



European Convention on Human Rights (ECHR)

- *Explicit* Right to Personal Privacy under Article 8 of 1950 *European Convention for the Protection of Human Rights & Fundamental Freedoms* (ECHR)
- Convention ratified by all 25 EU Member States and most other European countries
- ECHR now indirectly part of Irish law due to ECHR Act 2003

Fundamental Rights In Europe The Echr And Its Member States 1950

**David John Harris, Michael O'Boyle, Ed
Bates, Carla Buckley**



Fundamental Rights In Europe The Echr And Its Member States 1950 :

Europe of Rights: A Compendium on the European Convention of Human Rights Javier García Roca, Pablo Santolaya, 2012-03-20 This book is a systematic commentary on half a century of case law on the Convention system made by a group of legal experts from various universities and legal disciplines It provides a guide of the rights protected under ECHR as well as a better understanding open to supranational scenarios of fundamental rights in the respective Constitutions Our intention is not only to make available a mere case law commentary This work indeed offers succinct information on the most consolidated lines of case law and this is probably where it is most useful Nevertheless there is also academic reflection which we believe is nowadays essential as Europe is becoming more than a continent it is above all a civilisation with a common language of rights a developing *ius commune* The Evolution of the European Convention on Human Rights Ed Bates, 2010-12-23 The European Convention on Human Rights is probably the most effective system of international human rights control created This book examines the story of the evolution of the Convention over its first 50 years It explains how the Convention system grew up and how it came to exert such an important influence on the States which subscribe to it

The European Convention on Human Rights Steven Greer, 2006-11-30 This book critically appraises the European Convention on Human Rights as it faces some daunting challenges It argues that the Convention's core functions have subtly changed particularly since the ending of the Cold War and that these are now to articulate an abstract constitutional model for the entire continent and to promote convergence in the operation of public institutions at every level of governance The implications from national compliance to European international relations including the adjudication of disputes by the European Court of Human Rights are fully explored As the first book length socio legal examination of the Convention's principal achievements and failures this study not only blends legal and social science scholarship around the theme of constitutionalization but also offers a coherent set of policy proposals which both address the current case management crisis and suggest ways forward neglected by recent reforms The EU Charter of Fundamental Rights Giacomo Di Federico, 2010-12-02 The first part of the book reviews the multi level system of protection currently operating in Europe and its constitutional implications The Charter is analysed from a legal political and practical standpoint The activity of the European Parliament as a fundamental rights actor will also be examined as well as the right to a fair trial and to effective judicial protection before and by the EU Courts The second part of the volume addresses the impact of a binding Charter on specific areas of EU Law The order in which the contributions have been set out reflects the structure of the Treaty on the functioning of the European Union free circulation of persons the internal market the area of freedom security and justice civil and criminal aspects social rights protection environmental policy enlargement international trade and the Common Foreign and Security Policy The National Judicial Treatment of the ECHR and EU Laws Giuseppe Martinico, Oreste Pollicino, 2010 Have national judges started treating the provisions of the European Convention on Human Rights the same

way they treat the EC law's norms. In order to answer this question the editors of this book included scholars from the countries that are members both of the EU and the Council of Europe. The book collects the proceedings of an international conference held January 16-17 2010 at the Scuola Superiore Sant'Anna of Pisa.

Fundamental Rights in Europe
 Federico Fabbrini, 2014-02-13. The European architecture for the protection of fundamental rights combines the legal regimes of the states, the European Union and the European Convention on Human Rights. The purpose of this book is to analyse the constitutional implications of this multilevel architecture and to examine the dynamics that spring from the interaction between different human rights standards in Europe. The book adopts a comparative approach and through a comparison with the federal system of the United States it advances an analytical model that systematically explains the dynamics at play in the European multilevel human rights architecture. It identifies two recurrent challenges in the interplay between different state and transnational human rights standards: a challenge of ineffectiveness when transnational law operates as a ceiling of protection for a specific human right and a challenge of inconsistency when transnational law operates as a floor and considers the most recent transformations taking place in the European human rights regime. The book tests the model of challenges and transformations by examining in depth four case studies: the right to due process for suspected terrorists, the right to vote for non-citizens, the right to strike and the right to abortion. In light of these examples the book then concludes by reassessing the main theories on the protection of fundamental rights in Europe and making the case for a new vision: a neo-federal theory which is able to frame the dilemmas of identity, equality and supremacy behind the European multilevel architecture for the protection of human rights.

The European Convention on Human Rights and the Employment Relation
 Filip Dorssemont, Klaus Lörcher, Isabelle Schömann, 2014-07-18. The accession by the European Union to the European Convention on Human Rights (ECHR) has opened up new possibilities in terms of the constitutional recognition of fundamental rights in the EU. In the field of employment law it heralds a new procedure for workers and trade unions to challenge EU law against the background of the ECHR. In theoretical terms this means that EU law now goes beyond recognition of fundamental rights as mere general principles of EU law, making the ECHR the gold standard for fundamental social rights. This publication of the Transnational Trade Union Rights Working Group focuses on the EU and the interplay between the Strasbourg case law and the case law of the Court of Justice of the European Union (CJEU) analysing the relevance of the ECHR for the protection of workers' rights and for the effective enjoyment of civil and political rights in the employment relation. Each chapter is written by a prominent European human rights expert and analyses the case law of the European Court of Human Rights (ECtHR) and also looks at the equivalent international labour standards within the Council of Europe, in particular the Revised European Social Charter, the International Labour Organization (ILO) in particular the fundamental rights conventions and the UN Covenants, in particular the International Covenant on Economic, Social and Cultural Rights and the interpretation of these instruments by competent organs. The authors also analyse the ways in which

the CJEU has acknowledged the respective ECHR articles as general principles of EU law and asks whether the Lisbon Treaty will also warrant a reassessment of the way it has treated conflicts between these general principles and the so called fundamental freedoms

Human Rights Law in Europe Kanstantsin Dzehtsiarou, Theodore Konstadinides, Tobias Lock, Noreen O'Meara, 2014-03-21 This book provides analysis and critique of the dual 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

[Making Human Rights Intelligible](#) Mikael Rask Madsen, Gert Verschraegen, 2013-03-20 Human rights have become a defining feature of contemporary society permeating public discourse on politics law and culture But why did human rights emerge as a key social force in our time and what is the relationship between rights and the structures of both national and international society By highlighting the institutional and socio cultural context of human rights this timely and thought provoking collection provides illuminating insights into the emergence and contemporary societal significance of human rights Drawn from both sides of the Atlantic and adhering to refreshingly different theoretical orientations the contributors to this volume show how sociology can develop our understanding of human rights and how the emergence of human rights relates to classical sociological questions such as social change modernisation or state formation Making Human Rights Intelligible provides an important sociological account of the development of international human rights It will be of interest to human rights scholars and sociologists of law and anyone wishing to deepen their understanding of one of the most significant issues of our time

European Constitutional Law Robert Schütze, 2012-04-05 The European Union has existed for over half a century Having started as the Europe of the Six in a specific industrial sector the Union today has twenty seven Member States and acts within almost all areas of social life The Union's constitutional structures have evolved in parallel with this immense growth Born as an international organisation the Union has developed into a constitutional Union of States This textbook analyses the constitutional law of the European Union after Lisbon in a clear and structured way Examining the EU through a classic constitutional perspective it explores all the central themes of the course from the history and structure of the Union the powers and procedures of its branches of government to the rights and remedies of European citizens A clear three part structure and numerous

illustrations will facilitate understanding Critical and comprehensive this is required reading for all students of European constitutional law *An Introduction to European Law* Robert Schütze, 2012-09-06 This new introduction provides a short but comprehensive treatment to European law Enlargement of the European Union Allan F. Tatham, 2009-01-26 The development of EU enlargement has raised many thorny issues unanticipated by the framers of the EC Treaty A significant upshot of these issues is that the concept of European identity defined in terms of such factors as culture history and economics has supplanted the long dominant theme of widening and deepening particularly since the Union's expansion has become primarily eastward The major contribution of this important book lies in its analysis of the conceptualization and perception of enlargement from various points of view focusing on the concerns of stakeholders and the identity conflicts and uncertainties incurred by enlargement initiatives In the course of its presentation it details the actual pre accession Europeanization process and its complex history Among the key elements discussed are the following the conflict between widening and deepening and the effect on EU institutional reform institutional requirements on candidate countries pre accession criteria and negotiations administrative capacity judicial capacity and legal approximation in accession states capacity of the EU to absorb new Member States and EC law as part of European identity Also covered are specific historical details of particular pre accession negotiations e g Greece Spain Portugal Malta and Cyprus the still inconclusive negotiations with Turkey and the Western Balkan states and political factors involved in the non accession of Norway Iceland and Switzerland Assembling powerful evidence and applying incisive analysis the author's conclusion shows that absent further and major EU institutional reform it will be difficult for an enlarging Union to continue to deliver the goods A watershed in the continuing great debate on the fulfilment of the EC Treaty's determination to foster and promote an ever closer union of the peoples of Europe this book will prove invaluable to anybody interested in the European integration project particularly lawyers academics officials and policymakers in the EU Member States *The Oxford Handbook of Comparative Constitutional Law* Michel Rosenfeld, András Sajó, 2012-05-17 The field of comparative constitutional law has grown immensely over the past couple of decades Once a minor and obscure adjunct to the field of domestic constitutional law comparative constitutional law has now moved front and centre Driven by the global spread of democratic government and the expansion of international human rights law the prominence and visibility of the field among judges politicians and scholars has grown exponentially Even in the United States where domestic constitutional exclusivism has traditionally held a firm grip use of comparative constitutional materials has become the subject of a lively and much publicized controversy among various justices of the U S Supreme Court The trend towards harmonization and international borrowing has been controversial Whereas it seems fair to assume that there ought to be great convergence among industrialized democracies over the uses and functions of commercial contracts that seems far from the case in constitutional law Can a parliamentary democracy be compared to a presidential one A federal republic to a unitary one Moreover what about differences in

ideology or national identity Can constitutional rights deployed in a libertarian context be profitably compared to those at work in a social welfare context Is it perilous to compare minority rights in a multi ethnic state to those in its ethnically homogeneous counterparts These controversies form the background to the field of comparative constitutional law challenging not only legal scholars but also those in other fields such as philosophy and political theory Providing the first single volume comprehensive reference resource the Oxford Handbook of Comparative Constitutional Law will be an essential road map to the field for all those working within it or encountering it for the first time Leading experts in the field examine the history and methodology of the discipline the central concepts of constitutional law constitutional processes and institutions from legislative reform to judicial interpretation rights and emerging trends

Documents Council of Europe: Parliamentary Assembly, 2006-04-06

National Constitutions and EU Integration Stefan Griller, Lina Papadopoulou, Roman Puff, 2022-08-25 Do individual constitutions and the legal cultures underlying them pose an obstacle to future EU integration This ambitious collection brings together reports from all the European Member States systematically setting out their individual constitutional guarantees In doing so it tracks possible roadblocks to the future evolution of European integration Written by recognised authorities in each Member State it offers an authoritative and rigorous overview of the European Union's constitutional landscape Its single structure approach allows for comparison while maintaining consistency It will become the standard reference work for academics students and practitioners in the field of European Union law and integration

Struggles for Belonging Dieter Gosewinkel, 2021 This book recounts the history of citizenship in 20th century Europe focussing on six countries Great Britain France Germany Czechoslovakia Poland and Russia It is the history of a central legal institution that significantly represents and at the same time determines struggles over migration integration and belonging

Research Handbook on Torture Malcolm D. Evans, Jens Modvig, 2020-12-25 This Research Handbook is of great importance in an era where torture whilst universally condemned remains endemic It explores the nature of the international prohibition of torture and the various means and mechanisms which have been put in place by the international community in an attempt to make that prohibition a reality

The Influence of American Theories on Judicial Review in Nordic Constitutional Law Ragnhildur Helgadóttir, 2006-02-01 Courts of some Nordic countries started reviewing the constitutionality of legislation long before judicial review was established elsewhere in Europe This study examines the influence of American law and theories of judicial review on the development practice and theorization of judicial review in Norway Denmark and Iceland from the 19th century to the present The study describes how Nordic scholars in the late 19th century rationalized judicial review based on American theory and how American law influenced both their views of the institution and their way of thinking about substantive constitutional rights These views in turn influenced Nordic jurisprudence for decades The author then shows how the changes that took place in American constitutional jurisprudence in the 1930s and 1940s influenced Nordic constitutional theory and constitutional jurisprudence

These changes received significant attention in Nordic legal circles and the study examines how these changes as well as the American and Nordic theory that built on them influenced Nordic jurisprudence Finally it is argued that American influence in this area of law changed after 1965 Direct references to and discussions of American law almost disappeared from Nordic jurisprudence American constitutional law was however an important influence on the case law of the European Court of Human Rights which importance increased in this period The European Convention of Human Rights and the Court s decisions have in turn immensely influenced Nordic constitutional law *Law of the European Convention on Human Rights* David John Harris,Michael O'Boyle,Ed Bates,Carla Buckley,2023 This seminal text offers a comprehensive account of the case law of the ECHR and its underlying principles It provides a guide to decisions under the Convention and its protocols article by article as well as explaining the history and likely development of the law **European Union Law** Robert Schütze,2015-04-02 Provides a clear yet rigorous coverage of all the core topics of EU law with numerous case extracts and one hundred visual aids

Unveiling the Magic of Words: A Report on "**Fundamental Rights In Europe The Echr And Its Member States 1950** "

In a world defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their capability to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Fundamental Rights In Europe The Echr And Its Member States 1950** ," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve to the book is central themes, examine its distinctive writing style, and assess its profound affect the souls of its readers.

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