covered in the book include: the discourse on human rights and development interrelationship, particularly *opinio juris* and the practice of states on the question; the notion of international assistance and cooperation in human rights law, under legal regimes such as international humanitarian law, and emerging rules in the area of protection of persons in the event of disasters; the extraterritorial scope of economic, social and cultural rights treaties; and legal principles on the respect for human rights in externally designed and planned development activities. Analysis of these topics sheds light on the question of whether international law as it stands today addresses most of the issues concerning the protection of human rights in the development process.

This book provides analysis and critique of the dual

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protection of human rights in Europe by assessing the developing legal relationship between the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR). The book offers a comprehensive consideration of the institutional framework, adjudicatory approaches, and the protection of material rights within the law of the European Union and the European Convention on Human Rights (ECHR). It particularly explores the involvement and participation of stakeholders in the functioning of the EU and the ECtHR, and asks how well the new legal model of 'the EU under the ECtHR' compares to current EU law, the ECHR and general international law. Including contributions from leading scholars in the field, each chapter sets out specific case-studies that illustrate the tensions and synergies emergent from the EU-ECHR relationship. In so doing, the book highlights the overlap and dialectic between Europe's two primary international courts. The book will be of great interest to students and researchers of European Law and Human Rights.

International law is a social construct crafted by human endeavour to achieve or at least contribute to the achievement of goals perceived to be valuable or necessary to effective social relations. In effect, international law is no more than a facilitative process and so cannot have answers and conclusions of its own other than what lies within the ambitions of those who define the limits of the process. The essays collected together here reveal how international law facilitates the achievement of the long standing ambition of turning

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human rights ideals and rhetoric into reality.

This handbook provides a comprehensive and authoritative state-of-the-art review of the current and emerging research and policy on disability law. Bringing together a team of respected and experienced experts, the handbook offers a range of jurisdictional and multidisciplinary perspectives. The authors consider historical and contemporary, as well as comparative perspectives of disability law. Divided into three parts, the contributors provide a comprehensive reference to the theoretical underpinnings, ongoing debates and emerging fields within the subject. The study provides a strong basis for consideration of contemporary disability law, its research foundations, and progressive developments in the area. The book incorporates interdisciplinary and comparative country perspectives to capture the breadth of current discourse on disability law. This handbook provides a valuable resource for a wide range of scholars, public and private researchers, NGOs, and practitioners working in the area of disability law, and across national and transnational disability schemes. The work will be of important interest to those in the fields of sociology, history, psychology, economics, political science, rehabilitation sciences, medicine, technology, and law, among others.

The EU Fundamental Rights Agency (FRA) was established to provide evidence-based policy advice to EU institutions and Member States. By blending social science research with traditional normative work, it aims to influence human rights policy processes through new ways of framing empirical realities. The contributors to

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this volume critically examine the experience of the Agency in its first decade, exploring FRA's historical, political and legal foundations and its evolving record across major strands of EU fundamental rights. Central themes arising from these chapters include consideration of how the Agency manages the tension between a mandate to advise and the more traditional approach of human rights bodies to 'monitor', and how its research impacts the delicate equilibrium between these two contesting roles. FRA's experience as the first 'embedded' human rights agency is also highlighted, suggesting a role for alternative and less oppositional orientations for human rights research. While authors observe the benefits of the technocratic approach to human rights research that is a hallmark of FRA's evidence-based policy advice, they also note its constraints. FRA's policy work requires a continued awareness of political realities in Brussels, Member States, and civil society. Consequently, the complex process of determining the Agency's research agenda reflects the strategic priorities of key actors. This is an important factor in the Agency's role in the EU human rights landscape. This pioneering position of the Agency should invite reflection on new forms of institutionalized human rights research for the future.

The Nordic countries are well known globally for their high human rights standards and, at the same time, high degree of internet freedom. This edited collection reveals how the Nordic countries have succeeded in the task of protecting freedom of expression in the new media. It contains an overview of public policy choices and best

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practices of domestic online companies, which have the aspiration of finding global acceptance. Reviewing the topic of freedom of expression in new media within Nordic and Baltic countries, this book incorporates both general themes and interesting country-specific themes that will provide wider knowledge on the development of freedom of expression and media law in the online media era. A comprehensive analysis of regulation of online media, both at the level of legislation and application of law in courts and other authorities, are included. This book will contribute to the ongoing discussion as to whether there is a need to modify prevailing interpretation of freedom of expression. Human Rights Law and Regulating Freedom of Expression in New Media focuses on the multi-layered and complicated relationship between internet and human rights law. It contributes to the ongoing discussion regarding the protection of freedom of expression on the internet in the context of various doctrines of constitutional law, including the proliferation of constitutional adjudication. It will be of interest to researchers, academics, policymakers, and students in the fields of human rights law, internet law, political science, sociology, cultural studies, media and communications studies and technology.

Countries solemnly intone their commitment to human rights, and they ratify endless international treaties and conventions designed to signal that commitment. At the same time, there has been no marked decrease in human rights violations, even as the language of human rights has become the dominant mode of international

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moral criticism. Well-known violators like Libya, Saudi Arabia, and Sudan have sat on the U.N. Council on Human Rights. But it's not just the usual suspects that flagrantly disregard the treaties. Brazil pursues extrajudicial killings. South Africa employs violence against protestors. India tolerate child labor and slavery. The United States tortures. In *The Twilight of Human Rights Law*--the newest addition to Oxford's highly acclaimed *Inalienable Rights* series edited by Geoffrey Stone--the eminent legal scholar Eric A. Posner argues that purposefully unenforceable human rights treaties are at the heart of the world's failure to address human rights violations. Because countries fundamentally disagree about what the public good requires and how governments should allocate limited resources in order to advance it, they have established a regime that gives them maximum flexibility--paradoxically characterized by a huge number of vague human rights that encompass nearly all human activity, along with weak enforcement machinery that churns out new rights but cannot enforce any of them. Posner looks to the foreign aid model instead, contending that we should judge compliance by comprehensive, concrete metrics like poverty reduction, instead of relying on ambiguous, weak, and easily manipulated checklists of specific rights. With a powerful thesis, a concise overview of the major developments in international human rights law, and discussions of recent international human rights-related controversies, *The Twilight of Human Rights Law* is an indispensable contribution to this important area of international law from a leading scholar in the field.

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The book examines the genesis and development of environmental rights (or the Right to Environment) in international law and discusses their philosophical, theoretical and legal underpinnings in the context of sustainable development and the notion of solidarity rights.

This book explores the problematic relationship between human rights and their legal expression. Using a multidisciplinary approach, the authors scrutinise the extent to which legalisation shapes the human rights ideal, and survey the ethical,

This first English translation of Pierre Manent's profound and strikingly original book *La loi naturelle et les droits de l'homme* is a reflection on the central question of the Western political tradition. In six chapters, developed from the prestigious Étienne Gilson lectures at the Institut Catholique de Paris, and in a related appendix, Manent contemplates the steady displacement of the natural law by the modern conception of human rights. He aims to restore the grammar of moral and political action, and thus the possibility of an authentically political order that is fully compatible with liberty. Manent boldly confronts the prejudices and dogmas of those who have repudiated the classical and Christian notion of "liberty under law" and in the process shows how groundless many contemporary appeals to human rights turn out to be. Manent denies that we can generate obligations from a condition of what Locke, Hobbes, and Rousseau call the "state of nature," where human beings are absolutely free, with no obligations to others. In his view, our ever-more-imperial affirmation of human rights needs

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to be reintegrated into what he calls an “archic” understanding of human and political existence, where law and obligation are inherent in liberty and meaningful human action. Otherwise we are bound to act thoughtlessly and in an increasingly arbitrary or willful manner. Natural Law and Human Rights will engage students and scholars of politics, philosophy, and religion, and will captivate sophisticated readers who are interested in the question of how we might reconfigure our knowledge of, and talk with one another about, politics.

This book argues for a more open approach to human rights and international rights promotion, and in so doing brings some new understandings to old debates. Starting with the realities of abuse rather than the liberal architectures of rights, it casts human rights as a language for probing the political dimensions of suffering. Three case studies are explored – the Tiananmen Square massacre, East Timor’s violent modern history, and the circumstances of Indigenous Australians.

This book has a simple objective: to present the fundamentals of international human rights treaty law in a way that can be helpful to the national leader, official, or legal adviser whose duty it is to help put a human rights treaty regime into the law and practice in his or her country. It is a book of international law, as provided for in the principal international and regional human rights treaties and draws upon the jurisprudence and practice of their monitoring organs.

This book explores situations in which public opinion presents itself as an obstacle to the protection and promotion of human

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rights. Taking an international law perspective, it primarily deals with two questions: first, whether international law requires States to take an independent stance on human rights issues; second, whether international law encourages States to inform and mobilise public opinion with regard to core human rights standards. The discussion is mainly organised within the framework of the UN system. The work is particularly relevant to situations in which public opinion appears as discriminatory attitudes based on race, gender, age, health, sexual orientation and other factors. It is also pertinent to circumstances in which public opinion is responsible for the existence of certain harmful customs and practices such as female genital mutilation and capital punishment. Noting that the death penalty is increasingly recognised as an infringement of human rights, this study further challenges States' argument that capital punishment cannot be abolished because of public opinion. The book also discusses the role that education bears under international law in moulding favourable attitudes towards human rights. Finally, the book challenges States' acceptance that public opinion cannot be confronted in this respect.

This is an accessible collection of key universal and regional human rights law treaties and other related documents. It will appeal to students studying international human rights law as well as related courses for which no similar statute book exists: international humanitarian law; law and development; and international labour law.

Building on the strengths of the Sourcebook on Public Law, this book has been comprehensively revised to take account of the radical programme of constitutional reform introduced by the Labour Government since 1997.

Beth Simmons demonstrates through a combination of statistical analysis and case studies that the ratification of treaties generally leads to better human rights practices. She

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argues that international human rights law should get more practical and rhetorical support from the international community as a supplement to broader efforts to address conflict, development, and democratization.

Human rights issues arise more and more often in an intellectual property context. 'Intellectual property and human rights' is the first comprehensive analysis of this emerging nexus of legal issues. In twenty-one incisive essays, well-known authorities in both intellectual property law and human rights law present in-depth analysis and discussion of such essential topics as the following: 0The human rights credentials of copyright and other intellectual property rights; 0The relations between copyright and freedom of speech and of expression, from the perspectives of both North American and European law; 0The relevance to copyright of the public interest defence in European law; 0The way trade marks and human rights interfere; 0The human rights and morality aspects of biotechnological patents and stem cell patents; 0The interaction between human rights and geographical indications; and 0The fundamental rights of privacy in an intellectual property environment. 0In the years to come, more and more lawyers will be confronted with issues involving the interaction of intellectual property and human rights. As a groundbreaking work 'Intellectual property and human rights' will be seen as a cornerstone of the debate. Practitioners, academics and policymakers in both fields will immediately recognize its value as a springboard to the informed future development of this new and crucial area of legal theory and practice.

In recent decades, there have been many changes to adoption law and practice, such as a sharp decline in the voluntary relinquishment of children, an increase in the number consigned to public care, and an abrupt decrease in those made available on an intercountry basis. Additionally,

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human rights are becoming more prominent, particularly in relation to issues such as: non-consensual adoption; the ethics of intercountry adoption; the eligibility of LGBT adopters; the impact of commercial surrogacy; and the sometimes conflicting rights of birth parents and adoptees when accessing agency birth records. In this book, O'Halloran presents a comparative analysis of the interaction between adoption law and human rights in common law (England and the US), civil law (France and Germany), and Asiatic traditions (Japan and China), while also developing a matrix of legal functions to assist in identifying and analysing areas of tension between human rights and adoption. This book is intended for a lawyer readership, whether professional, student or academic: researchers and postgraduate students in subjects such as social work, social policy and politics may also find it helpful.

Africa, with its mix of statute, custom and religion is at the centre of the debate about law and its impact on gender relations. This is because of the centrality of the gender question and its impact on the cultural relativism debate within human rights. It is therefore important to examine critically the role of law, broadly constructed, in African societies. The book focuses on women's experiences in the family. This is because the lives of women continue to be lived out largely in the private domain, where the right to privacy is used to conceal unequal treatment of women which is justified by invoking 'custom' and 'tradition'. The book shows how law and its interpretation is used to disenfranchise women, resulting in their being deprived of land and other property which they may have helped to accumulate. It also considers issues of violence within the home, reproductive rights and examines the issue of female genital cutting. The role of women in development is explored as is their participation in politics and the NGO sector. A major theme of

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the book is a consideration of the linkages of constitutional and international human rights norms with local values. This is done using feminist tools of analysis. The book considers the provisions of the Protocol to the African Charter on Human and People's Rights on the Rights of Women which was adopted by the African Union in July 2003.

The Routledge Handbook of International Human Rights Law provides the definitive global survey of the discipline of international human rights law. Each chapter is written by a leading expert and provides a contemporary overview of a significant area within the field. As well as covering topics integral to the theory and practice of international human rights law the volume offers a broader perspective through examinations of the ways in which human rights law interacts with other legal regimes and other international institutions, and by addressing the current and future challenges facing human rights. This highly topical collection of specially commissioned papers is split into four sections: The nature and evolution of international human rights law discussing the origins, theory and practice of the discipline. Interaction of human rights with other key regimes and bodies including the interaction of the discipline with international economic law, international humanitarian law, and development, as well as other legal regimes. Evolution and prospects of regional approaches to human rights discussing the systems of Europe, the Americas, Africa and South East Asia, and their relationship to the United Nations treaty bodies. Key contemporary challenges including non-State actors, religion and human rights, counter-terrorism, and enforcement and remedies. Providing up-to-date and authoritative articles covering key aspects of international human rights law, this book work is an essential work of reference for scholars, practitioners and students alike. Chapter 35 of this book is freely available as a downloadable Open Access PDF at

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This incisive book provides an unparalleled insight into the ways in which international human rights law functions in a real world context across cultural, religious and geopolitical divides. Written by a professor, former ambassador and international judge, the book demonstrates how power, diplomacy, tactics and processes operate within the human rights system from the perspective of a non-Western insider with more than three decades' experience in the field.

The intersection of business and human rights contains substantial economic, social, and political implications. Global business enterprises and civil society groups must establish a constructive and meaningful dialogue in order to work cooperatively t

The capacity to abuse, or in general affect the enjoyment of human, labour and environmental rights has risen with the increased social and economic power that multinational companies wield in the global economy. At the same time, it appears that it is difficult to regulate the activities of multinational companies in such a way that they conform to international human, labour and environmental rights standards. This has partially to do with the organization of companies into groups of separate legal persons, incorporated in different states, as well as with the complexity of the corporate supply chain. Absent a business and human rights treaty, a more coherent legal and policy approach is required. Faced with the challenge of how to effectively access the right to remedy in the European Union for human rights abuses committed by EU companies in non-EU states, a diverse research consortium of academic and legal institutions was formed. The consortium, coordinated by the Globernance Institute for Democratic Governance, became

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the recipient of a 2013 Civil Justice Action Grant from the European Commission Directorate General for Justice. A mandate was thus issued for research, training and dissemination so as to bring visibility to the challenge posed and moreover, to provide some solutions for the removal of barriers to judicial and non-judicial remedy for victims of business-related human rights abuses in non-EU states. The project commenced in September 2014 and over the course of two years the consortium conducted research along four specific lines in parallel with various training sessions across EU Member States. The research conducted focused primarily on judicial remedies, both jurisdictional barriers and applicable law barriers; non-judicial remedies, both to company-based grievance. The results of this research endeavour make up the content of this report whose aim is to provide a scholarly foundation for policy proposals by identifying specific challenges relevant to access to justice in the European Union and to provide recommendations on how to remove legal and practical barriers so as to provide access to remedy for victims of business-related human rights abuses in non-EU states.

International Human Rights Law is a comprehensive introductory treatise, intended for all concerned about this critical area of international law, including students, lawyers, other advocates, teachers, and academics.

Bringing Human Rights Back: Embracing Human Rights as a Mechanism for Addressing Gaps in United States Law examines well-documented policy failures in the United States and makes an argument for how a human rights approach to these issues can lead to meaningful change. Specifically, the authors articulate a human rights approach to online harassment of women, child poverty, and access to safe drinking water. These issue areas all involve human rights concerns and gross shortcomings within current law,

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policy, and practice in the United States. The authors analyze recent events, such as Gamergate, contention over social programs such as TANF and CHIP, and the water crises in Flint and Detroit to demonstrate the ways in which current laws do not fully respect, protect, and fulfill human rights. A human rights approach decenters assigning blame or liability, and instead emphasizes human dignity, redress, and remedy for the rights violations. Daniel Tagliarina and Corinne Tagliarina not only highlight the need for change in these areas, but outline a practical way forward rooted in human rights scholarship and practice.

Fully updated edition offers coverage of new topics and a more student-friendly design, while retaining the original style and features.

A comparative investigation into the revolution in private law in the era of human rights Scotland and South Africa are mixed jurisdictions, combining features of common law and civil law traditions. Over the last decade a shared feature in both Scotland and South Africa has been a new and intense focus on human rights. In Scotland the European Convention on Human Rights now constitutes an important element in the foundation of all domestic law. Similarly, the Constitution of the Republic of South Africa, adopted in 1996, has as its cornerstone a Bill of Rights that binds not only the legislature, the executive, the judiciary and all organs of state, but also private parties. Of course the "constitutional moments" from which these documents sprang were very different and the Scottish and South African experience in some aspects could not be more dissimilar. Yet in many respects the parallels are close and compelling. This book, written by experts from both jurisdictions, examines exactly how human-rights provisions influence private law, looking at all branches of the subject. Moreover, it gives a unique perspective by comparing the approach in these kindred legal systems, thus providing a

