



**THE
TRANSFORMATION
OF HUMAN RIGHTS
FACT-FINDING**

**EDITED BY
PHILIP ALSTON &
SARAH KNUCKEY**

OXFORD

Transformation Human Rights Fact Finding

**Sam Dubberley, Alexa Koenig, Daragh
Murray**



Transformation Human Rights Fact Finding:

The Transformation of Human Rights Fact-finding Philip Alston, Sarah Knuckey, 2016 Fact finding is at the heart of human rights advocacy and is often at the center of international controversies about alleged government abuses In recent years human rights fact finding has greatly proliferated and become more sophisticated and complex while also being subjected to stronger scrutiny from governments Nevertheless despite the prominence of fact finding it remains strikingly under studied and under theorized Too little has been done to bring forth the assumptions methodologies and techniques of this rapidly developing field or to open human rights fact finding to critical and constructive scrutiny The Transformation of Human Rights Fact Finding offers a multidisciplinary approach to the study of fact finding with rigorous and critical analysis of the field of practice while providing a range of accounts of what actually happens It deepens the study and practice of human rights investigations and fosters fact finding as a discretely studied topic while mapping crucial transformations in the field The contributions to this book are the result of a major international conference organized by New York University Law School s Center for Human Rights and Global Justice Engaging the expertise and experience of the editors and contributing authors it offers a broad approach encompassing contemporary issues and analysis across the human rights spectrum in law international relations and critical theory This book addresses the major areas of human rights fact finding such as victim and witness issues fact finding for advocacy enforcement and litigation the role of interdisciplinary expertise and methodologies crowd sourcing social media and big data and international guidelines for fact finding

The Transformation of Human Rights Fact-Finding Philip Alston, Sarah Knuckey, 2015-11-23 Fact finding is at the heart of human rights advocacy and is often at the center of international controversies about alleged government abuses In recent years human rights fact finding has greatly proliferated and become more sophisticated and complex while also being subjected to stronger scrutiny from governments Nevertheless despite the prominence of fact finding it remains strikingly under studied and under theorized Too little has been done to bring forth the assumptions methodologies and techniques of this rapidly developing field or to open human rights fact finding to critical and constructive scrutiny The Transformation of Human Rights Fact Finding offers a multidisciplinary approach to the study of fact finding with rigorous and critical analysis of the field of practice while providing a range of accounts of what actually happens It deepens the study and practice of human rights investigations and fosters fact finding as a discretely studied topic while mapping crucial transformations in the field The contributions to this book are the result of a major international conference organized by New York University Law School s Center for Human Rights and Global Justice Engaging the expertise and experience of the editors and contributing authors it offers a broad approach encompassing contemporary issues and analysis across the human rights spectrum in law international relations and critical theory This book addresses the major areas of human rights fact finding such as victim and witness issues fact finding for advocacy enforcement and litigation the role of interdisciplinary expertise and

methodologies crowd sourcing social media and big data and international guidelines for fact finding **Digital Witness**
 Sam Dubberley, Alexa Koenig, Daragh Murray, 2020 This book covers the developing field of open source research and discusses how to use social media satellite imagery big data analytics and user generated content to strengthen human rights research and investigations The topics are presented in an accessible format through extensive use of images and data visualization **#HumanRights** Ronald Niezen, 2020-07-28 Social justice and human rights movements are entering a new phase Social media artificial intelligence and digital forensics are reshaping advocacy and compliance Technicians lawmakers and advocates sometimes in collaboration with the private sector have increasingly gravitated toward the possibilities and dangers inherent in the nonhuman HumanRights examines how new technologies interact with older models of rights claiming and communication influencing and reshaping the modern day pursuit of justice Ronald Niezen argues that the impacts of information technologies on human rights are not found through an exclusive focus on sophisticated expert driven forms of data management but in considering how these technologies are interacting with other traditional forms of media to produce new avenues of expression public sympathy redress of grievances and sources of the self Niezen considers various ways that the pursuit of justice is happening via new technologies including crowdsourcing social media facilitated mobilizations and enclosures WhatsApp activist networks and the selective attention of Google s search engine algorithm He uncovers how emerging technologies of data management and social media influence the ways that human rights claimants and their allies pursue justice and the new victimology that prioritizes and represents strategic lives and types of violence over others HumanRights paints a striking and important panoramic picture of the contest between authoritarianism and the new tools by which people attempt to leverage human rights and bring the powerful to account Non-Governmental Organisations and International Law Prahlad Rai, 2024-08-27 This book explores how non governmental organizations NGOs with their sphere of influence within the State and beyond enrich the international community by working on critical areas affecting people s lives and expectations to facilitate a more humanising international law It provides ideas highlights issues and identifies actors actions and the scope of NGOs in international law It charts possibilities and limitations of NGOs within the legal framework of a State and its evolution over the years The book highlights how NGOs having obtained consultative status from the UN Economic and Social Council have now extended their access and area of influence to international actors like inter governmental organisations international courts and tribunals It provides an overview of NGO s performance and the important role they play in the making of human rights protection of environment and business ethics The book is primarily doctrinal containing case studies of important NGOs The purview is an inquiry analysis and overview of literature of NGOs in international law from a wide range of sources The book will help shape the debate over power and functions of NGOs in the background of new loci of NGOs work It is useful for students research scholars the NGO community corporations CSR departments and concerned governmental agencies Additionally being interdisciplinary in nature it caters

to the demands of politics sociology management public policy and social work apart from law

The United Nations Special Procedures System Aoife Nolan, Rosa Freedman, Thérèse Murphy, 2017-01-09 The United Nations Special Procedures system is a key element of the evolving international framework for human rights protection and promotion. However, despite the system's expansion, the range of roles and functions performed by mandate holders and the mounting evidence of its strengths and limitations, there has been very little academic interrogation or analysis of Special Procedures. This lacuna is ever more problematic given the growing profile and effectiveness of the Special Procedures work as well as the increasing attention and challenges that they face both externally from States and internally from within the UN system. Given the current state of play of Special Procedures, it is essential that scholarly attention be focussed upon the system. How does it contribute to international human rights protection? How, when and why does it fail to do so? What steps can and should be taken to address shortcomings both within the system and in terms of the legal and political context within which it operates. Featuring expert contributions from key players within and expert commentators on the Special Procedures system, this volume addresses these questions in an in-depth and rigorous scholarly manner.

New Technologies for Human Rights Law and Practice Molly K. Land, Jay D. Aronson, 2018-04-19 Provides a roadmap for understanding the relationship between technology and human rights law and practice. This title is also available as Open Access.

Commissions of Inquiry Christian Henderson, 2017-05-18 This timely and pertinent collection looks at the variety of questions involved in the operation of Commissions of Inquiry (CoIs). Traditionally existing as pure fact-finding bodies, in recent times the function of CoIs has arguably shifted and broadened so as to provide a form of legal adjudication. This shift in their application merits scrutiny, and this edited collection of essays addresses institutional and procedural aspects of CoIs as well as issues in regards to the application and interpretation of the substantive law applied to them. Essay topics include the relationship of CoIs with and impact upon traditional forms of adjudication, the influences of international law upon the work of CoIs, through to issues of procedural fairness. Drawing upon the expertise of scholars working within the field, it offers an insightful and critical analysis of CoIs.

Human Rights and Technological Change Michael Homberg, Benjamin Möckel, 2022-05-25 *ber das Spannungsverhältnis zwischen Menschenrechten und modernen Technologien für die Zeit seit dem Zweiten Weltkrieg* Werkzeug der Unterdrückung oder Vehikel der Emanzipation? Moderne Technologien sind zu einem wichtigen Thema der Menschenrechtspolitik geworden. Überwachungstechnik, militärische Drohnen und digitale Datenanalysen stellen die internationale Menschenrechtsbewegung vor neue Herausforderungen. Gleichzeitig eröffnen diese Techniken auch neue Chancen: Menschenrechtsverletzungen zu dokumentieren, anzuprangern und ein zivilgesellschaftliches Engagement zu fördern. In diesem Band wird diese ambivalente Beziehung in historischer Perspektive analysiert. Gezeigt wird, wie die Verbreitung moderner Technologien die Menschenrechtspolitik herausforderte und unterstützte. Hervorgehoben werden dabei vier Schlüsselbereiche: 1. Entwicklungspolitik, allen voran bei Infrastrukturen und technischen Großprojekten; 2. Be-

lkerungspolitik und demographisches Wissen 3 Medien und Kommunikationstechnologien und 4 die gesellschaftlichen Auswirkungen der Computerisierung Indem diese Debatten f r die Zeit nach 1945 nachgezeichnet werden erhalten aktuelle Diskussionen ber die Herausforderungen neuer technologischer Entwicklungen eine historische Dimension Der Band erscheint vollst ndig in englischer Sprache ____ The volume analyses the ambivalent relationship between human rights and modern technologies since 1945 Tools of suppression or agents of emancipation Modern technologies have become a major subject of human rights policy Surveillance technology the military use of drones and the possibilities of Big Data analysis pose new challenges for the international human rights movement At the same time these techniques offer new ways to document and denounce violations of human rights and to promote mass mobilization The volume analyses this ambivalent relationship between human rights and technological change in a historical perspective Showing how the spread of modern technologies both challenged and served human rights policies the volume focuses on four key areas of technological change 1 development politics infrastructures and large technical systems 2 population politics and demographical knowledge 3 media cultures and communication technologies and 4 the societal impact of computerization By sketching these debates since 1945 the volume adds a historical perspective to current debates about the political and ethical challenges of new technological developments The volume is published entirely in English ____ *Research Handbook on Third World Approaches to International Law (TWAIL)* Antony Anghie, B. S. Chimni, Michael Fakhri, Karin Mickelson, Vasuki Nesiah, 2025-10-07 This Research Handbook provides a comprehensive overview of Third World Approaches to International Law TWAIL with chapters exploring different facets of TWAIL scholarship It covers major doctrines and topics of international law as well as TWAIL perspectives on central historical and theoretical debates ____ **The Roles and Functions of Atrocity-Related United Nations Commissions of Inquiry in the International Legal Order** Catherine Harwood, 2020-01-13 In *The Roles and Functions of Atrocity Related United Nations Commissions of Inquiry in the International Legal Order* Catherine Harwood explores the turn to international law in atrocity related United Nations commissions of inquiry and their navigation of considerations of principle the legal and pragmatism the political to discern their identity in the international legal order The book traces the inquiry process from establishment and interpretation of the mandate to legal analysis production of findings and recommendations The research finds that the turn to international law fundamentally shapes the roles and functions of UN atrocity inquiries Inquiries continuously navigate between realms of law and politics with the equilibrium shifting in different moments and contexts ____ *Serious Violations of Human Rights* Ilia Siatitsa, 2022 This monograph represents the most recent analysis of the use of the expression serious violations of human rights in international practice It proposes a systematic and structured engagement with the international practice around serious violations of human rights ____ *The Law of International Humanitarian Relief in Non-International Armed Conflicts* Matthias Vanhullebusch, 2021-10-05 This book comprehensively covers the entire scope of conflicting rights and duties of the fighting parties and international

humanitarian relief actors in non international armed conflicts namely from the moment of the initiation of international humanitarian relief actions till their authorisation and throughout the consecutive stages of the delivery of relief From the practice of frontline humanitarian negotiations this book reconceptualizes how those rights and duties are coming into being and how compliance with agreements on humanitarian access and other international humanitarian law and international human rights norms can be ensured and or their normativity can be strengthened

Proving International Crimes

Yvonne McDermott,2024-08-19 Proving International Crimes elucidates how international criminal tribunals have tackled the immense and complex task of proving international crimes such as genocide war crimes and crimes against humanity The challenges posed by the scale and scope of these crimes and the distance in time and space between their commission and their prosecution are well known Nevertheless investigators lawyers scholars and policy makers often look to the law and practice of international criminal tribunals to establish what standards need to be met in the collection preservation presentation and analysis of evidence to prove international crimes In offering a comprehensive account of the law and practice of evidence before international criminal courts and tribunals to date as well as recommendations for future practice this book aims to inform domestic regional and international accountability processes for crimes going forward This book demonstrates that owing to the flexibility built in to the legal and procedural frameworks of international criminal courts and tribunals the law of international criminal evidence is often unpredictable and uncertain To this end McDermott argues for the development of a coherent epistemic framework driven by two guiding principles rectitude of decision and the highest standards of fairness

Narratives of Mass Atrocity Sarah Federman,Ronald Niezen,2022-09-08 Offers a narrative

approach to post conflict intervention showing how legalism following mass violence encourages dangerous binaries

The Oxford Handbook of the International Law of Global Security Robin Geiß,Nils Melzer,James Gerard Devaney,2021 A

unique overview of the relationship between international law and global security Major areas of coverage include armed conflict human rights the environment and technology Book jacket

In Defense of Politicization of Human Rights Elvira Domínguez-Redondo,2020-06-01 In Defense of Politicization of Human Rights The UN Special Procedures constitutes the first comprehensive study of the United Nations Special Procedures covering their history methods of work institutional status relationship with other politically driven organs and processes affecting their development Special Procedures have existed since 1967 nearly as long as United Nations Treaty Bodies but have received only fragmented analysis normally focused on a few thematic mandates until the creation of the Human Rights Council in 2006 In seeking to debunk commonly held views about the role of politics in human rights at international level In Defense of Politicization of Human Rights constitutes the first comprehensive study of the United Nations Special Procedures as a system covering their history methods of work institutional status relationship with other politically driven organs and processes affecting their development The perspective chosen to analyze the human rights mechanisms most vulnerable to political decisions determining their creation

renewal and operationalization casts a new light on the extent to which these remain the cornerstone of global accountability in protecting the inherent dignity and worth of individuals as well as groups International human rights mechanisms efficiency is normally linked to the work of independent experts keen to push the boundaries of accountability against recalcitrant States determined to defend their sovereignty As a corollary progress in this field is associated to the creation and maintenance of political free spaces Another common presumption is a belief in a differentiated North versus South approach to the promotion and protection of human rights that find common ground within the prevalent human rights discourses repeated by governmental and non governmental actors Through the lenses of the United Nations Special Procedures In Defense of Politicization of Human Rights challenges these and other presumptions informing doctrinal studies policies and strategies to advance international human rights Because of the Special Procedures growing salience and impact in the world of international human rights this book is likely to become required reading for any student or practitioner of international human rights

The Right to The Truth in International Law Melanie Klinkner, Howard Davis, 2019-07-26

The United Nations has established a right to the truth to be enjoyed by victims of gross violations of human rights The origins of the right stem from the need to provide victims and relatives of the missing with a right to know what happened It encompasses the verification and full public disclosure of the facts associated with the crimes from which they or their relatives suffered The importance of the right to the truth is based on the belief that by disclosing the truth the suffering of victims is alleviated This book analyses the emergence of this right as a response to an understanding of the needs of victims through to its development and application in two particular legal contexts international human rights law and international criminal justice The book examines in detail the application of the right through the case law and jurisprudence of international tribunals in the human rights and also the criminal justice context as well as looking at its place in transitional justice The theoretical foundations of the right to the truth are considered as well as the various objectives appropriate for different truth seeking mechanisms The book then goes on to discuss to what extent it can be understood constructed and applied as a hard legally enforceable right with correlating duties on various people and institutions including state agencies prosecutors and judges

NGOs, Knowledge Production and Global Humanist Advocacy Alistair Markland, 2020-03-02

NGOs Knowledge Production and Global Humanist Advocacy is an empirically and theoretically rich account of how international non governmental organisations produce knowledge of and formulate understandings about the world around them The author applies critical and sociological perspectives to analyse the social and political limits of knowledge generated in support of global advocacy efforts aimed at enhancing human rights and preventing violent conflicts It is found that despite their transnational networks and claims to humanist universality the proximity of global advocates to Western power structures and elite social spaces delimits their worldviews and curtails the potential for radical departures from mainstream political thinking This book will be of interest to scholars and students of international relations human rights

the sociology of knowledge peace and conflict studies and critical security studies *A Critical Introduction to International Criminal Law* Carsten Stahn, 2019 Presents theories practices and critiques alongside each other to engage students scholars and professionals from multiple fields This title is also available as Open Access on Cambridge Core

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