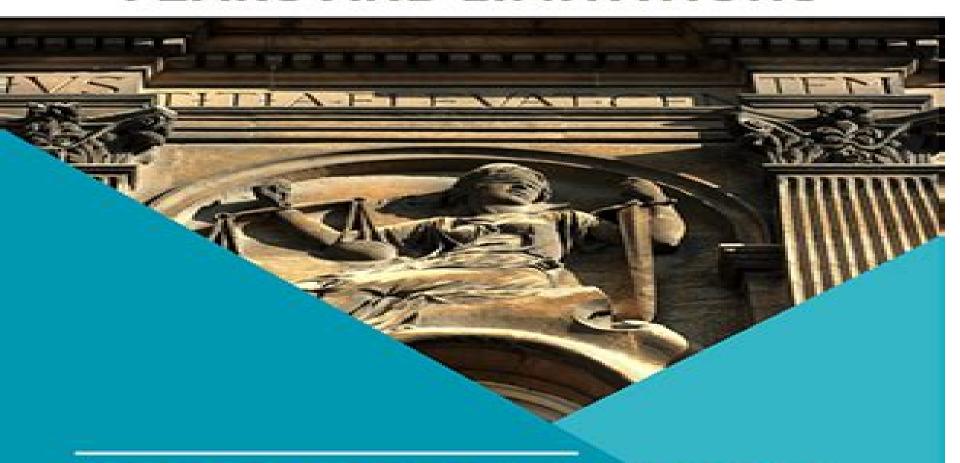
HUMAN RIGHTS LAW: PROSPECTS, POSSIBILITIES, FEARS AND LIMITATIONS



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28-29 SEPTEMBER 2023 UNIVERSITY OF CAMBRIDGE, FACULTY OF LAW

European Human Rights Law

Tamara Hervey, Jeff Kenner

European Human Rights Law:

European Human Rights Law Mark W. Janis, Richard S. Kay, Anthony Wilfred Bradley, 2008 The third edition of European Human Rights Law Text and Materials has been substantially expanded to provide a complete review of the wide range of rights the Convention protects with new chapters on the right to life property discrimination religious freedom and education The book introduces both the process and the substance of this increasingly important area of European law A broad selection of extracts from essential cases and materials is accompanied by stimulating commentary that guides the reader through the legal rules and court system that have evolved in Strasbourg how the court works and how European human rights law is enforced both at the national and international level European human rights law is also placed into a useful comparative framework alongside human rights cases decided by courts in the United States Canada and elsewhere This third edition has been extensively updated to cover the major developments of recent years including the reform of the European Court of Human Rights and the expansion of the system to central and eastern Europe **European Human Rights Law** Sarah Maringele, 2014-07-18 In Section One of the work a brief introduction to the topic illustrates the main purpose of the disquisition and exemplifies the fundamental questions. The author emphasizes on the illustration of the International perspective of Fundamental Rights within Section Two which is followed by an explication of the divergent legal sources and impacts of Human Rights Law e g the Charter of the United Nations the European Bill of Rights and the European Convention on Human Rights The next part exemplifies the ECtHR's case law in respect of the most significant principles and methods of interpretation by offering well discussed and analyzed case studies. The case analyzes provide the important facts the argumentation and the conclusion of the Court furthermore the author allocates the dissenting opinions critical remarks and further correlations Within Section Four the legal machinery and controlling mechanisms are discussed shortly The International abandonment of violence against women is considered in Section Five which elucidates the categories facts and presence of physical and psychological violence against women and children as well as the judicial approach to the given circumstances in the light of the ECHR The last section summarizes the results and closes with an illustration of possible future developments and perspectives of European Human Rights Law The Right to Equality in **European Human Rights Law** Charilaos Nikolaidis, 2014-07-25 A right to equality and non discrimination is widely seen as fundamental in democratic legal systems But failure to identify the human interest that equality aims to uphold reinforces the argument of those who attack it as morally empty or unsubstantiated and weakens its status as a fundamental human right This book argues that an understanding of the human interest which equality aims to uphold is feasible within the jurisprudence of the European Court of Human Rights ECtHR and the European Court of Justice ECJ In comparing the evolution of the prohibition of discrimination in the case law of both Courts Charilaos Nikolaidis demonstrates that conceptual convergence within the European Convention on Human Rights ECHR and the EU on the issue of equality is not

as far as it might appear initially While the two bodies of equality law are extremely divergent as to the requirements they impose their interpretation by the international judiciary might be properly analysed under a common light to emphasise the substantive dimension of equality in European Human Rights law The book will be of great use and interest to scholars and students of human rights discrimination law and European politics Russia and European Human-Rights Law ,2014-11-20 In Russia and European Human Rights Law The Rise of the Civilizational Argument Lauri M lksoo and his co authors critically examine Russia's experiences as part of the European human rights protection system since its admittance to the Council of Europe in 1998 The authors combine legal and constructivist international relations theory perspectives in studying Russia's practice and rhetoric as a member of the Council of Europe and a subject to the jurisdiction of the European Court of Human Rights Certain aspects of human rights doctrine and practice in Russia are particularly highlighted the increasing impact of Orthodox Christian teachings on the Russian government's ideology the situation with media freedom freedom of religion etc The authors draw widely on Russian sources and media The guestions whether modern day Russia truly fits in the human rights protection system of the Council of Europe and whether a margin of appreciation will suffice when dealing with Moscow are highly relevant in contemporary European politics Against Women under European Human Rights Law Elena Brodeală, Ivana Jelić, Silvia Suteu, 2024-12-09 This timely book analyzes recent developments and key questions related to violence against women under European human rights law including the European Convention of Human Rights the European Social Charter and EU Law instruments It examines supranational standards and their complex interplay with national legal orders and realities The EU∏s Human Rights Responsibility Gap Joyce De Coninck, 2024-11-14 Can the EU be held legally responsible for its contributions to human rights harms in its Integrated Border Management policy Or do systemic legal design flaws in the EU s human rights responsibility regime give rise to a significant responsibility gap This book delves into these pressing questions offering a transversal analysis of applicable legal frameworks under international and EU law Divided into three parts the book first analyses the international and EU human rights responsibility frameworks revealing both normative incongruency as well as liability incongruency Part two applies these frameworks to specific illustrations within the four tiers of the EU s Integrated Border Management exposing the critical points where responsibility falters Building on these findings and drawing from shared responsibility and relationality theories part three briefly introduces Relational Human Rights Responsibility as an alternative method to ascertaining human rights responsibility of the EU specifically and international organisations more generally The UK and European Human Rights Katja S Ziegler, Elizabeth Wicks, Loveday Hodson, 2015-10-22 The UK s engagement

The UK and European Human Rights Katja S Ziegler, Elizabeth Wicks, Loveday Hodson, 2015-10-22 The UK s engagement with the legal protection of human rights at a European level has been at varying stages pioneering sceptical and antagonistic The UK government media and public opinion have all at times expressed concerns about the growing influence of European human rights law particularly in the controversial contexts of prisoner voting and deportation of suspected

terrorists as well as in the context of British military action abroad British politicians and judges have also however played important roles in drafting implementing and interpreting the European Convention on Human Rights Its incorporation into domestic law in the Human Rights Act 1998 intensified the ongoing debate about the UK's international and regional human rights commitments Furthermore the increasing importance of the European Union in the human rights sphere has added another layer to the relationship and highlights the complex relationship s between the UK government the Westminster Parliament and judges in the UK Strasbourg and Luxembourg The book analyses the topical and contentious issue of the relationship between the UK and the European systems for the protection of human rights ECHR and EU from doctrinal contextual and comparative perspectives and explores factors that influence the relationship of the UK and European human The European Court of Human Rights between Law and Politics Jonas Christoffersen, Mikael Rask rights Madsen, 2011-06-09 The European Court of Human Rights between Law and Politics provides a comprehensive analysis of the origins and development of one of the most striking supranational judicial institutions. The book brings together leading scholars and practitioners to cast new light on the substantial jurisprudence and ongoing political reform of the Court The broad analysis based on historical legal and social science perspectives provides new insights into the institutional crisis of the Court and identifies the lessons that can be learned for the future of the European Convention on Human Rights and Fundamental Freedoms The European Court of Human Rights is in many ways is an unparalleled success The Court embarked during the 1970s upon the development of a progressive and genuinely European jurisprudence In the post Cold War era it went from being the guarantor of human rights solely in Western Europe to becoming increasingly involved in the transition to democracy and the rule of law in Eastern Europe Now the protector of the human rights of some 800 million Europeans from 47 different countries the European system is once again deeply challenged this time by a massive case load and by the Member States increased reluctance towards the Court This book paves the way for a better understanding of the system and hence a better basis for choosing the direction of the next stage of development 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 proceeding of an international conference held January 16 17 2010 at the Scuola Superiore Sant Anna of Pisa European Union Law Damian Chalmers, Gareth Davies, Giorgio Monti, 2010-06-24 This eagerly awaited new edition has been significantly revised after extensive user feedback to meet current teaching requirements The first major textbook to be published since the rejuvenation of the Lisbon Treaty it retains the best elements of the first edition the engaging easily understandable writing style extracts from a variety of sources showing the creation interpretation and application of the law and comprehensive coverage In addition it has separate chapters on EU law in national courts

governance and external relations reflecting the new directions in which the field is moving The examination of the free movement of goods and competition law has been restructured Chapter introductions clearly set out what will be covered in each section allowing students to approach complex material with confidence and detailed further reading sections encourage further study Put simply it is required reading for all serious students of EU law Research Handbook on European Social Security Law Frans Pennings, Gijsbert Vonk, 2023-11-03 This comprehensive second edition Research Handbook discusses a wide range of timely questions and dilemmas ensuing from the present state of European social security law Presenting a kaleidoscopic concept of social security a new generation of leading experts identifies future lines of inquiry that are likely to dominate the discourse in the coming years European and International Media Law Jan Oster, 2017 This unique textbook offers a comprehensive overview of European and international media law and how globalised communication has shaped it **Economic and Social Rights under the EU Charter of Fundamental Rights** Tamara Hervey, Jeff Kenner, 2003-09-10 The Charter of Fundamental Rights of the European Union includes in addition to the traditional civil and political rights a large number of rights of an economic or social nature This collection of essays by leading scholars in this field considers the significance of the inclusion of such rights within the EU Charter in terms of protection of individual and collective social and economic interests within and between the EU and its Member States What differences might it make to EU law and policy both in terms of its substance and in terms of the processes by which it is formed that certain economic and social rights are proclaimed in the EU Charter **Leading Works in Law and Religion** Russell Sandberg, 2018-12-07 Leading Works in Law and Religion brings together leading and emerging scholars in the field from the United Kingdom and Ireland Each contributor has been invited to select and analyse a leading work which has for them shed light on the way that Law and Religion are intertwined The chapters are both autobiographical reflecting upon the works that have proved significant to contributors and also critical analyses of the current state of the field exploring in particular the interdisciplinary potential of the study of Law and Religion The book also includes a specially written introduction and conclusion which critically comment upon the development of Law and Religion over the last 25 years and likely future developments in light of the reflections by contributors on their chosen leading works Routledge Handbook of European Politics José Magone, 2014-12-17 Since the Treaty of the European Union was ratified in 1993 the European Union has become an important factor in an ever increasing number of regimes of pooled sovereignty This Handbook seeks to present a valuable guide to this new and unique system in the twenty first century allowing readers to obtain a better understanding of the emerging multilevel European governance system that links national polities to Europe and the global community Adopting a pan European approach this Handbook brings together the work of leading international academics to cover a wide range of topics such as the historical and theoretical background the political systems and institutions of both the EU and its individual member nations political parties and party systems political elites civil society and social

movements in European politics the political economy of Europe public administration and policy making external policies of the EU This is an invaluable and comprehensive resource for students scholars researchers and practitioners of the European Union European politics and comparative politics Lethal Force, the Right to Life and the ECHR Stephen Skinner, 2019-08-22 In its case law on the use of lethal and potentially lethal force the European Court of Human Rights declares a fundamental connection between the right to life in Article 2 of the European Convention on Human Rights and democratic society This book discusses how that connection can be understood by using narrative theory to explore Article 2 law s specificities and its deeper historical social and political significance Focusing on the domestic policing and law enforcement context the book draws on an extensive analysis of case law from 1995 to 2017 It shows how the connection with democratic society in Article 2 s substantive and procedural dimensions underlines the right to life s problematic duality as an expression of a basic value demanding a high level of protection and a contextually limited provision allowing states leeway in the use of force Emphasising the need to identify clear standards in the interpretation and application of the right to life the book argues that Article 2 law s narrative dimensions bring to light its core purposes and values These are to extract meaning from pain and death ground democratic society s foundational distinction between acceptable force and unacceptable violence and indicate democratic society s essential attributes as a restrained responsible and reflective system

The Impact of the ECHR on Democratic Change in Central and Eastern Europe Iulia Motoc, Ineta Ziemele, 2016-08-18 Explores the effects of the Strasbourg human rights system on the domestic law and politics of post communist member The Margin of Appreciation Doctrine in the Dynamics of European Human Rights Jurisprudence Howard Charles states Yourow, 2021-09-27 The Margin of Appreciation Doctrine in the Dynamics of European Human Rights Jurisprudence is the first full length monograph to treat this subject which is of central importance to the interpretation and application of the European Convention on Human Rights It will enrich the understanding and appreciation of judges advocates civil servants scholars researchers students and indeed of anyone whose life and work is affected by national and international human rights adjudication This thorough and learned analysis synthesizes the work of the Strasbourg judicial organs proceeding in the light of the ongoing debates on the appropriate place of the margin doctrine in the Strasbourg jurisprudence The author s rich conclusions add texture and perspective to the future judicial and scholarly dialogues which will no doubt continue to surround this subject matter The text is eminently readable written in a clear and precise style to be appreciated by the novice and specialist alike The newcomer to human rights and to the Convention will find it an inviting introduction to complex material the expert will gain new and expanded insights into the development of the case law rarely to be found in this breadth and depth Economic and Social Rights Law Katie Boyle, 2020-06-09 This book develops principles of adjudication to facilitate accountability for violations of Economic and Social Rights Economic and Social Rights engage with areas relating to social justice and their violation tends to impact on the most vulnerable members of society Taking the UK

as a case study the book draws on international experience and comparative practice including progressive reform at the devolved subnational level that demonstrate the potential reach of Economic and Social Rights when the rights are given legal standing in domestic settings according to their status in international law The work looks at different models of incorporation of rights into domestic law and sets out existing justiciability mechanisms for their enforcement as well as future models open to development In so doing the book develops principles of adjudication drawn from deliberative democracy theory that help address some of the critiques of social rights adjudication This book will have a global and cross sectoral appeal to legal practitioners the judiciary and the civil services as well as to researchers academics and students in the fields of human rights law comparative constitutional law and deliberative democracy theory Chapter 1 of this book is freely available as a downloadable Open Access PDF at http www taylorfrancis com under a Creative Commons Attribution The EU Charter of Fundamental Rights Steve Peers, Tamara Non Commercial No Derivatives CC BY NC ND 4 0 license Hervey, Jeff Kenner, Angela Ward, 2021-11-18 this most thorough commentary must be regarded as the Bible on the Charter Peter Oliver Common Market Law Review This second edition of the first commentary of the EU Charter of Fundamental Rights in English written by experts from several EU Member States provides an authoritative but succinct statement of how the Charter impacts upon EU domestic and international law Following the conventional article by article approach each commentator offers an expert view of how each article is either already being interpreted in the courts or is likely to be interpreted Each commentary is referenced to the case law and is augmented with extensive references to further reading This is a much welcomed new edition of the authoritative guide to the Charter

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