



International Human Rights: Problems of Law, Policy and Practice (Casebook)

Lillich, Richard B.

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International Human Rights Problems Of Law Policy And Practice

Giovanna E. Gismondi



International Human Rights Problems Of Law Policy And Practice:

International Human Rights Richard B. Lillich, 1970 *Challenging Human Rights Violations: Using International Law in U.S. Courts* Francisco Martin, 2021-10-25 This book guides civil rights lawyers and informs judges legislators and academics in the effective use of international law in U S federal and state cases The author highlights many concrete areas in which international law can enhance human rights protection both in the U S and abroad such as Death penalty Lethal force by police and military authorities Extraterritorial privacy protection Gay and lesbian rights Government liability for foreseeable harm Compensation for unintentional false imprisonment This eminently practical approach based on model briefs developed for and used by leading U S civil rights lawyers and organizations presents an extremely rare treatment of international human rights law Published under the Transnational Publishers imprint **International Human Rights**

Law Riccardo Pisillo Mazzeschi, 2021-09-29 This textbook provides a thorough and systematic overview of human rights law including the most relevant practice and case law but also dealing with theoretical issues It pursues an original approach seeking to reconcile its didactic purpose with a scientific one positing that there must be a necessary synergy between these two purposes Furthermore the author is convinced that international human rights law should not be studied as is done in virtually every textbook as a special legal regime separate and autonomous from the overall system of international law but as a regime that is fully integrated into the international legal order The book s dominant theme is the interrelationship of international human rights law and general international law Following this approach the author has chosen to devote comparatively little content to institutional issues Part IV and to instead more intensively explore the structural impact of human rights law on the entire international order Part I on the sources Part II and obligations Part III of general international law and what constitutes fundamental human rights Part V without neglecting other rights Part VI

International Human Rights Anju Bindra, 2011 *International Environmental Law and International Human Rights Law in Investment Treaty Arbitration* Giovanna E. Gismondi, 2023-08-22 Policies aimed at the expansion of transnational capital are sometimes implemented at the expense of growing social inequality and popular frustration in host countries This timely and deeply researched volume identifies and offers new insights into the growing use of and reliance upon international environmental and human rights law in the arbitration of investor State disputes It presents a comprehensive and pragmatic approach to the most effective way to connect international investment law to the protection of human rights and the environment Based on an analysis of 30 arbitral awards this book demonstrates how recent investment treaty arbitration and in particular respondent States argumentation in arbitral proceedings highlights the human rights and environmental considerations connected with such factors as the following the fair and equitable treatment FET clause jurisdictional obstacles treaty conflict role of amici curiae damages tribunal s dilution of the significance of environmental and human rights law corporate social responsibility free prior and informed consent social license to operate and in applicability of the

systemic approach to the interpretation of investment treaties As investment arbitration continues to be challenged by growing demands for greater public involvement and for participation of third parties that are affected by the proceedings this book responds to the need to reshape the investment regime into more human rights and environmentally friendly system It will prove an invaluable resource for arbitral institutions academics arbitrators arbitration counsel and other participants in investment treaty arbitration *International Human Rights and Humanitarian Law* René

Provost, 2002-04-04 How do international human rights and humanitarian law protect vulnerable individuals in times of peace and war Provost analyses systemic similarities and differences between the two to explore how they are each built to achieve their similar goal He details the dynamics of human rights and humanitarian law revealing that each performs a task for which it is better suited than the other and that the fundamentals of each field remain partly incompatible This helps us understand why their norms succeed in some ways and fail at times spectacularly in others Provost's study represents innovative and in depth research covering all relevant materials from the UN ICTY ICTR and regional organizations in Europe Africa and Latin America This will interest academics and graduate students in international law and international relations as well as legal practitioners in related fields and NGOs active in human rights *International Human Rights* Hurst Hannum, S. James Anaya, Dinah L. Shelton, Rosa Celorio, 2023-01-12 *International Human Rights Problems of Law Policy and Practice* Seventh Edition by Hurst Hannum S James Anaya Dinah Shelton and Rosa Celorio is a student friendly coursebook that surveys the foundational features and diverse components of the international human rights system while highlighting human rights issues of pressing concern including racial discrimination violence against women the struggles of indigenous peoples armed conflicts lack of access to healthcare and other basic necessities environmental degradation and climate change among others This coursebook introduces students to the established and developing international law on human rights Its pages navigate a wide range of substantive norms procedural rules and national regional and global institutions whose mandate is to promote and monitor compliance with internationally recognized human rights The book discusses a range of contemporary human rights challenges including racial discrimination violence against women the struggles of indigenous peoples armed conflict threats to free speech social protest the defense of human rights lack of access to health care and other basic necessities and environmental degradation and climate change among others This book is artfully organized around the foundational features and diverse components of the international human rights system at both the global and regional levels Distinct problems related to human rights are introduced to illustrate the real issues that face human rights lawyers and how those issues might be addressed through international and domestic processes involving internationally recognized human rights norms Balancing practical considerations and theory this outstanding authorship team delivers a comprehensive text that examines historical underpinnings and contemporary considerations related to human rights efforts across the globe New to the Seventh Edition New or updated examination of a range of human rights

issues including racial discrimination and police violence discrimination and violence against women and LGBTI persons threats to indigenous peoples undermining of rights of political participation the human rights impacts of environmental degradation and climate change human rights in the digital space among others Discussion of the formidable impacts on international law and human rights of the Russia Ukraine conflict that began in early 2022 Exposition of new human rights treaties declarations and decisions of judicial and other human rights bodies Discussion of new developments regarding human rights institutions and international procedures to advance human rights Updates on United States case law on the judicial enforcement of international human rights norms This edition of the book is substantially reduced in volume from prior editions such that it is better designed for use in a one semester three hour course or seminar at the law school or university law Professors and students will benefit from Emphasis on practical issues that influence the application implementation and development of human rights law Problem oriented focus with the goal to motivate students to think about concrete issues and the application of human rights law to the real world Discussion of current issues in human rights today Discussion of not only global but also regional treaties mechanisms institutions and procedures related to human rights Comprehensive coverage that highlights substantive discussion of human rights problems around the world Presentations of differing views on the theory and practice of human rights Discussion of the theoretical foundations of human rights cultural relativism and sovereignty Examination of historical developments in human rights as well as modern issues and conflicts Thoroughly updated text that includes new documents and jurisprudence as well as recent scholarship Exposition of the interrelationship between human rights and international humanitarian law and international criminal law Updated examination of the domestic enforcement of international human rights law

A Manual on International Humanitarian Law and Arms Control Agreements M. Cherif Bassiouni, 2021-10-01 A total of 84 documents are reproduced here including arms control agreements regional peace and security agreements and forces reduction agreements as well as 34 instruments controlling particular weapons In addition explanatory charts help the researcher to locate instruments according to specific criteria such as penal characteristics applicability war and peace and extent of ratification Published under the Transnational Publishers imprint

International Law of Human Rights Michael K. Addo, 2017-07-05 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 human rights ideals and rhetoric into reality

Aut dedere aut judicare: The Duty to Extradite or Prosecute in International Law M. Cherif Bassiouni, Edward M. Wise, 2023-10-20 The emergence of a global community is accompanied by a realization that greater cooperation is essential to its welfare This is

particularly true in the area of crime prevention and control. The increase in international transnational transboundary and national crime has contributed to a genuine growth in the body of international criminal law. The most effective way to combat such crimes is for states to accept an obligation to try international criminal law offenders before their own courts or surrender them for trial before the courts of another state or an international court. Until such time as an effective system of international criminal justice is established, the duty to prosecute or extradite will remain the foundation for international criminal law enforcement. This book examines in detail the variety of international instruments which impose a duty to prosecute or to extradite. It asks how far this duty goes and whether one aspect of this obligation supersedes the other and whether it can now be regarded as an obligation imposed by general international law. In discussing these questions, the book provides a highly illuminating account of the basic postulates of international criminal law and their relationship to competing visions of the nature of the international legal order. There is an evident need for international law to settle some of these questions. The ICJ, for example, needs to address the question in the case brought before it by Libya against the U.S. and the United Kingdom. Moreover, it will be a question of some significance with respect to the International Criminal Tribunal for the former Yugoslavia. Lastly, the prospect of a permanent international criminal court presently before the United Nations is in part dependent on the effectiveness of *aut dedere aut judicare*. The two authors who address these difficult questions have contributed to the advancement of international law in general and international criminal law in particular. They have produced a book which is a balanced blend of scholarly research and legal analysis.

Children in the International Political Economy G. Kent, 1995-09-13. The first line of responsibility for children lies with their parents, but what if the parents fail to look after their children? Who else is involved and what should they do? *Children in the International Political Economy* examines the moral responsibilities of different individuals and agencies towards children and argues that some responsibilities should be codified as concrete legal duties. If all else fails, children must look to the international community for help. Thus, international agencies should recognize specific obligations to look after the well-being of children around the world.

Promoting Peace Through International Law Cecilia Bailliet, Kjetil Mujezinović Larsen, 2015. This book considers the liberal conception of peace within Western philosophy and the principle of peaceful coexistence supported in the East. It investigates there is a right to peace by tracing the evolution of the international law of peace through its historical and philosophical origins.

International Criminal Law, Volume 1: Sources, Subjects and Contents M. Cherif Bassiouni, 2008-12-31. Volume 1 deals with international crimes. It contains several significant contributions on the theoretical and doctrinal aspects of ICL which precede the five chapters addressing some of the major categories of international crimes. The first two chapters address the sources and subjects of ICL and its substantive contents. The other five chapters address Chapter 3: The Crime Against Peace and Aggression; The Crime Against Peace and Aggression: From its Origins to the ICC; The Crime of Aggression and the International Criminal Court; Chapter 4: War Crimes; Crimes Against

Humanity Penal Aspects of International Humanitarian Law Non International Armed Conflict and Guerilla Warfare
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 International Maritime Navigation and Installations on the High Seas International Civil Aviation Chapter 7 Crimes Against
 Social Interest International Control of Drugs Challenges in the Development of International Criminal Law The Negotiations
 of the United Nations Convention Against Transnational Organized Crime and the United Nations Convention Against
 Corruption Transnational Organized Crime Corruption of Foreign Public Officials International Criminal Protection of
 Cultural Property Criminalization of Environmental Protection **Military Law Review** ,1996 **Environmental Justice
 and the Rights of Ecological Refugees** Laura Westra,2009-09-02 Climate change and other environmental problems are
 increasingly leading to the displacement of populations from their homelands whether through drought flooding famine or
 other causes Worse there is currently no protection in international law for people made refugees by such means Following
 on from her previous explorations of environmental justice as it relates to future generations and indigenous peoples Laura
 Westra now turns her attention to the plight of ecological refugees In Part I Westra provides an overview of what defines an
 ecological refugee and their present legal status Part II goes into greater depth as to who the vulnerable are and what
 protection they have in international law Part III looks to the future advocating a comprehensive approach to the problem
 With extensive examples and analysis this is a compelling treatment that will be indispensable for legal professionals
 government and business leaders academics and students of the role of law in the protection of the rights of refugees

Global Governance, Economy and Law Errol Mendes,Ozay Mehmet,2003-02-27 This book provides a critical examination
 of the most important institutions of global governance in the world today Drawing on history political science law and
 economics the authors examine institutions such as the United Nations the World Trade Organization WTO the International
 Monetary Fund IMF the World Bank and also the global pri *Debating Human Rights* Peter Van Ness,2003-07-13 Human
 rights debates can provoke strong reactions particularly among people of different cultural backgrounds The debate over
 Asian values and the use of human rights diplomacy are the most obvious manifestations of divisions between Asia and the
 West and reflect particular world views and historical legacies In this new book scholars from the United States and several
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 rights diplomacy *Debating Human Rights* is an original contribution to a vital area of debate It presents a uniquely wide

diversity of perspectives on controversial issues and demonstrates how scholars and activists who view the world very differently can nonetheless move these debates forward in a search for common ground **The Search for Environmental Justice** Paul Martin, Sadeq Z. Bigdeli, Trevor Daya-Winterbottom, Willemien du Plessis, Amanda Kennedy, 2015-07-31 This thoughtful book provides an overview of the major developments in the theory and practice of environmental justice. It illustrates the direction of the evolution of rights of nature and exposes the diverse meanings and practical uses of the concept.

International Criminal Law, Volume 3: International Enforcement M. Cherif Bassiouni, 2008-12-31 Volume 3 addresses the direct enforcement system namely international criminal tribunals how they came about and how they functioned tracing that history from the end of WWI to the ICC including the post WWII experiences. They address the IMT, IMTFE, ICTY, ICTR, the mixed model tribunals and the ICC. It also contains a chapter which addresses some of the problems of the direct enforcement system namely the general procedural evidentiary and sanctions parts of ICL which is largely made of what is contained in the statutes of the tribunals mentioned above as well as the jurisprudence of the established tribunals. In addition, this volume addresses national experiences with the enforcement of certain international crimes. It is divided into 4 chapters which are titled as Chapter 1 History of International Investigations and Prosecutions International Criminal Accountability International Criminal Justice in Historical Perspective Chapter 2 International Criminal Tribunals and Mixed Model Tribunals The International Criminal Tribunal for the Former Yugoslavia The International Criminal Tribunal for Rwanda The Making of the International Criminal Court Mixed Models of International Criminal Justice Special Court for Sierra Leone Special Tribunal for Cambodia East Timor Chapter 3 National Prosecutions for International Crimes National Prosecutions for International Crimes National Prosecutions of International Crimes A Historical Overview The French Experience The Belgian Experience The Dutch Experience Indonesia The U S War Crimes Act of 1996 Enforcing ICL Violations with Civil Remedies The Case of the U S Alien Tort Claims Act Chapter 4 Contemporary Issues in International Criminal Law Doctrine and Practice Command Responsibility Joint Criminal Enterprise The Responsibility of Peacekeepers The General Part Judicial Developments Ne bis in idem Plea Bargains Issues Pertaining to the Evidentiary Part of International Criminal Law Penalties and Sentencing Penalties From Leipzig to Arusha Victims Rights in International Law

The International Commission of Jurists Howard B. Tolley, Jr., 2010-11-24 Since its founding in 1952 the International Commission of Jurists has inspired the international human rights movement with persistent demands that governments obey the rule of law.

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