

International Human Rights Treaties

ICCPR:

- Art 2(3): The right to an effective remedy

States are obliged to ensure:

- Victims of human rights violations have an effective remedy;
- Victims have the right to have their claims determined by competent judicial, administrative or legislative authorities, or any other competent authority;
- The competent authorities enforce such remedies.

Remedies In International Human Rights Law

Patrick Thornberry



Remedies In International Human Rights Law:

Remedies in International Human Rights Law Dinah Shelton, 2000 This is the first comprehensive treatment of the topic of remedies for human rights violations and reviews the jurisprudence of international tribunals on these violations It also provides a theoretical framework and a practical guide for lawyers judges and academics interested in human rights law

International Human Rights Law and Structural Discrimination Elisabeth Veronika Henn, 2019-07-03 International courts and other actors are increasingly taking into account pre existing social structures and inequalities when addressing and redressing human rights violations in particular discrimination against specific groups To date however academic legal research has paid little attention to this gentle turn in international human rights law and practice to address structural discrimination In order to address this gap this study analyses whether and to what extent international and regional human rights frameworks foresee positive obligations for State parties to address structural discrimination and more precisely gender hierarchies and stereotypes as root causes of gender based violence In order to answer this question the book analyses whether or not international human rights law requires pursuing a root cause sensitive and transformative approach to structural discrimination against women in general and to the prevention protection and reparation of violence against women in particular to what extent international courts and quasi judicial bodies address State responsibility for the systemic occurrence of violence against women and its underlying root causes whether or not international courts and monitoring bodies have suitable tools for addressing structural discrimination within the society of a contracting party and the limits to a transformative approach

Weapons Under International Human Rights Law Stuart Casey-Maslen, 2014-01-23 This book focuses on how human rights would regulate non lethal weapons through the growing interplay between humanitarian law and human rights law

International Human Rights Law Olivier De Schutter, 2014-08-07 This fully updated edition offers coverage of new topics and a more student friendly design while retaining the original style and features Routledge

Handbook of International Human Rights Law Scott Sheeran, Sir Nigel Rodley, 2014-08-07 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 though 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 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 under a Creative Commons Attribution Non Commercial No Derivatives 3.0 license https://www.routledgehandbooks.com/doi/10.4324/9780203481417_ch35

International Human Rights Law Manisuli Ssenyonjo, 2016-04-22 This timely and valuable book

explores the development of international human rights law over the last six decades The volume brings together leading experts to reflect on different aspects of human rights law not only considering and evaluating the developments so far but also identifying relevant problems and proposing relevant possible perspectives for the continued positive future development of human rights law The book is international in perspective both in scope and context and covers developments in the international protection of human rights since the adoption of the UDHR in 1948 The developments considered include the United Nations system of protecting human rights as well as regional human rights systems in Africa America and Europe It also considers some key themes relevant to human rights including globalisation protecting human rights in emergency situations and trade sanctions the development of human rights NGOs and many others The book will be an invaluable resource for students academics and policy makers working in the field of international human rights

The International Convention on the Elimination of All Forms of Racial Discrimination Patrick Thornberry, 2016 This Oxford Commentary is the first comprehensive article by article analysis of the provisions of the Convention on the Elimination of All Forms of Racial Discrimination It discusses the conceptual and instrumental framework of the Convention and the CERD Committee and addresses some of the critical challenges confronting the Convention

An Integrative Rights-based Approach to Human Development in Africa Dejo Olowu, 2009 An integrative rights based approach to human development in Africa by Dejo Olowu 2009 ISBN 978 0 9814124 6 7 Pages x 322 Print version Available Electronic version Free PDF available

The Fundamentals of International Human Rights Treaty Law Bertrand G. Ramcharan, 2011-02-14 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 Chapter I discusses the nature and characteristics of international human rights law Chapter II discusses the concept of a national protection system which must be in place if a human rights treaty is to be adequately implemented Chapter III discusses the jurisprudence and practice of treaty bodies on the foundation issues of democracy and the rule of law Chapter IV discusses human rights in times of crises and emergencies Chapter V discusses preventive strategies Chapter VI discusses the duty of Governments to respect to protect and to ensure human rights Chapter VII discusses the duty of Governments to provide redress for violations that might take place Chapter VIII discusses the essence of supervision in reporting systems Chapter IX discusses the essence of petitions and fact finding procedures Chapter X concludes with a discussion of the bedrock principles of universality equality and justice as they emerge from the jurisprudence and practice of human rights treaty bodies

The Right to Reparation in International Law for Victims of Armed Conflict E. Christine Evans, 2012-06-28 Christine Evans assesses the right to reparation for victims of armed conflict in international law and in national practice

International Human Rights and Humanitarian Law Francisco

Forrest Martin, Stephen J. Schnably, Richard Wilson, Jonathan Simon, Mark Tushnet, 2006-01-16 *International Human Rights and Humanitarian Law* Treaties Cases and Analysis introduces the reader to the international legal instruments and case law governing the substantive and procedural dimensions of international human rights and humanitarian law including economic social and cultural rights The book which was originally published in 2006 also discusses the history and organisational structure of human rights and humanitarian law enforcement mechanisms A chapter is devoted to the issues surrounding the incorporation of international law into U S law including principles of constitutional and statutory interpretation conflict rules and the self execution doctrine Questions and comments sections provide critical analyses of issues raised in the materials The last chapter addresses theoretical issues facing contemporary international human rights and humanitarian law and its enforcement

International Law Malcolm N. Shaw, 2003-09-25 This fifth edition of Malcolm Shaw's bestselling textbook on international law provides a clear authoritative and comprehensive introduction to the subject fully revised and updated to Spring 2003 Basically preserving the structure which made the previous edition so successful a new chapter on Inter state Courts and Tribunals considers the role of the International Court of Justice and the International Tribunal on the Law of the Sea and there is a new chapter on international humanitarian law Also examined are arbitration tribunals and the role of international institutions such as the WTO in resolving conflicts The prosecution of individuals for violations of international law is examined Additional coverage of events in Kosovo and Iraq analyses the questions of humanitarian intervention and the role of the UN Written in a clear and accessible style setting the subject firmly in the context of world politics and the economic and cultural influences affecting it this book remains a highly readable and invaluable resource for students and practitioners alike The scope of the text makes this essential reading for students of international law international relations and the political sciences The book is also valuable to professionals and governmental and international civil servants

Indigenous Peoples' Land Rights under International Law Jérémie Gilbert, 2007-03-23 This book addresses the right of indigenous peoples to live on and use their traditional territories A profound relationship with land and territories characterizes indigenous groups but indigenous peoples have been and are repeatedly deprived of their lands This book analyzes whether the international legal regime provides indigenous peoples with the collective right to live on their traditional territories Through its meticulous and wide ranging examination of the interaction between international law and indigenous peoples land rights the work explores several burning issues such as collective rights self determination autonomy property rights and restitution of land In assessing the human rights approach to land rights the book delves into the notion of past violations and the role of human rights law in providing for remedies reparation and restitution It also argues that there is a new phase in the relationship between States and indigenous peoples in the making of territorial agreements Based on its analysis of indigenous peoples land rights under international law this book proposes an original theory as regards the legal status of indigenous peoples It explores how indigenous peoples have

been the victims of the rules governing title to territory since the inception of international law and how under the current human rights regime indigenous peoples have now gained the status of actors of international law Published under the Transnational Publishers imprint **The International Law of Migrant Smuggling** Anne T. Gallagher, Fiona David, 2014-07-21 Whether forced into relocation by fear of persecution civil war or humanitarian crisis or pulled toward the prospect of better economic opportunities more people are on the move than ever before Opportunities for lawful entry into preferred destinations are decreasing rapidly creating demand that is increasingly being met by migrant smugglers This companion volume to the award winning The International Law of Human Trafficking presents the first ever comprehensive in depth analysis into the subject The authors call on their experience of working with the UN to chart the development of new international laws and to link these specialist rules to other relevant areas of international law including law of the sea human rights law and international refugee law Through this analysis the authors explain the major legal obligations of States with respect to migrant smuggling including those related to criminalization interdiction and rescue at sea protection prevention detention and return **Law's Impunity** Hin-Yan Liu, 2015-09-24 When faced with those who act with impunity we seek the protection of law We rely upon the legal system for justice from international human rights law that establishes common standards of protection to international criminal law that spearheads efforts to end impunity for the most heinous atrocities While legal processes are perceived to combat impunity and despite the ready availability of the law accountability often remains elusive What if the law itself enables impunity Law s Impunity asks this question in the context of the modern Private Military Company PMC examining the relationship between law and the concepts of responsibility and impunity This book proposes that ordinary legal processes do not neutralise but rather legalise impunity This radical idea is applied to the abysmal record of human rights violations perpetrated by the modern PMC and the shocking absence of accountability This book demonstrates how the law organises rather than overcomes impunity by detailing how the modern PMC exploits ordinary legal processes to systematically exclude itself from legal responsibility Thus Law s Impunity offers an alternative to conventional thinking about the law providing an innovative approach to assess and refine the rigour of legal processes in the ongoing quest to end impunity **Towards Convergence in International Human Rights Law** Carla M. Buckley, Alice Donald, Philip Leach, 2016-10-18 We live in an era of proliferating international legal domains and institutions not least in the human rights field For some normative pluralism within human rights is inevitable and even desirable Others view it as a threat to the integrity and coherence of international human rights protection How far do human rights standards and their interpretation by different regional and international human rights systems diverge To what extent do human rights bodies borrow from or influence each other in respect of their case law practices and procedures Is global human rights protection fragmenting or heading towards greater coherence This edited collection addresses these questions through the insights of leading scholars and jurists with first hand experience of human rights adjudication and litigation **Global**

Constitutionalism and the Path of International Law Surendra R. Bhandari, 2016-04-26 In *Global Constitutionalism and the Path of International Law* Surendra Bhandari succinctly offers an account of the most important growth and features of international law from the perspectives of global constitutionalism. The author examines the concept from its constitutive features and the operative standards or *modus operandi*. These two aspects offer a new and innovative methodology in explicating the theory of global constitutionalism. By examining three cases: international trade, WTO, human rights, and the role of Security Council, the author demonstrates how the idea of global constitutionalism is shaping and deepening the path of international law in the 21st century and elucidates the development of international law as a body of positive rules.

Documents on the Law of UN Peace Operations Bruce Oswald, Helen Durham, Adrian Bates, 2019 Providing students and those working in the field with a comprehensive overview of the law regulating peace operations, this volume sets out the different legal instruments and sources that govern the planning, management, and conduct of these missions. Challenges in International Human Rights Law Menno T. Kamminga, 2017-10-23 The main challenges within international human rights law are generally thought to be in the fields of transitional justice, non-state actors, terrorism, development, poverty, and environmental degradation. This volume of articles not only covers these mainstream challenges but also a wider and more systematic range, including justiciability of social and economic rights, extraterritoriality, health care, and investment arbitration. The key literature selected for this collection includes articles that have appeared in mainstream journals and books from leading publishers, as well as papers that have appeared in lesser-known journals, hard-to-find books, and UN documents. Some of these are classic essays, whilst others are more recent additions that reflect the current state of the debate. The papers are put into context by a specially commissioned introduction by the volume editor. This volume is an invaluable resource for human rights lawyers in search of the key literature in fields outside their own specialization, as well as for students, researchers, and lecturers seeking an overview of the challenges in human rights law. **The**

Extraterritorial Application of the Human Right to Water in Africa Takele Soboka Bulto, 2013-12-12 International human rights law has only recently concerned itself with water. Instead, international water law has regulated the use of shared rivers, and only states qua states could claim rights and bear duties towards each other. International human rights law has focused on its principal mission of taming the powers of a state acting territorially. Takele Soboka Bulto challenges the established analytic boundaries of international water law and international human rights law. By demonstrating the potential complementarity between the two legal regimes and the ensuing utility of regime coordination for the establishment of the human right to water and its extraterritorial application, he also shows that human rights law and the international law of watercourses can apply in tandem with the purpose of protecting non-national non-residents in Africa and beyond.

Remedies In International Human Rights Law Book Review: Unveiling the Magic of Language

In an electronic digital era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its ability to stir emotions, provoke thought, and instigate transformation is really remarkable. This extraordinary book, aptly titled "**Remedies In International Human Rights Law**," compiled by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound impact on our existence. Throughout this critique, we will delve into the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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