

1. Record Nr.	UNINA9910792653903321
Autore	Kamber Kresimir
Titolo	Prosecuting human rights offences : rethinking the sword function of human rights law // by Kresimir Kamber
Pubbl/distr/stampa	Leiden ; ; Boston : , : Brill, , [2017]
ISBN	90-04-33776-8
Descrizione fisica	1 online resource (598 pages) : illustrations
Collana	International criminal law series ; ; v. 11
Disciplina	341.4/8
Soggetti	Prosecution - Decision making Liability for human rights violations Human rights - Criminal provisions Victims of crimes - Civil rights International and municipal law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Based on the author's thesis (doctoral - Ghent University Faculty of Law, 2016) issued under title: Effective application of criminal law mechanics in human rights protection : the function of criminal prosecution in contemporary criminal justice systems --Preface.
Nota di bibliografia	Includes bibliographical references (p. 511-572) and index.
Nota di contenuto	Preliminary Material -- Introduction -- Procedural Obligation in the Multi-layered Structure of Human Rights -- Obligation to Investigate and Prosecute Human Rights Offences in International Human Rights Law -- Obligation to Investigate and Prosecute Human Rights Offences under the ECHR -- The Concept of Procedural Obligation in Practical Legal Reasoning -- Conceptualising Variances: The Right-claim to Effective Application of Criminal-law Mechanisms and the Public Prerogative of Criminal Prosecution -- Optimising Variances: Differentiation of the Human Rights Element in the Charging Process -- Conclusion -- Bibliography -- Index.
Sommario/riassunto	In Prosecuting Human Rights Offences: Rethinking the Sword Function of Human Rights Law the author explores and explains the extent to which the features of the procedural obligation to investigate, prosecute and punish criminal attacks on human rights determine the contemporary understanding of the function of criminal prosecution. The author provides an innovative and thought-provoking account of

the highly topical and largely unexplored topic of the sword function of human rights law. The book contains the first comprehensive and holistic analysis of the procedural obligation to investigate and prosecute human rights offences in the law of the European Convention on Human Rights, which the author puts in the general perspectives of human rights law and criminal procedure.

---