

Adding Human Rights Punch To The New Lex Mercatoria The

Social workers take pride in their commitment to social and economic justice, peace, and human rights, and in their responses to related inequalities and social problems. At a time when economic globalization, armed conflict, and ecological devastation continue to undermine human rights and the possibilities for social justice, the need for linking a structural analysis to social work practice is greater than ever. The second edition of this popular social work practice text more fully addresses the connection between social justice and human rights. It includes a discussion of social work's role in promoting peace and responding to environmental problems. It also places a greater attention on the links between social work theories/concepts and practice skill/responses. The text has been updated and revised throughout with four new chapters: social work and human rights, cultural competence and practice with immigrant communities, social work and mental health communities, and practice with couples and families. Detailed case studies demonstrate the integration of theory, policy, and practice. In July 1979, the Sandinista-led revolutionary junta pledged to the people of

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Nicaragua and the Organization of American States that it would fully respect human rights. The Sandinistas have systematically violated this pledge, trampling on the rights of the Nicaraguan people as they pushed aside the democratic members of the original revolutionary coalition and worked to consolidate their Marxist-Leninist regime. Sandinista "mass organizations" serve as an intelligence network and provide a mechanism for social control. The record shows that Sandinista violation of human rights is a primary cause of the growing resistance to their regime, not a result. Whereas Nicaragua was united in 1979, the Sandinistas' betrayal of the revolution has divided the nation. The Sandinistas have attempted to crush groups that oppose their Marxist-Leninist system, including democratic parties, the private sector, independent labor confederations, and even the church. They have suppressed the free press, directly controlling the television system, most radio stations, and both of the country's newspapers. Contents include the human rights commissions, instruments of repressions, integrity of the person, basic civil rights, basic political rights, and the Indians and Creoles of the Atlantic Coast.

This fully updated second edition of Corporate Accountability in International Environmental Law examines systematically all international sources of corporate accountability standards with specific reference to environmental protection, and

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elaborates on their theoretical and practical implications for international environmental law. The book argues that although international environmental law does not bind multinational corporations and other business entities, growing practice points to the emergence and consolidation of international legal standards. These standards allow adapting and translating inter-State obligations embodied in international environmental law into specific normative benchmarks to determine the legitimacy of the conduct of the private sector against internationally recognized values and rules. The role of international organizations who, in the absence of State intervention, identify and promote the application of selected international environmental standards is analyzed in depth. This analysis demonstrates how these international organizations are a driving force in establishing and operationalizing international standards for corporate environmental accountability. The new edition includes a recent assessment of the Rio+20 Summit, analysis of the UN Framework on Business and Human Rights, and the 2012 Performance Standards. It contains a discussion on the role of 'fair and equitable benefit-sharing' under the Convention on Biological Diversity and international human rights law, and analysis of the monitoring practice of the UN Special Rapporteur on Indigenous Peoples' Rights. This is an open access title available under the terms of a CC BY-NC-ND 4.0

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International licence. It is offered as a free PDF download from OUP and selected open access locations.

prospects of the High Commissioner proposal with careful scholarship and shrewd judgment. Mr. Clark wrote the first draft of this book under my supervision for the degree of Doctor of the Science of Law at Columbia Law School before returning to take up his career as a law teacher in his native New Zealand. I am delighted that his work, in this improved and updated version, is now being published. It fills a real need, since it is the first book on this important subject. On this occasion it might be appropriate to add a few comments on the history of the High Commissioner proposal. As Mr. Clark indicates, I had something to do with its "revival" in the United States Government during the closing months of the Kennedy Administration. A few details as to how this "revival" took place may perhaps be useful to students of international relations and international organization.

This authoritative Research Handbook brings together leading international scholars and practitioners to provide in-depth analysis of some of the most hotly debated topics and issues concerning the interface of human rights and business. Offering critical insights on prominent strands of research within the field of business and human rights, this comprehensive Research Handbook

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examines key challenges and potential solutions in the field.

Nigeria is known as the “giant of Africa” because of its natural and human resources, but it remains unstable because of human rights violations. This book is an argument for the application of human rights in Nigeria’s external relations, complete with a set of human rights–sensitive strategies for achieving that application.

For the first time, *Human Rights and Tax in an Unequal World* brings together works by human rights and tax law experts, to illustrate the linkages between the two fields and to reveal their mutual relevance in tackling economic, social, and political inequalities. Against the backdrop of systemic corporate tax avoidance, the widespread use of tax havens, persistent pressures to embrace austerity policies, and growing gaps between the rich and poor, this book encourages readers to understand fiscal policy as human rights policy, with profound consequences for the wellbeing of citizens around the world. The essays collected examine where the foundational principles of tax law and human rights law intersect and diverge; discuss the cross-border nature and human rights impacts of abusive practices like tax avoidance and evasion; question the role of states in bringing transparency and accountability to tax policies and practices; highlight the responsibility of private sector actors for the consequences of tax

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laws; and critically evaluate certain domestic tax rules through the lens of equality and non-discrimination. The contributing scholars and practitioners explore how an international human rights framework can anchor debates around international tax reform and domestic fiscal consolidation in existing state obligations. They address what human rights law requires of state tax policies, and what a state's tax laws and loopholes mean for the enjoyment of human rights within and outside its borders. Ultimately, tax and human rights both turn on the relationship between the individual and the state, and thus both fields face crises as the social contract frays and populist, illiberal regimes are on the rise.

This edited volume explores the question of the lawfulness under international law of economic activities in occupied territories from the perspectives of international law, EU law, and business and human rights. Providing a multi-level overview of relevant practices, policies and cases, the book is divided in three parts, each dealing with how different legal fields have come to grips with the challenges brought about by the question of the lawfulness under international law of economic activities in occupied territories. The first part includes contributions pertaining to the international law dimension of the question. It contains chapters on the conjunction between jus in bello, jus ad bellum and international human rights law in the context of exploitation of natural resources

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in territories under belligerent occupation; on third party obligations flowing from the application of occupation law in relation to natural resources exploitation; and on State practice with regards to trading with occupied territories. The second part focuses on EU law and contains contributions that assess the EU's approach to occupied territories and the extent to which this approach comports with the EU's obligations under international law; contributions providing an in-depth assessment of the case-law of the CJEU on occupied territories; as well as contributions pertaining to the political considerations that may influence the legal framing of questions pertaining to occupied territories. The final part focuses on the business and human rights perspective, with chapters on investment arbitration as a means for holding the occupant accountable for its conduct towards foreign investments and investors; on the role and impact of the soft law framework governing corporate activity (such as the UN Guiding Principles) on business involvement with occupied territories; as well as a final case study on the dispute involving Israeli football activity in settlements located in the OPT and the legal responsibility of FIFA in this regard. The book will appeal to academics, practitioners and policy-makers alike.

Research Handbook on Human Rights and Investment Edward Elgar Publishing

El presente libro plasma los trabajos de investigación de un grupo de profesores

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colombianos e italianos que disertan sobre la autonomía privada. Principio en cuyos valores se arraiga la riqueza creadora de múltiples relaciones en el ámbito privado. El influjo de la autonomía privada pone en evidencia la existencia de un poder de los particulares siempre creciente y transformador, particularmente plasmado en contratos, lo cual robustece el intrincado sistema de fuentes del derecho en un mundo globalizado con el poder de traspasar las fronteras nacionales mediante la circulación de modelos contractuales, de estándares negociales, de códigos marco de principios y reglas de libre adopción por parte de los privados. Lo cual evidencia la falacia del carácter estrictamente técnico del derecho y, a su vez, resalta, en cambio, la naturaleza política del mismo en cuanto creación enteramente humana. Así, la autonomía, por medio de los contratos, expande su fuerza por fuera del ámbito exclusivamente privado, pues en estos confluyen intereses públicos y privados, al ser el contrato un escenario de realización de derechos fundamentales, con la potencialidad de erigirse en instrumento de fomento del desarrollo económico y social, que por su naturaleza debe ser concebido como instrumento de cooperación y no de poder. De ahí que en este libro se destaque que si bien el contrato refleja una operación económica que subyace al propio acuerdo, la naturaleza cooperativa de la relación nos impone observar que dicha operación económica no agota el contenido del contrato, pues este posee una función social que exige el respeto de los valores contenidos en los principios que rigen el sistema jurídico. En este libro se resalta que el

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contrato se erige además en un instrumento de organización social, que desborda la función de intercambio, inmediato y personal, y se transforma en un mecanismo para establecer estructuras durables y estables dirigidas a la obtención de intereses comunes, en las que la cooperación y la función organizacional se tornan sustanciales. Todo lo cual conduce a una necesaria reinterpretación del papel de la autonomía contractual ya otorgar especial atención a los nuevos desafíos y peligros en términos de legitimidad, eficiencia y justicia, que surgen con el contrato contemporáneo, lo cual implica reconocer que la autonomía privada en general y, en particular, sus numerosas aplicaciones están sujetas a límites que se expresan en el marco del principio de dignidad humana, en la prevalencia del interés general, en la función social y ecológica de la propiedad y de la actividad de empresa, en la preservación de la personalidad jurídica, en las exigencias de solidaridad, y en general en el bien común.

This edited collection provides a thorough review of multinational human rights litigation from some of the top practitioners in the field. It provides useful guidance on the relevant laws, procedures, and practical considerations for such litigation in a number of legal systems, including the UK, US, South Africa, and Australia.

The intersection of business and human rights contains substantial economic, social, and political implications. Global business enterprises and civil society groups must establish a constructive and meaningful dialogue in order to work cooperatively t
This book provides a thorough review of multinational human rights litigation in various

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countries where such litigation has been pursued, predominantly on behalf of victims in the Global South. It covers cases relating to environmental damage, occupational disease, human rights abuses involving complicity with state security, and in the context of supply chains. The volume is edited by Richard Meeran, who pioneered the first series of tort-based multinational parent company cases in the 1990s and whose firm, Leigh Day, has been at the forefront of this area for almost 30 years. Contributions come from highly experienced legal practitioners in the countries in question who have run many of the key ground-breaking cases, and who understand the opportunities and hurdles that arise in practice. They provide their perspectives and insights into the features of the relevant laws, procedures, and practical considerations in their respective legal systems. Chapters address the potential legal remedies that are available; the legal, procedural, and practical obstacles to justice including funding; as well as strategic issues. This developing area of corporate legal accountability has increasingly become an integral part of the field of business and human rights, which has grown significantly in recent decades. This collection is an essential guide to the field.

Drawing upon previous theories on the relationship between human rights law and international humanitarian law, this book examines on the basis of a series of individual case-studies the new theoretical trend arguing for a merge of these two sets of norms. This book critically examines the relationship between protecting human rights and

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building peace in post-violence societies. It explores the conditions that must be present, and strategies that should be adopted, for the former to contribute to the latter. The author argues that human rights can aid peacebuilding efforts by helping victims of past violence to articulate their grievance, and by encouraging the state to respond to and provide them with a meaningful remedy. This usually happens either through a process of adjudication, whereby human rights can offer guidance to the judiciary as to the best way to address such grievances, or through the passing and implementation of human rights laws and policies that seek to promote peace. However, this positive relationship between human rights and peace is both qualified and context specific. Through an interdisciplinary and comparative analysis of four case studies, the book identifies the conditions that can support the effective use of human rights as peacebuilding tools. Developing these, the book recommends a series of strategies that peacebuilders should adopt and rely on.

It is becoming increasingly common for human rights norms to be transferred between legal and political systems and this book is a fresh approach to the intersection of transnational law and the protection of cultural difference beyond the single state border. It investigates how the construction and evolution of human rights norms are transferred in transnational legal settings and asks whether law should reflect, express or control any given aspect of culture. The chapters explore the ways that law and cultural identity may or may not co-exist, particularly in circumstances where a prima

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facie clash is observed. Examining legal approaches to cultural differences from a comparative perspective and across a wide range of locations, the book covers topics such as juvenile punishment, religious defamation, religious rights and conflict between industry and indigenous communities. It will be of value to those working in the areas of transnational and comparative law, as well as those concerned with human rights and the intersection of law and cultural difference.

"Treatise on International Law for law students"--

Provides in-depth information on sources, systems and standards for human rights in law enforcement, along with practical guidance, and annexed international instruments.

The best country-by-country assessment of human rights. The human rights records of more than ninety countries and territories are put into perspective in Human Rights Watch's signature yearly report. Reflecting extensive investigative work undertaken by Human Rights Watch staff, in close partnership with domestic human rights activists, the annual World Report is an invaluable resource for journalists, diplomats, and citizens, and is a must-read for anyone interested in the fight to protect human rights in every corner of the globe.

This book uses comparative law and comparative international law approaches to explore the role of human rights ombuds, classic-based ombuds and other types of ombuds institutions in human rights protection and promotion, their methods of application of international and domestic human rights law and their roles in strengthening good governance. It highlights the increasing importance of national human rights ombuds institutions globally and their roles as national human rights institutions (NHRIs).

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African Human Rights Law Reports 2008 Edited by The African Commission on Human and Peoples' Rights & the Centre for Human Rights, University of Pretoria 2010 ISSN: 1812-2418 Pages: xxxviii 284 Print version: Available Electronic version: Free PDF available About the publication The African Human Rights Law Reports include cases decided by the United Nations human rights treaty bodies, the African Commission on Human and Peoples' Rights and domestic judgments from different African countries. The Reports are a joint publication of the African Commission on Human and Peoples' Rights and the Centre for Human Rights, University of Pretoria, South Africa. PULP also publishes the French version of these Reports, Recueil Africain des Décisions des Droits Humains. The Reports, as well as other material of relevance to human rights law in Africa, may be found on the website of the Centre for Human Rights at www.chr.up.ac.za. Hard copies of the Reports can be obtained from the Centre for Human Rights. Editorial changes have been kept to a minimum, and are confined to changes that are required to ensure consistency in style (with regard to abbreviations, capitalisation, punctuation and quotes) and to avoid obvious errors related to presentation. However, in the case of Ivorian Human Rights Movement (MIDH) v Côte d'Ivoire (2008) AHRLR 62 (ACHPR 2008) and Wetsh'okonda Koso and Others v Democratic Republic of the Congo (2008) AHRLR 93 (ACHPR 2008), in this volume more extensive edits have been done to ensure consistency with the French original. Cases from national courts that would be of interest to include in future issues of the Reports may be brought to the attention of the editors at: Centre for Human Rights Faculty of Law University of Pretoria, Pretoria 0002 South Africa Fax: + 27 12 362-5125 E-mail: ahrlr@up.ac.za Table of Contents Editorial User guide Abbreviations Case law on the internet TABLES AND INDEXES Table of cases Alphabetical table of cases

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Advancing a bold theory of the relevance of tort law in the fight against human rights abuses, celebrated US law professor George Fletcher here challenges the community of international lawyers to think again about how they can use the Alien Tort Statute. Beginning with an historical analysis Fletcher shows how tort and criminal law originally evolved to deal with similar problems, how tort came to be seen as primarily concerned with negligence and how the Alien Tort Statute has helped establish the importance of tort law in international cases. In a series of cases starting with *Filartiga* and culminating most recently in *Sosa*, Fletcher shows how torture cases led to the reawakening of the Alien Tort Statute, changing US law and giving legal practitioners a tool with which to assist victims of torture and other extreme human rights abuses. This leads to an examination of Agent Orange and the possible commission of war crimes in the course of its utilisation, and the theory of liability for aiding and abetting the US military and other military forces when they commit war crimes. The book concludes by looking at the cutting-edge cases in this area, particularly those involving liability for funding terrorism, and the remedies available, particularly the potential offered by the compensation chamber in the International Criminal Court.

How does the UK Supreme Court approach human rights law? This book presents the first comprehensive overview of the human rights jurisprudence of the Court, analysing the opinions expressed by the current Justices and their predecessors, both judicially and extra-

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judicially. It criticizes the judges for not developing the common law in a way which supplements the Human Rights Act, for not making imaginative enough use of that Act, and for adopting an attitude to Convention rights which is often out of step with the jurisprudence of the European Court of Human Rights in Strasbourg. After setting the scene by explaining the constraints which are placed on the Supreme Court Justices, the book considers how human rights are conceptualized by the Court in general and how in particular the procedural questions thrown up by the Human Rights Act have been dealt with so far. It then examines on a right-by-right basis the Justices' position on all the Convention rights and those additional international human rights standards which have been incorporated into UK law. Focusing on the views expressed by individual judges, the book details the many differences of opinion which have come to light and characterizes the prevailing positions, before attempting to predict what stance may be adopted in future on new issues. The book offers an invaluable resource for any practitioners bringing human rights cases before the Court, and its critical arguments on the state of UK human rights law will be essential reading for all academics working in European human rights law.

Readership: This book would be suitable for students, academics and scholars of law, philosophy, politics, international relations and economics

Indigenous Peoples and the Law provides an historical, comparative and contextual analysis of various legal and policy issues affecting Indigenous peoples. It focuses on the common law jurisdictions of Australia, Canada, New Zealand and the United States, as well as relevant international law developments. Edited by Benjamin J Richardson, Shin Imai, and Kent McNeil, this collection of new essays features 13 contributors including many Indigenous scholars,

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drawn from around the world. The book provides a pithy overview of the subject-matter, enabling readers to appreciate the seminal issues, precedents and international legal trends of most concern to Indigenous peoples. The first half of *Indigenous Peoples and the Law* takes an historical perspective of the principal jurisdictions, canvassing, in particular, themes of Indigenous sovereignty, status and identity, and the movement for Indigenous self-determination. It also examines these issues in an international context, including the Inter-American human rights regime and the 2007 UN Declaration on the Rights of Indigenous Peoples. The second part of the book canvasses some contemporary issues and claims of Indigenous peoples, including land rights, mobility rights, community self-governance, environmental governance, alternative dispute resolution processes, the legal status of Aboriginal women and the place of Indigenous legal traditions and legal theory. Although an introductory volume designed primarily for readers without advanced understanding of Indigenous legal issues, *Indigenous Peoples and the Law* should also appeal to seasoned scholars, policy-makers, lawyers and others who are knowledgeable of such issues in their own jurisdiction and wish to learn more about developments in other places.

Traditional Islamic law has long been regarded as academic, local in nature, and relevant only as a measure of the inadequacy of women's rights in the family law regimes of a few Islamic states. In opposition, the author argues that the Sharia is both a quasi-regional customary international law capable of competing with prevailing customary international law, and brings its own international agenda of "Islamic human rights" that compete with and seek to displace "Western human rights." Rather than acknowledging the rights of Muslims qua Muslims internationally, aggressive proponents of an "American customary-law-of-human-rights school"

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have responded with a new militant doctrine of "instant customary law" to aid the U.S. in its "war on terror," targeting the Sharia wherever encountered, and risking a global "war on Islam." This accessible and cutting-edge work offers a new look at the history of western 'civilization,' one that brings into focus the interrelated suffering of oppressed humans and other animals. Nibert argues persuasively that throughout history the exploitation of other animals has gone hand in hand with the oppression of women, people of color, and other oppressed groups. He maintains that the oppression both of humans and of other species of animals is inextricably tangled within the structure of social arrangements. Nibert asserts that human use and mistreatment of other animals are not natural and do little to further the human condition. Nibert's analysis emphasizes the economic and elite-driven character of prejudice, discrimination, and institutionalized repression of humans and other animals. His examination of the economic entanglements of the oppression of human and other animals is supplemented with an analysis of ideological forces and the use of state power in this sociological expose of the grotesque uses of the oppressed, past and present. Nibert suggests that the liberation of devalued groups of humans is unlikely in a world that uses other animals as fodder for the continual growth and expansion of transnational corporations and, conversely, that animal liberation cannot take place when humans continue to be exploited and oppressed.

A sense of mission for America . . . a heart for God. Senator Sam Brownback grew up in the heartland, in a family of hard-working Kansas farmers. Instilled from an early age with a strong work ethic and a fierce sense of independence, he continues to be guided by Christian values and beliefs: strength, courage, character, common sense, faith, and a keen sense of justice

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and moral responsibility. From Power to Purpose is the firsthand account of his remarkable journey: from farm boy to U.S. Senator and in 2008 the Republican candidate for the White House. In honest, straightforward prose, he recounts his trials, struggles, and lessons learned on the way to becoming one of our leading voices for bleeding-heart conservatism. It's a proactive response to some of our country's most vexing problems. It's a message of hope and fresh ideas for a world that needs both.

David P. Forsythe presents a compelling introduction to international human rights in a political context. He stresses the difficulties of interjecting human rights into foreign policy and international politics, while recognising the considerable progress that has been made over time. Focusing on international organizations, states, corporations, and private advocacy groups, Forsythe addresses key themes including war, migration, climate change, and slavery. The era of technology in which we reside has ushered in a more globalized and connected world. While many benefits are gained from this connectivity, possible disadvantages to issues of human rights are developed as well. *Defending Human Rights and Democracy in the Era of Globalization* is a pivotal resource for the latest research on the effects of a globalized society regarding issues relating to social ethics and civil rights. Highlighting relevant concepts on political autonomy, migration, and asylum, this book is ideally designed for academicians, professionals, practitioners, and upper-level students interested in the ongoing concerns of human rights.

The interplay between human rights and investments is a key and complex issue in today's world. To take stock of this importance and to tackle this complexity, this Research Handbook offers a unique multi-faceted approach. It gathers in-depth contributions which focus on the

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interplay between human rights and investments in various international legal regimes, economic sectors and regions. It also provides thorough analyses of the various types of accountability that may result from the activities of multinational corporations in relation to human rights. This Research Handbook is intended for practitioners, policy-makers, academics and students eager to understand the interaction between human rights and investments in all its dimensions.?

This book provides a comprehensive and analytical overview of human rights law in Africa. It examines the institutions, norms, and processes for human rights realization provided for under the United Nations system, the African Union, and sub-regional economic communities in Africa, and explores their relationship with the national legal systems of African states. Since the establishment of the African Union in 2001, there has been a proliferation of regional institutions that are relevant to human rights in Africa. These include the Pan African Parliament, the Peace and Security Council, the Economic, Social and Cultural Council and the African Peer Review Mechanism of the New Partnership for Africa's Development. This book discusses the links between these institutions. It further examines the case law stemming from Africa's most important human rights instrument, the African Charter on Human and Peoples Rights, which entered into force on 21 October 1986. This new edition contains a new chapter on the African Children's Rights Committee as well as full coverage of new developments and instruments, such as the Convention on the Rights of Persons with Disabilities, the Convention on Enforced Disappearances, and the African Charter on Democracy, Elections and Governance. Three cross-cutting themes are explored throughout the book: national implementation and enforcement of international human rights law; legal and

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other forms of integration; and the role of human rights in the eradication of poverty. The book also provides an introduction to the relevant human rights concepts.

This book examines the rhetoric of various “exemplars” who advocate for causes and actions pertaining to human rights in particular contexts. Although some of these exemplars champion human rights, others are human rights antagonists. Simply put, the argument here is that concern for how particular individuals advocate for human rights causes—as well as how antagonists obstruct such initiatives—adds significant value to understanding the successes and failures of human rights efforts in particular cultural and national contexts. On one hand, we can grasp how specific international organizations and actors function to develop norms (for example, the rights of the child) and how rights are subsequently articulated in universal declarations and formal codes. But on the other, it becomes apparent that the actual meaning of those rights mutate when “accepted” within particular cultures. A complementary facet of this argument relates to the centrality of rhetoric in observing how rights advocates function in practice; specifically, rhetoric focuses upon the art of argumentation and the various strategies and techniques enlisted therein. In that much of the “reality” surrounding human rights (from the standpoints of advocates and antagonists alike) is fundamentally interpretive, rhetorical (or argumentative) skill is of vital

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importance for advocates as competent pragma-dialecticians in presenting the case that a rights ideal can enhance life in a culture predisposed to reject that ideal. This book includes case studies focusing on the rhetoric of the following individuals or groups as either human rights advocates or antagonists: Mary B. Anderson, Rwandan “hate radio” broadcasters, politicians and military officials connected with the Kent State University and Tiananmen Square student protest tragedies, Iqbal Masih, Pussy Riot, Lyndon Johnson, Julian Assange, Geert Wilders, Daniel Barenboim, Joe Arpaio, and Lucius Banda.

In this completely revised and updated second edition of Human Rights Law, the judicial interpretation and application of the United Kingdom's Human Rights Act 1998 is comprehensively examined and analysed. Part I concerns key procedural issues including: the background to the Act; the relationship between UK courts and the European Court of Human Rights; the definition of victim and public authority; determining incompatibility including deference and proportionality; the impact of the Act on primary legislation; and damages and other remedies for the violation of Convention rights. In Part II of the book, the Convention rights as interpreted and applied by United Kingdom courts, are discussed in detail. All important Convention rights are included with a new chapter on freedom of thought, conscience and religion. Other Convention rights considered in the

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national context include: the right to life; freedom from torture; the right to liberty; fair trial; the right to private life, family life and home; the right to peaceful enjoyment of possessions; and the right to freedom from discrimination in the enjoyment of Convention rights. The second edition of Human Rights Law will be invaluable for those teaching, studying and practising in the areas of United Kingdom human rights law, constitutional law and administrative law.

This book critically appraises the European Convention on Human Rights as it faces some daunting challenges. It argues that the Convention's core functions have subtly changed, particularly since the ending of the Cold War, and that these are now to articulate an 'abstract constitutional model' for the entire continent, and to promote convergence in the operation of public institutions at every level of governance. The implications - from national compliance, to European international relations, including the adjudication of disputes by the European Court of Human Rights - are fully explored. As the first book-length socio-legal examination of the Convention's principal achievements and failures, this study not only blends legal and social science scholarship around the theme of constitutionalization, but also offers a coherent set of policy proposals which both address the current case-management crisis and suggest ways forward neglected by recent reforms.

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The very concept of human rights implies governmental accountability. To ensure that governments are indeed held accountable for their treatment of citizens and others the United Nations has established a wide range of mechanisms to monitor compliance, and to seek to prevent as well as respond to violations. The panoply of implementation measures that the UN has taken since 1945 has resulted in a diverse and complex set of institutional arrangements, the effectiveness of which varies widely. Indeed, there is much doubt as to the effectiveness of much of the UN's human rights efforts but also about what direction it should take. Inevitable instances of politicization and the hostile, or at best ambivalent, attitude of most governments, has at times endangered the fragile progress made on the more technical fronts. At the same time, technical efforts cannot dispense with the complex politics of actualizing the promise of human rights at and through the UN. In addition to significant actual and potential problems of duplication, overlapping and inconsistent approaches, there are major problems of under-funding and insufficient expertise. The complexity of these arrangements and the difficulty in evaluating their impact makes a comprehensive guide of the type provided here all the more indispensable. These essays critically examine the functions, procedures, and performance of each of the major UN organs dealing with human rights, including the Security

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Council and the International Court of Justice as well as the more specialized bodies monitoring the implementation of human rights treaties. Significant attention is devoted to the considerable efforts at reforming the UN's human rights machinery, as illustrated most notably by the creation of the Human Rights Council to replace the Commission on Human Rights. The book also looks at the relationship between the various bodies and the potential for major reforms and restructuring.

In a dramatic departure from its voluntary origins, corporate social responsibility (CSR) is rapidly shifting to hold multinational companies accountable for more than traditional shareholder performance. This CSR movement is embracing new environmental, social and governance (ESG) frameworks that both promote global sustainability goals and enhance accountability for negative impacts businesses can have on 'planet and people'. This collection of essays by leading businesspeople, international civil servants, legal practitioners, academics, and other experts offers a forward-looking and pragmatic perspective that illuminates the major themes in this movement towards increasingly sustainable, transparent and accountable business practices. The collection shows how CSR has evolved to account for societal pressures, environmental, climate change and human rights impacts, international policy imperatives and

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the practical challenges of regulating commercial activity that transcends borders. The chapters offer an in-depth examination of current issues including: international frameworks and multistakeholder initiatives catalysing foundational change; the shifting emphasis on corporate imperatives to avoid harm to third parties; trends in CSR, focused on assuring the planet's future sustainability and social stability; regulatory initiatives around the globe, including Europe, North America, Asia and Africa; and extended accountability for activities of corporate group members and supply chains. The pressure and business case for companies to incorporate CSR into corporate governance is intensifying with each quarter, shareholder meeting, and regulatory agenda. The integration of CSR and new ESG frameworks into multinational corporate strategy and operations is key to sustainable business models that can generate long-term value for the organization and all stakeholders. Their acceptance as cornerstones of 21st century business practice appears inevitable. Taking full account of the imperative for companies and their lawyers to grapple with the practical and legal challenges in this area, this volume is an invaluable and pragmatic addition to the practitioners' toolbox at this important juncture in an ever-more dynamic field. More than merely describing developments in the field of civil liberties and human rights, this comprehensive and challenging textbook provides students with

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detailed and thought-provoking coverage and analysis of the impact of the Human Rights Act 1998 in an era in which human rights are coming increasingly under pressure. Extensively re-written and updated since the last edition, here Helen Fenwick considers the impact of the Human Rights Act 1998, paying particular attention to Labour legislation, especially in the fields of criminal justice and terrorism. This book: considers recent key domestic decisions in the post-Human Rights Act era, including *Campbell, A and Others v Secretary of State for the Home Dept*, *Ghaidan v Mendoza*, *R(Gillan) v Commissioner of Police of the Metropolis* contains a new chapter on important developments in counter-terrorism law – covering the Anti-Terrorism Crime and Security Act 2001 and the Terrorism Acts 2005 and 2006 analyzes key developments in the sphere of media freedom, including the impact of the Communications Act 2003, Pro-life Alliance and *Campbell* explores new developments in criminal justice, including the Serious and Organized Crime Act 2005 addresses the changes in the field of anti-discrimination law, including the Sexual Orientation Regulations 2003 and Equality Act 2006. This textbook is an essential resource for students studying the development of human rights and civil liberties in the early years of the twenty-first century.

From its inception, the Conference on Security and Cooperation in Europe

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(CSCE) provoked controversy. Today it is widely regarded as having contributed to the end of the Cold War. Bringing together new and innovative research on the CSCE, this volume explores questions key to understanding the Cold War: What role did diplomats play in shaping the 1975 Helsinki Final Act? How did that agreement and the CSCE more broadly shape societies in Europe and North America? And how did the CSCE and activists inspired by the Helsinki Final Act influence the end of the Cold War?

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