



Understanding Human Rights Principles

EDITED BY JEFFREY JOWELL & JONATHAN COOPER

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Understanding Human Rights Principles Understanding Human Rights Principles

Rabinder Singh



Understanding Human Rights Principles Understanding Human Rights Principles:

Understanding Human Rights Principles Jeffrey Jowell, Jonathan Cooper, 2001-05-21 In order to clarify some of the more subtle aspects of the 1998 Human Rights Act the all party legal human rights organization JUSTICE and University College London arranged a series of seminars between November 1999 and February 2000 to look at those interstitial issues from the perspective of practicing lawyers Six presentations are collected here footnoted but not indexed Distributed in the US by ISBS c Book News Inc

Understanding Human Rights Principles Jeffrey Jowell, Jonathan Cooper, 2001-04-30 Human rights are brought to life by a number of defining principles This text explores each of those principles in depth through comprehensive informative and provocative papers written by prominent and distinguished practitioners and legal academics These papers were first delivered at a series of seminars organised by JUSTICE and University College London Contents Foreword by the Hon Mr Justice Richards Introduction by Jeffrey Jowell QC and Jonathan Cooper The concept of a lawful interference with fundamental rights Helen Mountfield Identifying the principles of proportionality Michael Fordham and Thomas de la Mare Dertermining civil rights and obligations Javan Herberg Andrew le Sueur and Jane Mulcahy Positive obligations under the Convention Keir Starmer The horizontal effect of the Human Rights Act moving beyond the public private distinction Murray Hunt The place of the Human Rights Act in a democratic society Rabinder Singh Part of the Justice Series

The Professional Identity of the Human Rights Field Officer George Ulrich, 2016-02-24 The important and groundbreaking volume *The Professional Identity of the Human Rights Field Officer* completes the study of human rights field work begun in the earlier *The Human Rights Field Operation Law Theory and Practice* 2007 Ashgate Building on the critique of the field s historical development and current situation featured in the earlier volume O Flaherty Ulrich and their fellow contributors focus on the specific responsibilities of the individual human rights officer and concentrate on vital issues of professionalism beyond the confines of any specific organization Their expansion of the analysis in the case studies section of the first volume has resulted in an up to date global edition of significant academic interest to anyone within the field of human rights law

Criminal Fair Trial Rights Ryan Goss, 2014-09-11 The Article 6 fair trial rights are the most heavily litigated Convention rights before the European Court of Human Rights generating a large and complex body of case law With this book Goss provides an innovative and critical analysis of the European Court s Article 6 case law The category of fair trial rights includes many component rights The existing literature tends to chart the law with respect to each of these component rights one by one This traditional approach is useful but it risks artificially isolating the case law in a series of watertight compartments This book takes a complementary but different approach Instead of analysing the component rights one by one it takes a critical look at the case law through a number of cross cutting problems and themes common to all or many of the component rights For example how does the Court view its role in Article 6 cases When will the Court recognise an implied right in Article 6 How does the Court assess Article 6 infringements and when will the public interest justify an

infringement The book's case law driven approach allows Goss to demonstrate that the European Court's criminal fair trial rights jurisprudence is marked by considerable uncertainty inconsistency and incoherence

Human Trafficking and Slavery Reconsidered Vladislava Stoyanova, 2017-03-16 An original analysis of the definition and scope of the right not to be held in slavery servitude and forced labour

The Human Right to Property Douglas Maxwell, 2022-07-14 This is an excellent work It is deeply researched and the analysis of case law will prove very valuable to practitioners and academics seeking a synthesis of the law on an issue The Rt Hon Lord Justice Green Judge of the Court of Appeal of England and Wales and Chair of the Law Commission A valuable contribution to the jurisprudence on Article 1 Protocol No 1 and of much interest to both property and human rights lawyers Professor Sarah Nield University of Southampton The pervasiveness of A1P1 through contemporary property law makes this a serious and comprehensive study This book masterfully interweaves theory and doctrinal law It is both timely and necessary for academics and practitioners working in this area David Sawtell 39 Essex Chambers and Cambridge University This book provides a highly detailed practical analysis of Article 1 of Protocol No 1 A1P1 and its implications in the United Kingdom A1P1 prescribes a qualified right to the peaceful enjoyment of possessions This right corresponds to a negative limit on legislators and public authorities to rationalise interferences with possessions and where necessary to strike a fair balance often requiring just compensation Through lively and rigorous commentary on the latest advances made by the European Court of Human Rights and domestic courts The Human Right to Property enriches current understanding of the peaceful enjoyment of property since the enactment of the Human Rights Act 1998 Exploring the theoretical and political foundations of A1P1 the book guides the reader through the relevant case law from the earliest developments in Strasbourg to the present day The Human Right to Property concludes that the most significant impacts of A1P1 are that it forces States to justify interferences limits radical redistributions of property and casts a wider shadow over legislative choice and public body decision making

Crime, Justice and Human Rights Leanne Weber, Elaine Fishwick, Marinella Marmo, 2017-09-16 A specialized introduction to the philosophy law and politics of human rights uniquely tailored to criminologists and criminal justice practitioners Exploring the connections between existing criminological scholarship and human rights frameworks the book helps readers to incorporate human rights paradigms into their criminological analysis

Handbook of Probation Loraine Gelsthorpe, Rod Morgan, 2013-05-13 This Handbook provides a comprehensive authoritative and up to date source of information and analysis about all aspects of the work of the Probation Service It takes full account of the many changes that the Probation Service has undergone over the last few years and is currently undergoing as probation becomes part of the broader National Offender Management Service Contributors to the book are drawn from leading academics and practitioners in the field drawing upon the best expertise available Running through the book is a concern with a range of key current issues such as addressing the diversity of offenders and creating effective links with other criminal justice agencies and it includes perspectives from both probation service staff and

from offenders and victims This book is an essential text for practitioners trainees and students of probation and those studying it as part of a wider criminology or criminal justice course Realizing the Abidjan Principles on the Right to Education Frank Adamson,Sylvain Aubry,Mireille de Koning,Delphine Dorsi,2021-05-28 This insightful book analyses the process of the first adoption of guiding human rights principles for education the Abidjan Principles It explains the development of the Abidjan Principles including their articulation of the right to education the state obligation to provide quality public education and the role of private actors in education *Rethinking Values and Ethics in Social Work* Richard Hugman,Jan Carter,2017-09-16 Ethics and values the cornerstone of good social work practice are vital in upholding the dignity of service users Written by a group of global experts this book addresses questions such as How can the ethical demands of the values of human rights social justice and professional integrity be understood for contemporary social work practice *Research Handbook on Human Rights and Humanitarian Law* Robert Kolb,Gloria Gaggioli,2013-01-01 This volume by Robert Kolb and Gloria Gaggioli contributed by some of the most renowned experts in the field devotes an impressive amount of legal analysis to the most diverse aspects of the interplay between international humanitarian law and international human rights law in situations of violence in theory and practice It is bound to become an indispensable tool for scholars and practitioners alike Marco Pedrazzi University of Milan Italy This fascinating Handbook explores the interplay between international human rights law and international humanitarian law offering expert analysis on the increasingly complex issues surrounding their application in conflict areas across the world Contributors to this volume provide a comprehensive treatment of the ongoing relationship between human rights law and humanitarian law from the historical background and origins of the two bodies of law to their various applications today Divided into four parts Historical Background Common Issues The Need for a Combined Approach and Monitoring Mechanisms the Handbook presents a rich and varied spectrum of original research and thought from some of the brightest minds in the field This groundbreaking volume will surely have great appeal for anyone with a professional or academic interest in human rights law and humanitarian law from students to professors to practitioners in the field **Privacy and Data Protection Issues of Biometric Applications** Els J. Kindt,2013-12-05 This book discusses all critical privacy and data protection aspects of biometric systems from a legal perspective It contains a systematic and complete analysis of the many issues raised by these systems based on examples worldwide and provides several recommendations for a transnational regulatory framework An appropriate legal framework is in most countries not yet in place Biometric systems use facial images fingerprints iris and or voice in an automated way to identify or to verify identity claims of persons The treatise which has an interdisciplinary approach starts with explaining the functioning of biometric systems in general terms for non specialists It continues with a description of the legal nature of biometric data and makes a comparison with DNA and biological material and the regulation thereof After describing the risks the work further reviews the opinions of data protection authorities in relation to

biometric systems and current and future EU law A detailed legal comparative analysis is made of the situation in Belgium France and the Netherlands The author concludes with an evaluation of the proportionality principle and the application of data protection law to biometric data processing operations mainly in the private sector Pleading for more safeguards in legislation the author makes several suggestions for a regulatory framework aiming at reducing the risks of biometric systems They include limitations to the collection and storage of biometric data as well as technical measures which could influence the proportionality of the processing The text is supported by several figures and tables providing a summary of particular points of the discussion The book also uses the 2012 biometric vocabulary adopted by ISO and contains an extensive bibliography and literature sources

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

International Yearbook for Legal Anthropology, Volume 12 Richard Potz, René Kuppe, 2004-11-01 The Law Anthropology Yearbook brings together a collection of studies that discuss legal problems raised by cultural differences between people and the law to which they are subject Volume 12 contains articles dealing with the topic of Indigenous Peoples Constitutional States and Treaties or Other Constructive Arrangements between Peoples and States

The Negotiable Constitution Grégoire C. N. Webber, 2009-11-26 In matters of rights constitutions tend to avoid settling controversies With few exceptions rights are formulated in open ended language seeking consensus on an abstraction without purporting to resolve the many moral political questions implicated by rights The resulting view has been that rights extend everywhere but are everywhere infringed by legislation seeking to resolve the very moral political questions the constitution seeks to avoid The Negotiable Constitution challenges this view Arguing that underspecified rights call for greater specification Gr goire C N Webber draws on limitation clauses common to most bills of rights to develop a new understanding of the relationship between rights and legislation The legislature is situated as a key constitutional actor

tasked with completing the specification of constitutional rights. In turn, because the constitutional project is incomplete with regards to rights, it is open to being renegotiated by legislation struggling with the very moral political questions left underdetermined at the constitutional level.

Balkan Yearbook of European and International Law 2020 Zlatan Meškić, Ivana Kunda, Dušan V. Popović, Enis Omerović, 2021-07-05. The second volume of the Balkan Yearbook of European and International Law (BYEIL) focuses on the United Nations Convention on Contracts for the International Sale of Goods (CISG) which was signed 40 years ago. The contributions analyse a broad range of aspects and reflect the latest developments. Those in the permanent sections on European Law and International Law explore contemporary challenges in public and private law disciplines offering fresh new perspectives on established concepts.

The American Founding Daniel N. Robinson, Richard N. Williams, 2012-06-28. America's Founding Fathers shared similar beliefs on the nature of civic life and the character of those supposed to be able to self-govern. Although they studied the failed republics of the ancient world, they believed that classical ideals were still applicable to politics. This unique contribution to the literature on American Founding gathers leading thinkers who set out not to relate its history but its intellectual underpinnings. They explore the Founding Fathers' assumptions about civic life, human nature, political institutions, private morality, aesthetics, education, and history. Chapters on natural law, the Judeo-Christian conception of human nature, the influence of Aristotle and Cicero, the symbolic role of architecture, and the importance of education help understand the foundations that led to the Declaration of Independence and a constitutional charter that aimed to be universal in its human aspirations. This authoritative work provides a conservative response to more liberal interpretations of America. It will enrich the debate on civic life and be a key resource to anyone interested in America's experiment in ordered liberty.

Social, Economic, and Environmental Justice Kalea Benner, Diane Loeffler, Natalie Pope, 2021-05-13. This innovative text is the first to introduce practical techniques social workers can use to incorporate social, economic, and environmental justice into their practice. The book emphasizes the role of justice in social work practice across the micro-macro spectrum. By assessing common human needs in relation to human rights, justice, and practice aimed at promoting fairness, students will learn how to incorporate theories and practical perspectives in social work practice with individuals, families, communities, and organizations. With its unique approach, this text focuses on structural oppression and inequities connected to clients' engagement in systems and structures. The impact of disparities on accessing and utilizing resources and subsequently achieving successful outcomes is examined through the justice lens. Beginning with an overview of key concepts and theoretical underpinnings that provide foundational knowledge, the text then examines each of the three justice foci: social, economic, and environmental, in detail through specific systems. These systems include criminal justice, education, food security, natural disasters, and climate change, health, mental health, housing, and income disparities. Throughout the book, readers are asked to reflect on their own perceptions to enhance understanding of the influence of justice on practice. Case studies, diagrams, boxed information, student learning outcomes.

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The Impact of Climate Change Mitigation on Indigenous and Forest Communities Maureen F. Tehan, Lee C. Godden, Margaret A. Young, Kirsty A. Gover, 2017-10-26 The international legal framework for valuing the carbon stored in forests known as Reducing Emissions from Deforestation and Forest Degradation REDD will have a major impact on indigenous peoples and forest communities The REDD regime contains many assumptions about the identity tenure and rights of indigenous and local communities who inhabit use or claim rights to forested lands The authors bring together expert analysis of public international law climate change treaties property law human rights and indigenous customary land tenure to provide a systemic account of the laws governing forest carbon sequestration and their interaction Their work covers recent developments in climate change law including the Agreement from the Conference of the Parties in Paris that came into force in 2016 The Impact of Climate Change Mitigation on Indigenous and Forest Communities is a rich and much needed contribution to contemporary understanding of this topic

The Unity of Law Rabinder Singh, 2021-12-16 Sir Rabinder Singh has been one of the leading lights in the recent development of the common law most notably in the field of human rights and the law of privacy Here for the first time he reflects on the defining themes of his career as advocate and judge Combining his trademark originality of thought and impeccable scholarship he selects previously published and unpublished writings to track the evolution of his approach to the common law A substantial introduction gives context to the book while opening introductions to each piece reflect on their relevance to contemporary legal thought The essays explore themes as diverse as judicial review equality and privacy and personal autonomy Insightful erudite and thought provoking this collection is a must read for all those interested in the law and its role in society

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