

1. Record Nr.	UNINA9910451409103321
Autore	Mowbray A. R (Alastair R.)
Titolo	The development of positive obligations under the European Convention on Human Rights by the European Court of Human Rights / A.R. Mowbray
Pubbl/distr/stampa	Oxford ; ; Portland, Oregon : , : Hart Publishing, , 2004
ISBN	1-4725-6292-5 1-280-80082-8 9786610800827 1-84731-193-8
Edizione	[1st ed.]
Descrizione fisica	1 online resource (256 p.)
Collana	Human rights law in perspective ; ; v. 2
Disciplina	341.4/8
Soggetti	Human rights Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	1. Introduction -- 2. Article 2: Right to life -- 3. Article 3: Prohibition of torture -- 4. Article 5: Right to liberty and security -- 5. Article 6: Right to a fair trial -- 6. Article 8: Right to respect for private and family life -- 7. Articles 9, 10, 11 and 14 -- 8. Article 13: Right to an effective remedy -- 9. Conclusions.
Sommario/riassunto	"During the last thirty years the European Court of Human Rights has been developing, at an expanding pace, positive obligations under the European Convention. This monograph seeks to provide a critical analysis of the burgeoning case law concerning positive obligations, a topic which is relatively uncharted in the existing literature. Positive obligations require many different forms of action by member states, ranging from effectively investigating killings through to protecting peaceful demonstrators from violent attacks by their opponents. The contemporary significance of these obligations is graphically illustrated by the fact that it is the obligation upon states to provide fair trials to determine civil and criminal proceedings within a reasonable time that is the source of the overwhelming majority of complaints to the European Court in recent years. The study examines the legal bases

and content of key positive obligations. Conclusions are then drawn concerning the reasons for the development of these obligations and areas of potential expansion are identified."--Bloomsbury Publishing.
