

Adjudicating International Human Rights: Essays in Honour of Sandy Gandhi

James A. Green
Christopher P. M. Waters



Adjudicating International Human Rights Essays In Honour Of Sandy Gandhi

Martin Scheinin



Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi:

Adjudicating International Human Rights James A. Green, Christopher P.M. Waters, 2015-01-27 *Adjudicating International Human Rights* honours Professor Sandy Ghandhi on his retirement from law teaching It does so through a series of targeted essays which probe the framework and adequacy of international human rights adjudication Eminent international law scholars such as Sir Nigel Rodley Professor Javaid Rehman and Professor Malcolm Evans along with emerging writers in the field take Professor Ghandhi's body of work focussed on human rights protection through legal institutions as a starting point for a variety of analytical essays *Adjudicating International Human Rights* includes chapters devoted to human rights protection in a number of different institutional contexts ranging from the ICJ and the Human Rights Committee to truth commissions and NAFTA arbitration tribunals

Research Handbook on Human Rights and Digital Technology Ben Wagner, Matthias C. Kettmann, Kilian Vieth-Ditlmann, Susannah Montgomery, 2025-01-09 Bringing together perspectives from academia and practice this second edition *Research Handbook* provides fresh insights into debates surrounding digital technology and how to respect and protect human rights in an increasingly digital world New and updated chapters cover the issues posed by the management of key internet resources the governance of its architecture and the role of different stakeholders

Human Rights Norms in 'Other' International Courts Martin Scheinin, 2019-07-25 Examines the role and impact of human rights norms in international courts other than human rights courts

Protection of Human Life at Sea in International Law Aphrodite Papachristodoulou, 2025-05-30 The law of the sea imposes a long established duty to rescue persons in distress which connotes one of the most important tools in safeguarding safety of life at sea Other rules of international law namely international human rights and refugee law also come into play in drawing the legal parameters for the conduct of rescue operations Amid the thousands of people undertaking perilous sea journeys in search of safety European legal responses have primarily focused on the securitization of migration This book exposes the human rights violations that may be perpetrated against migrants attempting to cross the Mediterranean and strongly advocates for the development of a framework for operationalizing the protection of human rights and life at sea It combines theory and practice in which philosophical theories of rights are applied to create a framework for legal analysis and the development of practical legal standards The study presents an innovative evaluation of selected judgments of the European Court of Human Rights and other international human rights bodies pertaining to complex questions of extraterritorial jurisdiction and a State's human rights obligations towards persons in distress at sea The book will be of interest to all those engaging with migration and security studies international human rights scholarship international law of the sea refugee and migration law and legal philosophy whether generalist or specialist

The Customary International Law of Human Rights William A. Schabas, William Schabas, 2021 This book provides a comprehensive account of the emergence of the customary law of human rights It examines a range of human rights norms and provides a useful guide to identifying those which can be

described as customary **Effective Domestic Remedies and the European Court of Human Rights** Michael Reiertsen, 2022-08-25 In *Malone v UK* Plenary 1984 the right to an effective domestic remedy in the European Convention on Human Rights Article 13 was famously described as one of the most obscure clauses in the Convention Since then the European Court of Human Rights has reinforced the scope and application of the right Through an analysis of virtually all of the Court's judgments concerning Article 13 the book exhaustively accounts for the development and current scope and content of the right The book also provides normative recommendations on how the Court could further develop the right most notably how it could be a tool to regulate the relationship between domestic and international protection of human rights In doing so the book situates itself within larger debates on the enforcement of the entire Convention such as the principle of subsidiarity and the procedural turn in the Court's case law **The Discourse on Customary International Law** Jean D'Aspremont, 2021 This book provides an accessible and highly engaging discussion of customary international law It employs an original theoretical perspective to unpack the structures of thought that lie beneath any claims made regarding customary international law Freedom of Religion Or Belief Heiner Bielefeldt, Nazila Ghanea-Hercock, Michael Wiener, 2016 This commentary on freedom of religion or belief provides a comprehensive overview of the pressing issues of freedom of religion or belief from an international law perspective *The Persistent Objector Rule in International Law* James A. Green, 2016 Focusing on how states have utilized the persistent objector rule in practice this volume details how the rule emerged and operates how it should be conceptualised and what its implications are for the binding nature of customary international law **Human Rights Protection by the ECtHR and the ECJ** Elisa Ravasi, 2017-08-28 In her manuscript Elisa Ravasi examines how the ECtHR responds to the growing challenges of overlapping legal systems She focuses in particular on the relationship between the ECHR and EU law First she systematically analyses 10 years of ECtHR jurisprudence on the principle of equivalent protection and develops an innovative analysis scheme for its application Afterwards she examines the equivalency of the human rights protection provided by the ECJ in light of the minimum standards of the ECHR in three specific fields naming law *ne bis in idem* and equality of arms Finally she considers whether the presumption of equivalent protection of the ECtHR in favour of the EU is still justified **Research Handbook on Disasters and International Law** Susan C. Breau, Katja L.H. Samuel, 2016-09-30 International law's role in governing disasters is undergoing a formative period in its development and reach in parallel with concerted efforts by the international community to respond more effectively to the increasing number and intensity of disasters across the world This Research Handbook examines a broad range of legal regimes directly and indirectly relevant to disaster prevention mitigation and reconstruction across a spectrum of natural and manmade disasters including armed conflict The Evolving International Procedural Capacity of Individuals Katrin Fenrich, 2019-06-19 This book critically addresses the still prevalent assumption of the individual's procedural disability in international judicial fora Against this backdrop it examines and compares various

international enforcement mechanisms from the individual's perspective. Establishing specific comparison criteria, the book identifies the benefits and weaknesses of these mechanisms and traces the ongoing process of individualization in the field of international procedural law. Thus, it not only maps the complex landscape of international enforcement mechanisms, it also integrates the theoretical question of the individual's role in international law with the practical issue of enforcing individual rights, thereby connecting the fields of legal theory and international procedural law. Academic readers interested in the intersection of international legal theory and international procedural law will find the book both enjoyable and insightful. Further, researchers and students of public international law will benefit from its in-depth analysis and comparative focus.

The Internal Protection Alternative in Refugee Law Jessica Schultz, 2018-12-10. Under what circumstances can a state refuse refugee status to a person whose risk of persecution exists in only part of her country of origin? This book is the first monograph to examine the treaty basis and criteria for the internal protection alternative (IPA), an exception to refugee status increasingly invoked by state parties to the 1951 Refugee Convention and its 1967 Protocol. Through a critical analysis of the relationship between refugee law and related fields, Schultz finds that the legal scope for IPA practice is narrower than is commonly claimed. Since persons subject to an IPA analysis have a well-founded fear of persecution within their countries of origin, any limit on their right to refugee status must involve a careful balancing of the impact of continued displacement against the state's interest in preserving its restricted protection resources. She argues that the doctrine of implied limits in human rights law can provide analytic structure to the IPA concept and reduce the risk of overly broad application.

The National Versus the Foreigner in South America Diego Acosta, 2018-05-24. A historical and comparative analysis investigating two hundred years of migration and citizenship laws in South America.

Identification of Customary International Law Michael Wood, Omri Sender, 2024-11-07. Customary international law remains a central source of international law and the core of the international legal system. It continues to draw the attention of lawyers, especially at a time marked by the great expansion of international law and its increasing application in domestic and international courts. Determining whether an applicable rule of customary international law exists is therefore of great practical concern, but this important legal task is not always simple or straightforward. This book serves as guidance to those seeking to determine the existence of rules of customary international law and their content. It elaborates on the methodology for the identification of rules of customary international law and examines a host of questions concerning the process and evidence involved. It does so by complementing the authoritative work of the UN International Law Commission on this topic and by drawing upon a wealth of additional practice and writings. *Identification of Customary International Law* provides an overview of the Commission's work and expands on it by addressing the nature and history of custom as a source of international law, inquiring into each of the two constituent elements of customary international law, namely, a general practice and *opinio juris*, explaining the value and limits of certain forms of evidence and throwing further light on such

issues as the persistent objector rule and particular customary international law Practitioners and scholars alike will find this detailed treatment useful in seeking to determine the existence and content of any customary rule and in ensuring that arguments about customary international law are persuasive *Coercive Diplomacy, Sanctions and International Law* Natalino Ronzitti, 2016-03-11 This volume explores sanctions as instruments of coercive diplomacy delving into theoretical arguments and combining perspectives from international law and international relations scholars and practitioners Primary questions include the compatibility and legitimacy of sanctions regimes enforcement measures including the role of sanctions committees the practice of circumventing sanctions and the relation with the ICC proceedings Legal and institutional aspects of the practice of the European Union are addressed The extraterritorial effects of national legislation implementing sanctions imposed by individual States are investigated A focus is on the impact of sanctions on non State actors The connections with the protection of human rights and the adverse impact on individual rights are considered The implementation of sanctions is addressed in view of their legal limitation and the concept of proportionality their consequences upon existing treaties and contracts their effectiveness and their strategic implications **Thinking**

Critically About Law Amy R Codling, 2025-06-02 You arrive at university to embark upon your journey to think like a lawyer but is simply knowing the law enough to gain you the best marks What do you need to do exactly to achieve a first class law degree and promising professional career For top marks what do your lecturers mean when they say you need to deepen your critical analysis to answer assessment questions When should you put your own viewpoints forward When and how should you draw upon the work of others What do your examiners mean when they give you feedback saying that your work is too descriptive This book explores what it means to think critically and offers practical tips and advice for students to develop the process skill and ability of thinking critically while studying law as well as beyond that in the workplace The second edition of *Thinking Critically About Law* utilises art music poetry and prose to explore essential questions about studying law and what it means to think critically offering practical tips and advice for students looking to develop critical thinking skills in relation to law Updates reflect seismic changes that have taken place both in law teaching and in society more generally These include the Covid 19 pandemic social movements sparked by the murders of Sarah Everard and George Floyd moves to decolonise the law curriculum and the introduction of the SQE qualification There is also an innovative foreword by Professor Russell Sandberg a new chapter on the topic of how to think critically during discussions a new section on *Thinking Critically About Law in the Future* as well as a renewed emphasis on the health and well being of students Other student focused resources will be available as support materials *Thinking Critically about Law* is a crucial companion for those studying law at A Level and undergraduate level as well as being relevant to postgraduate students newly qualified lawyers and tutors of law **The European Convention on Human Rights and General International**

Law Anne van Aaken, Iulia Motoc, 2018 This book explores the interaction divergence and convergence between the European

Court of Human Rights and general international law as developed by the International Court of Justice It focuses on sources of international law methods of interpretation jurisdiction state responsibility and immunity **The Human Face of the European Union** Nuno Ferreira, Theodora Kostakopoulou, Dora Kostakopoulou, Julia Bradshaw, Swati Gola, 2016-08-18 This title assesses EU law and policy using a novel and alternative framework based on the notion of humaneness

Self-Determination, Statehood, and the Law of Negotiation Robert P. Barnidge, Jr., 2016-01-28 From the Madrid Invitation in 1991 to the introduction of the Oslo process in 1993 to the present a negotiated settlement has remained the dominant leitmotiv of peacemaking between Israel and the Palestinian people That the parties have chosen negotiations means that either side's failure to comply with its obligation to negotiate can result in an internationally wrongful act and in response countermeasures and other responses This monograph seeks to advance our understanding of the international law of negotiation and use this as a framework for assessing the Israeli Palestinian dispute with the Palestinian people's unsuccessful attempt to join the United Nations as a Member State in autumn 2011 and the successful attempt to join the same institution as a non Member Observer State in November 2012 providing a case study for this The legal consequences of these applications are not merely of historical interest they inform the present rights and obligations of Israel and the Palestinian people This work fills a significant gap in the existing international law scholarship on the Israeli Palestinian dispute which neither engages with this means of dispute settlement generally nor does so specifically within the context of the Palestinian people's engagements with international institutions Based on primary research this book explores materials that were not analyzed before It treats a highly political issue with scientific objectivity that strikes a balance between various points of view The book will be an essential reading to all those involved in peace studies international negotiations and Israeli Palestinian conflict Mutaz M Qafisheh Associate Professor of International Law Hebron University A compelling and innovative account of the legal aspects of the Palestinian Israeli conflict a must read Efraim Karsh King's College London and Bar Ilan University author of Palestine Betrayed A superbly imagined and executed study on Palestine that puts the negotiation imperative at the heart of its narrative fully interrogating the involvement of public international law at each step of the long and layered history that is vigorously brought to life in these pages A study that also promises texture nuance and depth to the legal analysis it offers and it delivers handsomely on each of these fronts Dino Kritsiotis Chair of Public International Law Head of the International Humanitarian Law Unit University of Nottingham

Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its power to stir emotions, provoke thought, and instigate transformation is truly remarkable. This extraordinary book, aptly titled "**Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi**," published by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect our existence. Throughout this critique, we shall delve to the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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Table of Contents Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi

1. Understanding the eBook Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - The Rise of Digital Reading Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Advantages of eBooks Over Traditional Books
2. Identifying Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - User-Friendly Interface
4. Exploring eBook Recommendations from Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Personalized Recommendations
 - Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi User Reviews and Ratings

- Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi and Bestseller Lists
- 5. Accessing Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi Free and Paid eBooks
 - Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi Public Domain eBooks
 - Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi eBook Subscription Services
 - Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi Budget-Friendly Options
- 6. Navigating Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi eBook Formats
 - ePub, PDF, MOBI, and More
 - Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi Compatibility with Devices
 - Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Highlighting and Note-Taking Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Interactive Elements Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
- 8. Staying Engaged with Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
- 9. Balancing eBooks and Physical Books Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Setting Reading Goals Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi
 - Fact-Checking eBook Content of Adjudicating International Human Rights Essays In Honour Of Sandy Ghandhi

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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