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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

Surya Deva, David Bilchitz



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

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 the notion 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

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 **US Counterterrorism and the Human Rights of Foreigners Abroad** Monika Heupel, Caiden Heaphy, Janina Heaphy, 2022-02-22 This book examines why the United States has introduced safeguards that are designed to prevent their counterterrorism policies from causing harm to non US citizens beyond US territory It investigates what made US policymakers take steps to put the gloves back on through five case studies on the emergence of such safeguards related to the right not to be tortured the right not to be arbitrarily detained the right to life in connection with targeted killing operations the right to seek asylum in connection with refugee resettlement and the right to privacy in connection with foreign mass surveillance The book exposes two mechanisms coercion and strategic learning which explain why the United States has introduced what the authors refer to as extraterritorial human rights safeguards thus demonstrating that the emerging norm that states have human rights obligations towards foreigners beyond their borders constrains policy choices This book will be of key interest to scholars and students of human rights counterterrorism US foreign policy human rights law and more broadly to political science and international relations The Open Access version of this book available at <http://www.taylorfrancis.com> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license **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 **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

Building a Treaty on Business and Human Rights Surya Deva, David Bilchitz, 2017-10-19 This book provides a sustained treatment of the politico legal context and content of a proposed business and human rights treaty

Beyond Market Access for Economic Development Gerrit Faber, Jan Orbie, 2009-06-17 Starting from the observation that the establishment of free trade as such will substantially impact upon economic development the different contributions focus on the potential contribution of non traditional aspects of EPAs

The World Bank, Asian Development Bank and Human Rights Sanae Fujita, 2013-01-01 Dr Fujita reminds us of the critically important role that human rights can play Opening up new perspectives this book is a major and original contribution to the literature From the foreword by Paul Hunt Sanae Fujita's book *The World Bank Asian Development Bank and Human Rights* is a significant scholarly contribution to important issues of global governance in our increasingly interconnected world The book is an excellent treatment of the emergence of participatory rights and accountability in the context of international finance and international organizations more generally Particularly valuable is the in depth treatment of transparency and accountability at the Asian Development Bank an important and often overlooked institution critical to international governance David Hunter American University Washington College of Law US The World Bank and the Asian Development Bank are two of the world's major institutions conducting development projects Both banks recognize the importance of transparency participation and accountability Responding to criticisms and calls for reform they have developed policies that are designed to protect these values for people affected by their projects This original and timely book examines these policies including those recently revised through the prism of human rights and makes suggestions for further improvement It also analyses the development of the Banks stance to human rights in general This unique book contains valuable and deeply insightful information drawn from extensive face to face interviews with relevant actors including key personnel from both banks consultants to the banks and members of civil society organisations It expands the scope of research discussion on human rights obligation of International financial institutions that will prove insightful for both academics and students Practitioners will gain a great deal from the detail given on the standards of transparency participation and accountability and their applicability to the day to day operations of development institutions

Global Justice, State Duties Malcolm Langford, 2013 Explores whether states possess extraterritorial obligations under international law to respect and ensure economic social and cultural rights

Altruism in International Law Jason Rudall, 2021-08-12 The first book length study of international law through the lens of altruism

Complicity and the Law of State Responsibility Helmut Philipp Aust, 2011-09-01 This systematic analysis of State complicity in international law focuses on the rules of State responsibility Combining a theoretical perspective on complicity based on the concept of the international rule of law with a thorough analysis of international practice Helmut Philipp Aust establishes what forms of support for wrongful conduct entail responsibility of complicit States and sheds light on the consequences of complicity in terms of reparation and implementation Furthermore he highlights how international law provides for varying degrees of responsibility in cases of complicity depending on whether peremptory norms have been violated or special subject areas such as the law of collective security are involved The book shows that the concept of State complicity is firmly grounded in international law and that the international rule of law may serve as a conceptual paradigm for today's international legal order

Regional Environmental Law Werner Scholtz, Jonathan Verschuuren, 2015-04-30 The core focus of this timely volume is to ascertain how regional environmental law may contribute to the pursuit of global sustainable development Leading scholars critically analyze the ways in which states may pool sovereignty to find solutions to

Forgotten Genocides Rene Lemarchand, René Lemarchand, 2011-06-01 Unlike the Holocaust Rwanda Cambodia or Armenia scant attention has been paid to the human tragedies analyzed in this book From German Southwest Africa now Namibia Burundi and eastern Congo to Tasmania Tibet and Kurdistan from the mass killings of the Roms by the Nazis to the extermination of the Assyrians in Ottoman Turkey the mind reels when confronted with the inhuman acts that have been consigned to oblivion *Forgotten Genocides Oblivion Denial and Memory* gathers eight essays about genocidal conflicts that are unremembered and as a consequence understudied The contributors scholars in political science anthropology history and other fields seek to restore these mass killings to the place they deserve in the public consciousness Remembrance of long forgotten crimes is not the volume's only purpose equally significant are the rich quarry of empirical data offered in each chapter the theoretical insights provided and the comparative perspectives suggested for the analysis of genocidal phenomena While each genocide is unique in its circumstances and motives the essays in this volume explain that deliberate concealment and manipulation of the facts by the perpetrators are more often the rule than the exception and that memory often tends to distort the past and blame the victims while exonerating the killers Although the cases discussed here are but a sample of a litany going back to biblical times *Forgotten Genocides* offers an important examination of the diversity of contexts out of which repeatedly emerge the same hideous realities

Foreign Direct Investment and Human Development Olivier de Schutter, Johan F. M. Swinnen, Jan Wouters, 2013 This book presents original research that examines the growth of international investment agreements as a means to attract foreign direct investment FDI and considers how this affects the ability of capital importing countries to pursue their development goals The hope of countries signing such treaties is that foreign capital will accelerate transfers of technologies create employment and benefit the local economy through various

types of linkages But do international investment agreements in fact succeed in attracting foreign direct investment And if so are the sovereignty costs involved worth paying In particular are these costs such that they risk undermining the very purpose of attracting investors which is to promote human development in the host country This book uses both economic and legal analysis to answer these questions that have become central to discussions on the impact of economic globalization on human rights and human development It explains the dangers of developing countries being tempted to signal their willingness to attract investors by providing far reaching protections to investors rights that would annul or at least seriously diminish the benefits they have a right to expect from the arrival of FDI It examines a variety of tools that could be used by capital exporting countries and by capital importing countries alike to ensure that FDI works for development and that international investment agreements contribute to that end This uniquely interdisciplinary study located at the intersection of development economics international investment law and international human rights is written in an accessible language and should attract the attention of anyone who cares about the role of private investment in supporting the efforts of poor countries to climb up the development ladder Constituting Economic and Social Rights Katharine G. Young, 2012-08-23

Food water health housing and education are as fundamental to human freedom and dignity as privacy religion or speech Yet only recently have legal systems begun to secure these fundamental individual interests as rights This book looks at the dynamic processes that render economic and social rights in legal form It argues that processes of interpretation enforcement and contestation each reveal how economic and social interests can be protected as human and constitutional rights and how their protection changes public law Drawing on constitutional examples from South Africa Colombia Ghana India the United Kingdom the United States and elsewhere the book examines innovations in the design and role of institutions such as courts legislatures executives and agencies in the organization of social movements and in the links established with market actors This comparative study shows how legal systems protect economic and social rights by shifting the focus from minimum bundles of commodities or entitlements to processes of value based deliberative problem solving Theories of constitutionalism and governance inform the potential of this approach to reconcile economic and social rights with both democratic and market principles while addressing the material inequality poverty and social conflict caused in part by law itself **Ownership of Proceeds of Corruption in International Law** Kolawole Olaniyan, 2023-11-06

Recovery of proceeds deriving from corruption is now increasingly recognized as a principle of contemporary international law However people s sovereign and ownership rights over their wealth and natural resources have remained more theoretical than real especially in the global fight against corruption As a result the populations of victim states often cannot hold their governments accountable for misusing proceeds of corruption and do not benefit from the recovery repatriation management and use of returned proceeds In the first comprehensive study on the issue Kolawole Olaniyan challenges the conventional notion that sovereign and ownership rights over wealth and natural resources and by extension the proceeds of

corruption should be exclusively exercised by states Olaniyan's Ownership of Proceeds of Corruption in International Law examines the relationship between the right to wealth and natural resources proceeds of corruption and economic activities Focusing on victims of corruption the book argues that victim states populations ought to be empowered to pursue grand corruption and asset recovery actions against their governments It proposes theoretical and legal remedies for recovering proceeds of corruption encouraging the development of domestic laws *The Responsibility to Protect* Dan Kuwali, 2011 Explores the scope and limits of Article 4 h of the African Union Constitutive Act Introd Global Governance and Democracy Jan Wouters, Antoon Braeckman, Matthias Lievens, Emilie Bécault, 2015-09-25 Globalization needs effective global governance The important question of whether this governance can also become democratic is however the subject of a political and academic debate that began only recently This multidisciplinary book aims to move this conversation forward by drawing insights from international relations political theory international law and international political economy Focusing on global environmental economic security and human rights governance it sheds new light on the democratic deficit of existing global governance structures and proposes a number of tools to overcome it *Economic, Social, and Cultural Rights in Armed Conflict* Gilles Giacca, 2014 In times of armed conflict the protection of human rights often slips down the list of a state's priorities This is particularly the case for those rights concerned with people's economic social and cultural needs This book studies how those rights are impacted by armed conflict which derogations apply and how they can be better protected

The Top Books of the Year Beyond National Borders States Human Rights Obligations In International Cooperation The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels enthralling the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have charmed audiences this year. Beyond National Borders States Human Rights Obligations In International Cooperation : Colleen Hoover "It Ends with Us" This touching tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover expertly weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This spellbinding historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Beyond National Borders States Human Rights Obligations In International Cooperation : Delia Owens "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and suspenseful novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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web anderson met cheryl majeure blossom minnette née fleming who came from sri lanka her mother millicent toussaint was a burgher while her father clifford fleming was from australia at bowling club in bangalore

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web sep 21 2018 summary of the bond of love by kenneth anderson 2022 the author kenneth anderson begins the story by narrating how he got his wife her pet sloth bear by accident two years ago when they were passing through the sugarcane fields near mysore people were shooting and driving away the wild pigs from the fields

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