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Beyond National Borders: States' Human Rights Obligations in International Cooperation



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Beyond National Borders States Human Rights Obligations In International Cooperation

JL Elias



Beyond National Borders States Human Rights Obligations In International Cooperation:

Beyond National Borders Sigrun Skogly, 2006 Within and outside the legal and academic professions it is now increasingly recognised that the human rights consequences of states actions are not limited to the domestic sphere but quite often transcend national borders This is a challenge to the human rights community which up to the present time has focused almost exclusively on human rights violations and protections solely within a national setting The term extraterritorial effect application obligation in international law refers to acts that are taken by one actor state that have some kind of effect within another country s territory with or without this second country s implicit or explicit agreement Extraterritoriality within international human rights law then concerns actions or omissions by one state that have an effect on the human rights of individuals in another state with or without this other state s agreement This effect may be positive or negative in that such actions or omissions by foreign states may contribute positively to the enjoyment of human rights or alternatively they may result in a deteriorated human rights situation and even human rights violations This book gives for the first time a comprehensive analysis of extraterritorial obligations in international human rights law by placing the discussion in a larger international law context interpreting obligations in the various sources of international human rights law and discussing the way in which extraterritoriality has been approached by international courts and human rights implementation bodies in the United Nations and regional systems

The Human Right to Water and its Application in the Occupied Palestinian Territories Amanda Cahill Ripley, 2011-04-11 The Human Right to Water and Its Application in the Occupied Palestinian Territories provides an overview and examination of the human right to water as determined under international human rights law This is a highly topical issue with the UN General Assembly having passed a resolution which declares access to clean water and sanitation a human right New York Jul 28 2010 the recent appointment of the UN Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation and movement within the NGO community for an international water treaty Amanda Cahill Ripley analyses the current legal status substantive content and obligations correlative to the right and examines the relationship between other economic social and cultural rights related to the right to water The book goes on to look more specifically at the application of the human right to water in the Occupied Palestinian Territories Using innovative methodology Cahill Ripley combines legal analysis with a qualitative social science empirical case study to explore the enjoyment of the right on the ground The wider implications of the case study findings are then considered looking at what can be done to strengthen the right legally in terms of its status and codification and what remedy can be found for violations of the right both specifically in the Occupied Palestinian Territories and in a more general context The book will be of interest to students academics and practitioners within the fields of international human rights law and international humanitarian law as well as those concerned with international relations and conflict resolution within Israel Palestine and the wider Middle East region

Human Rights

and Development in International Law Tahmina Karimova, 2016-04-28 This book addresses the legal issues raised by the interaction between human rights and development in contemporary international law. In particular, it charts the parameters of international law that states have to take into account in order to protect human rights in the process of development. In doing so, it departs from traditional analyses where human rights are mainly considered as a political dimension of development. Rather, the book suggests focusing on human rights as a system of international norms establishing minimum standards of protection of individuals and minimum standards applicable in all circumstances on what is essential for a dignified existence. The various dimensions covered in the book include the discourse on human rights and development interrelationship, particularly *opinio juris* and the practice of states on the question of international assistance and cooperation in human rights law under legal regimes such as international humanitarian law and emerging rules in the area of protection of persons in the event of disasters, the extraterritorial scope of economic, social and cultural rights treaties and legal principles on the respect for human rights in externally designed and planned development activities. Analysis of these topics sheds light on the question of whether international law as it stands today addresses most of the issues concerning the protection of human rights in the development process.

Research Handbook on International Human Rights Law

Sarah Joseph, Adam McBeth, 2010-01-01 This handbook brings together the work of 25 leading human rights scholars from all over the world covering a broad range of human rights topics.

Altruism in International Law Jason Rudall, 2021-08-12

The first book-length study of international law through the lens of altruism. *International Human Rights Law* Manisuli Ssenyonjo, 2016-04-22 This timely and valuable book explores the development of international human rights law over the last six decades. The volume brings together leading experts to reflect on different aspects of human rights law, not only considering and evaluating the developments so far but also identifying relevant problems and proposing relevant possible perspectives for the continued positive future development of human rights law. The book is international in perspective both in scope and context and covers developments in the international protection of human rights since the adoption of the UDHR in 1948. The developments considered include the United Nations system of protecting human rights as well as regional human rights systems in Africa, America and Europe. It also considers some key themes relevant to human rights including globalisation, protecting human rights in emergency situations and trade sanctions, the development of human rights NGOs and many others. The book will be an invaluable resource for students, academics and policy makers working in the field of international human rights.

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

Economic, Social, and Cultural Rights in International Law Eibe Riedel, Gilles Giacca, Christophe Golay, 2014-03-14 Recent years have seen a remarkable expansion in the scale and importance of economic social and cultural rights ESC rights culminating in the adoption of the Optional Protocol to the International Covenant on Economic Social and Cultural Rights in December 2008 The Protocol gives individuals and groups the ability to bring complaints about rights violations before the UN Committee on Economic Social and Cultural Rights Against this background this book focuses on the question of how fundamental socio economic human rights enshrined in international law are defined interpreted understood and implemented It assesses how effective efforts to realize ESC rights have been and investigates the contemporary challenges obstructing their protection It sets out the impact of the global financial crisis and austerity measures the human rights responsibilities of corporations and trends in the justiciability of those rights at the national and international level The interrelationship between ESC rights and other legal regimes such as trade and investment law environmental law international criminal law and international humanitarian law is also thoroughly examined After an introduction by the editors the book contains seventeen chapters looking at the main questions which shape the progressive realization of ESC rights and their monitoring mechanisms The authors of the chapters both scholars and practitioners adopt interdisciplinary approaches that move beyond traditional analyses of ESC rights In doing so they clarify and illuminate multiple aspects of the law by bringing together the different aspects of ESC rights restating the challenges they face and assessing the progress that has been made in expanding their adoption

State Responsibility, Climate Change and Human Rights under International Law Margaretha Wewerinke-Singh, 2019-03-21 The last decade has witnessed an increasing focus on the relationship between climate change and human rights Several international human rights bodies have expressed concern about the negative implications of climate change for the enjoyment of human rights and the Paris Agreement is the first multilateral climate agreement to refer explicitly to states human rights obligations in connection with climate change Yet despite this there are still significant gaps in our understanding of the role of international human rights law in enhancing accountability for climate action or inaction As the Paris Agreement has shifted the focus of the climate

change regime towards voluntary action and the humanitarian impacts of climate change are increasingly being felt around the world accountability for climate change has become an increasingly salient issue This book offers a timely and comprehensive analysis of the legal issues related to accountability for the human rights impact of climate change drawing on the state responsibility regime It explains when and where state action relating to climate change may amount to a violation of human rights and evaluates various avenues of legal redress available to victims The overall analysis offers a perceptive insight into the potential of innovative rights based climate actions to shape climate and energy policies around the world

The Routledge Handbook on Extraterritorial Human Rights Obligations Mark Gibney, Gamze Erdem Türkelli, Markus Krajewski, Wouter Vandenhole, 2021-12-24 The Routledge Handbook on Extraterritorial Human Rights Obligations brings international scholarship on transnational human rights obligations into a comprehensive and wide ranging volume Each chapter combines a thorough analysis of a particular issue area and provides a forward looking perspective of how extraterritorial human rights obligations ETOs might come to be more fully recognized outlining shortcomings but also best state practices It builds insights gained from state practice to identify gaps in the literature and points to future avenues of inquiry The Handbook is organized into seven thematic parts conceptualization and theoretical foundations enforcement migration and refugee protection financial assistance and sanctions finance investment and trade peace and security and environment Chapters summarize the cutting edge of current knowledge on key topics as leading experts critically reflect on ETOs and where appropriate engage with the Maastricht Principles to critically evaluate their value 10 years after their adoption The Routledge Handbook on Extraterritorial Human Rights Obligations is an authoritative and essential reference text for scholars and students of human rights and human rights law and more broadly of international law and international relations as well as to those working in international economic law development studies peace and conflict studies environmental law and migration The Open Access version of this book available at www.taylorfrancis.com has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license

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Table of Contents Beyond National Borders States Human Rights Obligations In International Cooperation

1. Understanding the eBook Beyond National Borders States Human Rights Obligations In International Cooperation
 - The Rise of Digital Reading Beyond National Borders States Human Rights Obligations In International Cooperation
 - Advantages of eBooks Over Traditional Books
2. Identifying Beyond National Borders States Human Rights Obligations In International Cooperation
 - 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 Beyond National Borders States Human Rights Obligations In International Cooperation
 - User-Friendly Interface

4. Exploring eBook Recommendations from Beyond National Borders States Human Rights Obligations In International Cooperation
 - Personalized Recommendations
 - Beyond National Borders States Human Rights Obligations In International Cooperation User Reviews and Ratings
 - Beyond National Borders States Human Rights Obligations In International Cooperation and Bestseller Lists
5. Accessing Beyond National Borders States Human Rights Obligations In International Cooperation Free and Paid eBooks
 - Beyond National Borders States Human Rights Obligations In International Cooperation Public Domain eBooks
 - Beyond National Borders States Human Rights Obligations In International Cooperation eBook Subscription Services
 - Beyond National Borders States Human Rights Obligations In International Cooperation Budget-Friendly Options
6. Navigating Beyond National Borders States Human Rights Obligations In International Cooperation eBook Formats
 - ePub, PDF, MOBI, and More
 - Beyond National Borders States Human Rights Obligations In International Cooperation Compatibility with Devices
 - Beyond National Borders States Human Rights Obligations In International Cooperation Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Beyond National Borders States Human Rights Obligations In International Cooperation
 - Highlighting and Note-Taking Beyond National Borders States Human Rights Obligations In International Cooperation
 - Interactive Elements Beyond National Borders States Human Rights Obligations In International Cooperation
8. Staying Engaged with Beyond National Borders States Human Rights Obligations In International Cooperation
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Beyond National Borders States Human Rights Obligations In International Cooperation
9. Balancing eBooks and Physical Books Beyond National Borders States Human Rights Obligations In International

Cooperation

- Benefits of a Digital Library
- Creating a Diverse Reading Collection Beyond National Borders States Human Rights Obligations In International Cooperation

10. Overcoming Reading Challenges

- Dealing with Digital Eye Strain
- Minimizing Distractions
- Managing Screen Time

11. Cultivating a Reading Routine Beyond National Borders States Human Rights Obligations In International Cooperation

- Setting Reading Goals Beyond National Borders States Human Rights Obligations In International Cooperation
- Carving Out Dedicated Reading Time

12. Sourcing Reliable Information of Beyond National Borders States Human Rights Obligations In International Cooperation

- Fact-Checking eBook Content of Beyond National Borders States Human Rights Obligations In International Cooperation
- 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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