

Rewriting Rights In Europe

Whispering the Secrets of Language: An Mental Quest through **Rewriting Rights In Europe**

In a digitally-driven earth wherever monitors reign supreme and instant conversation drowns out the subtleties of language, the profound techniques and mental nuances concealed within words usually go unheard. However, set within the pages of **Rewriting Rights In Europe** a interesting fictional prize blinking with natural feelings, lies an extraordinary quest waiting to be undertaken. Composed by an experienced wordsmith, that marvelous opus attracts readers on an introspective trip, lightly unraveling the veiled truths and profound affect resonating within the fabric of each word. Within the mental depths with this touching evaluation, we will embark upon a genuine exploration of the book is primary themes, dissect its interesting writing design, and succumb to the strong resonance it evokes heavy within the recesses of readers hearts.

Edward and Lane on European Union Law

David A. O. Edward 2013-01-01 'Faced with the challenge of studying EU law, students and other interested parties need guidance and accessible materials. Despite the ground clearing of the Lisbon Treaty, the terrain is still not properly mapped. Edward and Lane's completely rewritten book provides just what's needed. Clear, comprehensible and comprehensive, it will be an important port of call for anyone trying to figure out key aspects of the EU's ever burgeoning legal order.' - Jo Shaw, University of Edinburgh, UK A comprehensively updated and expanded new edition of a classic text, this authoritative volume provides expert analysis on the key issues across all areas of European Union law - including its constitutional, procedural and substantive aspects. Importantly, the book incorporates the Treaty of Lisbon reorientation and immediate post-Lisbon developments. Throughout the book there is extensive reference to primary sources (Treaty, legislation, case law) and to issues of national adaptation which, together, bring a depth of understanding and analysis to this increasingly complex discipline.

Towards Greener Human Rights Protection

Heta-Elena Heiskanen 2018

Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms Council of Europe 2000-01-01 This protocol takes further steps to promote equality of all persons through the collective enforcement of a general prohibition of discrimination by

means of the Convention for the Protection of Human Rights and Fundamental Freedoms.

Human Rights and European Law

Mary Arden 2015 In light of recent criticism of the EU and Strasbourg, Mary Arden makes an invaluable contribution to the debate on transnational courts and human rights. Drawing on years of experience as a senior judge, she explains clearly how human rights law has evolved, and the difficult balances that judges have to strike when interpreting it.

Impact of the European Convention on Human Rights in states parties

Council of Europe 2016-11-01 What positive impact has the European Convention on Human Rights had upon states parties to the Convention? The examples presented in this publication show that the effects of the Convention and its case law extend to all areas of life. They include, but are not limited to, individuals' access to justice, the prohibition of discrimination, property rights, family law issues such as custody rights, the prevention and punishment of acts of torture, the protection of victims of domestic violence, the privacy of individuals in their correspondence and sexual relations, and the protection of religious freedoms and freedoms of expression and association. This publication contains selected examples from all 47 states parties to the Convention that illustrate how the protection of human rights and fundamental freedoms has been strengthened at the domestic level thanks to the Convention and the Strasbourg Court's case law.

The European Convention on Human Rights

2007 13. The right of return.

Fundamental Rights in EU Internal Market

Legislation Vasiliki Kosta 2015-11-05 This book attempts to systematise the present interrelationship between fundamental rights and the EU internal market in the field of positive integration. Its intention is simple: to examine the way in which, and the extent to which, fundamental rights protection is realised through EU internal market legislation. To that end, the analysis is conducted around four rights or sets of rights: data protection, freedom of expression, fundamental labour rights and the right to health. The book assesses not only what substantive level of protection is achieved for these fundamental rights, but it also estimates whether there is a 'fundamental rights culture' that informs current legislative practice. Finally, it asks the overarching question whether the current state of harmonisation amounts to a 'fundamental rights policy'. The book offers a much more varied picture of the EU's fundamental rights policy in and through the EU internal market than perhaps initially expected. Moreover, it builds the case for a more conscious approach to dealing with and enhancing fundamental rights protection in and through internal market legislation, and advocates a leading role for the legislature in the establishment of an internal market that is firmly based on respect for fundamental rights.

Integrated Human Rights in Practice Eva Brems 2017-09-29 This book aims to introduce concrete and innovative proposals for a holistic approach to supranational human rights justice through a hands-on legal exercise: the rewriting of decisions of supranational human rights monitoring bodies. The contributing scholars have thus redrafted crucial passages of landmark human rights judgments and decisions, 'as if human rights law were really one', borrowing or taking inspiration from developments and interpretations throughout the whole multi-layered human rights protection system. In addition to the rewriting exercise, the contributors have outlined the methodology and/or theoretical framework that guided their approaches and explain how human rights monitoring bodies may adopt an integrated approach to human rights law.

EU Copyright Law Irini Stamatoudi 2014-05-30

EU Copyright Law is a seminal commentary work from a team of leading experts in the field combining aspects of theory and practice and placing copyright in perspective. It will be an indispensable reference tool for academics, researchers, practitioner

Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, Restructuring the Control Machinery Established Thereby

Council of Europe 1994-01-01

Definition and development of human rights and popular sovereignty in Europe Council Of

Europe 2011-04-20 What role do the people play in defining and developing human rights? This volume explores the very topical issue of the lack of democratic legitimisation of national and international courts and the question of whether rendering the original process of defining human rights more democratic at the national and international level would improve the degree of protection they afford. The authors venture to raise the crucial question: When can a democratic society be considered to be mature enough so as to be trusted to provide its own definition of human rights obligations?

The Right to be Forgotten in the European Human Rights Regime Robert Fellner

2014-08-26 Studienarbeit aus dem Jahr 2014 im Fachbereich Politik - Internationale Politik - Thema: Volkerrecht und Menschenrechte, Note: 1, Universitat Wien (Postgraduate Center), Veranstaltung: Human Rights Master, Sprache: Deutsch, Abstract: A recent judgement by the European Court of Justice has stirred up heated debates among supporters and opponents of the newly introduced right to be forgotten. At the core of the discussion is the question how to balance privacy rights against the right to freedom of expression in the digital age. The following paper considers arguments by both factions, to identify, critically discuss or reject potential harms evolving from the current concept of the right to be forgotten. While supporters of the Court's decision, such as Viviane Reding, who is Justice Commissioner of the European Union (EU), are convinced that the ruling is a step forward in personal data protection, others believe that "only the powerful will benefit" from the new right and that it weakens "our democratic foundations"

and leads to a dangerous rewriting of history. The following paper, which was drafted within the framework of the Vienna Human Rights Master Program, is structured in six chapters, which deal with various historical, legal and technical aspects of the right to be forgotten. The first part will place the right to be forgotten within its historical context and trace its roots within the notion of the right to oblivion, to gain a better understanding of its legal descent. The second chapter will provide a brief overview about the legal documents, which govern the European Data Protection policy with emphasis on the current and future system of the European Union. The third chapter outlines specific cases, which were incisive for the development of the scope and enforcement of the right to be forgotten. The fourth part of this essay will critically discuss possible interferences of the right to be forgotten with other human rights such as the right to *Stock-taking on the European Convention on Human Rights* European Commission of Human Rights 1975

Droits de L'homme, Repères Juridiques Européens Council of Europe 1999-01-01 The book covers three main legal instruments for the maintenance & observation of fundamental rights; the European Convention on Human Rights, the European Convention for the Prevention of Torture & Inhuman or Degrading Treatment or Punishment, as well as the Framework Convention for the Protection of National Minorities. The three conventions are accompanied by their Protocols, explanatory reports, & the rules adopted by different organs of the conventions; the European Court of Human Rights, the European Committee for the Prevention of Torture & the Committee of Ministers of the Council of Europe.

The Right to Life in European Constitutional and International Case-law Bertrand Mathieu 2006 The right to life is the prime individual right in treaty and constitution systems of fundamental rights. The whole approach to protecting this right has changed considerably with scientific and medical advances. Whereas traditionally the concern was to protect life from all threats, today there is the additional very prominent issue of human, scientific and medical intervention in the life-

giving process in such forms as abortion, medically assisted procreation, embryo research, cloning and euthanasia. This comparative analysis of the case law of Europe's constitutional courts and the Council of Europe's European Court of Human Rights examines the nature and scope of the right to life in order to determine whether there is a common legal approach to the question in Europe. *Criticism of the European Court of Human Rights* Patricia Popelier 2016 The goal of the volume is to explore how widespread criticism of the European Court of Human Rights is. It also assesses to what extent such criticism is being translated in strategies at the political level or at the judicial level and brings about concrete changes in the dynamics between national and European fundamental rights protection.

The Architecture of Fundamental Rights in the European Union Šejla Imamovic 2022-02-10 This book analyses the new architecture for the protection of fundamental rights in Europe after the entry into force of the Lisbon Treaty. As a starting point, it identifies how the EU has gained a prominent role in promoting and protecting fundamental rights at European level despite the absence of an unlimited mandate to address fundamental rights violations. This new setting affects the traditional relationship between the EU, the ECHR system and the Member States and, in the absence of EU accession to the ECHR, enhances the risk of tensions and conflicts between the case law of the two European Courts. Examples of these tensions and conflicts are explored in the Area of Freedom Security and Justice, which is one of the most fundamental rights-sensitive areas of EU law and one of the busiest areas of activity for the CJEU. The book offers new insights into existing rules on the resolution of conflicts between EU and ECHR law before mapping out techniques actually used by domestic courts to avoid or address such conflicts.

Case Law Concerning Article 10 of the European Convention on Human Rights Council of Europe. Directorate of Human Rights 2001 A. In the press

Freedom of Expression in Europe Council of Europe. Directorate General of Human Rights 2002 The European Court of Human Rights has

always defended that the idea of freedom of expression has an essential role to play in a democratic society, helping to foster the development of an open, tolerant society in which human rights are respected. Freedom of expression is not absolute and unconditional, however; there are certain limits which must be respected. Where does one draw the line? The case law developed by the European Court of Human Rights and the European Commission of Human Rights attempts to clarify the answer to this question. The first part of this publication presents summaries of the case law thus developed. Topics covered include: the press; broadcasting; access to information; commercial statements; protection of general interest; protection of other individual rights; and maintaining the authority and impartiality of the judiciary. The second part contains references to the main decisions, judgements and reports of the Court and the Commission.

Diversity and European Human Rights Eva Brems 2014-05-14 A demonstration of how European Court of Human Rights judgments might better accommodate the concerns of minorities.

European Commission of Human Rights European Commission of Human Rights 1984-01-01

Rewriting the History of the Law of Nations Paolo Amorosa 2019-09 In the interwar years, international lawyer James Brown Scott wrote a series of works on the history of his discipline. He made the case that the foundation of modern international law rested not, as most assumed, with the seventeenth-century Dutch thinker Hugo Grotius, but with sixteenth-century Spanish theologian Francisco de Vitoria. Far from being an antiquarian assertion, the Spanish origin narrative placed the inception of international law in the context of the discovery of America, rather than in the European wars of religion. The recognition of equal rights to the American natives by Vitoria was the pedigree on which Scott built a progressive international law, responsive to the rise of the United States as the leading global power and developments in international organization such as the creation of the League of Nations. This book describes the Spanish origin project in context, relying on Scott's biography, changes in the self-

understanding of the international legal profession, as well as on larger social and political trends in US and global history. Keeping in mind Vitoria's persisting role as a key figure in the canon of international legal history, the book sheds light on the contingency of shared assumptions about the discipline and their unspoken implications. The legacy of the international law Scott developed for the American century is still with the profession today, in the shape of the normalization and de-politicization of rights language and of key concepts like equality and rule of law.

Legal Convergence in the Enlarged Europe of the New Millennium Paul L.C. Torremans 2021-10-11 Three years ago the Faculty of Law and Administration of the University of Silesia and the Faculty of Law of the University of Leicester embarked on a joint research and academic co-operation programme with the support of the British Council in Warsaw. The programme resulted in the organisation of two academic conferences, one in Leicester and one in Katowice. This book is the tangible result of these conferences. The content of the book reflects the wide-ranging nature of the collaboration between the two Faculties. Environmental law, public international law, intellectual and cultural property law are the main areas that are covered, but certain issues of constitutional law, European law, social law, company law and legal education are also addressed. The main strength of this book is found in its breadth of coverage and the detailed examination of key issues such as the rights of minorities; the transboundary movement of waste in Europe and the environmental problems which it creates; the theft and illegal exportation of cultural property; and the convergence of the droit d'auteur and copyright traditions.

Economic and Social Rights under the EU Charter of Fundamental Rights Tamara Hervey 2003-09-10 The Charter of Fundamental Rights of the European Union includes, in addition to the traditional 'civil and political rights', a large number of rights of an economic or social nature. This collection of essays by leading scholars in this field considers the significance of the inclusion of such rights within the EU Charter, in terms of protection of individual and

collective social and economic interests within and between the EU and its Member States. What differences might it make to EU law and policy (both in terms of its substance, and in terms of the processes by which it is formed), that certain economic and social rights are proclaimed in the EU Charter?

Short Guide to the European Convention on Human Rights Donna Gomien 2005

This third edition of the Short Guide, which covers developments to the end of 2003, provides a concise overview of the basic rights guaranteed by the Council of Europe's Convention on Human Rights, and the case-law relating to these rights. The publication also details the procedures followed by the European Court of Human Rights when handling applications under the Convention, and the role of the Committee of Ministers as a supervisory organ in giving force to the judgments of the Court.

Human Rights and Europe Ralph Beddard 1980

Human rights in Europe J. G. Merrills

2022-12-20 Now available as an ebook for the first time, the fourth edition of this book provides a comprehensive introduction to the most advanced international human rights system in the world - the European Convention on Human Rights. Full account is taken of developments to the Convention case law and the supervisory arrangements in the form of Protocol No. 11, together with relevant developments outside Strasbourg, including the human rights aspects of the EU and the Organisation for Cooperation and Security in Europe (OSCE). Reviews the new European Court of Human Rights, set up in 1998, and contrasts it with the original arrangements for supervising the Convention. Examines the relations between the Convention and other human rights arrangements, such as the OSCE and the European Social Charter. A valuable title in the Melland Schill Studies in International Law series.

Human Rights in Europe J. G. Merrills 2001

Substantially rewritten and updated this new edition provides a comprehensive introduction to the most advanced international human rights system in the world - the European Convention on Human Rights. Full account is taken of developments to the Convention case law and

the supervisory arrangements in the form of Protocol No. 11, together with relevant developments outside Strasbourg, including the human rights aspects of the EU and the Organisation for Cooperation and Security in Europe (OSCE). Reviews the new European Court of Human Rights, set up in 1998, and contrast it with the original arrangements for supervising the Convention. Examines the relations between the Convention and other human rights arrangements, such as the OSCE and the European Social Charter. Concludes by considering the future of the Convention.

Fundamental Rights in the EU Sonia Morano-Foadi 2015-04-30 This collection joins the new and expanding scholarship on the protection of fundamental rights in Europe and reflects on the relationship between the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR). The book questions whether the changes introduced by the Lisbon Treaty align the CJEU to the ECtHR's interpretation and methods, triggering different processes of institutionalisation within a coherent European system. These issues are explored through a contextual analysis of areas of law such as equality rights in employment law, citizenship and migration, internet law and access to justice. This volume includes perspectives from the scholarly community as well as practitioners, judges and European policy makers. It also examines the state of accession of the EU to the European Convention on Human Rights (ECHR) and considers the legal implications of the interactions of the two courts for the protection of the fundamental rights of EU citizens and individuals legally residing in Europe. The volume is essential reading for practitioners, judges, European policy makers and members of the scholarly community working in this area of law.

Rewriting the Rules of the European Economy: An Agenda for Growth and Shared Prosperity

Joseph E. Stiglitz 2020-01-28 A companion to his acclaimed work in *Rewriting the Rules of the American Economy*, Joseph E. Stiglitz, along with Carter Dougherty and the Foundation for European Progressive Studies, lays out the economic framework for a Europe with faster growth that is more equitably shared. Europe is in crisis. Sluggish economic growth in many

countries, widespread income stagnation, and recession have led to severe political and social consequences. Social protections for citizens have been cut back. Governments offer timid responses to deep-seated problems. These economic and political failures have contributed to the rise of extremist parties on the right. Marginalized populations are being made scapegoats for Europe's woes. But the problems of today's Europe stem from decisions based on a blind worship of markets in too many areas of policy. If Europe is to return to an innovative and dynamic economy—and if there is to be shared prosperity, social solidarity, and justice—then EU countries need to break with their current, destructive trajectory. This volume offers concrete strategies for renewal that would also reinvigorate the project of European integration, with fresh ideas in the areas of both macroeconomics and microeconomics, including central banking, public investment, corporate governance and competition policy, social policy, and international trade.

Reforming the European Convention on Human Rights Council of Europe. Steering Committee for Human Rights 2009-01-01 The European ministerial conference on human rights, meeting in Rome on the 50th anniversary of the Convention for the Protection of Human Rights and Fundamental Freedoms, emphasised two crucial elements: - the responsibility of member states, Parties to the Convention, to ensure constantly that their law and practice conform to the Convention and to execute the judgments of the European Court of Human Rights; - that urgent measures be taken to assist the Court in carrying out its functions, given the ever increasing number of applications. An in-depth reflection should be started as soon as possible on the various possibilities and options with a view to ensuring the effectiveness of the Court in the light of this new situation. The Rome conference has sparked intensive work. Ever since January 2001, the intergovernmental co-operation activities of the Steering Committee for Human Rights (CDDH) of the Council of Europe have concentrated on developing normative instruments, of which the most important has been Protocol No. 14 to the Convention. This work has benefited greatly from high-level debates during a series of round-

table discussions, within working groups and at seminars organised mainly by the successive presidencies of the Committee of Ministers. The present volume contains a record of this work.

Stock-taking on the European Convention on Human Rights European Commission of Human Rights 1984

Rewriting Rights in Europe Linda Hancock 2017-11-30 This title was first published in 2000. This text tackles a wide range of issues relating to rights, citizenship and sovereignty in a European context. Such issues are of concern elsewhere with regards to shifting conceptions and practices in international human rights. This book looks at the question of how much European rights and human rights interact and how much they must do so if Europe as a whole is to be an arena of "belonging" and effective participation for all its residents. This book reflects the focus on rights in Europe, looking at debates concerning immigration and minority rights, concerns about social exclusion, social protection, war crimes, human rights, women's rights and other topics.

Freedom of Expression in Europe Mario Oetheimer 2007 The European Court of Human Rights has always defended the idea that freedom of expression has an essential role to play in a democratic society, helping to foster the development of an open, tolerant society in which human rights are respected. Freedom of expression is not absolute and unconditional, however; there are certain limits which must be respected. How can racist, xenophobic propaganda be proscribed without trespassing on individual freedom of expression? How can a suspect's right to be presumed innocent be protected without placing restrictions on the public's right to information? Where should we draw the line concerning the criticism of politicians by the media? It is by answering these and many similar questions over a period of almost fifty years that the European Court of Human Rights has developed its case-law in respect of Article 10 of the European Convention on Human Rights, presented in summary form in this book.

Diversity and European Human Rights Eva Brems 2013 A demonstration of how European Court of Human Rights judgments might better accommodate the concerns of minorities.

The Emergence of Human Rights in Europe Jean Carpentier 2001-01-01 The aim of this anthology is to identify the key texts from sixteen contributing countries, which have influenced the conception and development of human rights. The selection illustrates the great diversity of national circumstances, systems of government and historical situations involved, and also shows that, in spite of different starting points, the routes taken all lead to similar destinations. The contributing countries are: Bulgaria, Croatia, Finland, France, Germany, Italy, Latvia, Liechtenstein, Norway, Poland, Romania, Holy See, Slovakia, Spain, Switzerland and Ukraine. The appendices include the text of the Universal Declaration of Human Rights and the Declaration of the Rights of Man and of the Citizen, 1789.

Rewriting Children's Rights Judgments Helen Stalford 2017-11-02 This important edited collection is the culmination of research undertaken by the Children's Rights Judgments Project. This initiative involved academic experts revisiting existing case law, drawn from a range of legal sub-disciplines and jurisdictions, and redrafting the judgment from a children's rights perspective. The rewritten judgments shed light on the conceptual and practical challenges of securing children's rights within judicial decision-making and explore how developments in theory and practice can inform and (re-)invigorate the legal protection of children's rights. Collectively, the judgments point to five key factors that support a children's rights-based approach to judgment writing. These include: using children's rights law and principles; drawing on academic insights and evidence; endorsing child friendly procedures; adopting a children's rights focused narrative; and using child-friendly language. Each judgment is accompanied by a commentary explaining the historical and legal context of the original case and the rationale underpinning the revised judgment including the particular children's rights perspective adopted; the extent to which it addresses the children's rights deficiencies evident in the original judgment; and the potential impact the alternative version might have had on law, policy or practice. Presented thematically, with contributions from leading scholars in the field, this innovative collection

offers a truly new and unique perspective on children's rights.

Introduction to the European Convention on Human Rights Council of Europe. Directorate of Human Rights 1978

Human Rights in the World A. H. Robertson 1996 Human rights now occupy a key place in international law and international relations. Nearly 100 states have accepted the United Nations Covenants of 1966; regional systems of human rights are in operation in Europe, Africa and Latin America; and organisations such as the ILO and Unesco have their own instruments and procedures. Human Rights in the World explains what the current guarantees of human rights are and how they work. Substantially rewritten and updated to take into account the ending of the Cold War, this new edition includes such issues as the War Crimes Tribunal for Former Yugoslavia, the Convention on the Rights of the Child and the role of the UN Commissioner for Human Rights. Authoritative, comprehensive and up-to-date, the book is an invaluable source of reference for students, scholars and practitioners.

Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms Council of Europe 1994-01-01

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