

1. Record Nr.	UNINA9910817136903321
Titolo	International human rights litigation in U.S. courts // Beth Stephens ... [et al.]
Pubbl/distr/stampa	Boston ; ; Leiden, : Martinus Nijhoff Publishers, c2008
ISBN	1-282-39620-X 9786612396205 90-474-3172-3
Edizione	[2nd ed.]
Descrizione fisica	1 online resource (654 p.)
Collana	Nijhoff eBook titles 2008
Altri autori (Persone)	StephensBeth <1954->
Disciplina	341.4/8
Soggetti	Government liability - United States Administrative responsibility - United States Immunities of foreign states - United States Noncitizens - United States Torture victims - Legal status, laws, etc - United States International crimes Human rights
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Rev. ed. of: International human rights litigation in U.S. courts / Beth Stephens and Michael Ratner. c1996.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	The alien tort statute (ATS) : from 1789 to filartiga, sosa, and beyond -- Understanding the alien tort statute (ATS) : the analytic framework -- Plaintiffs, defendants, and violations in alien tort statute (ATS) suits -- The torture victim protection act (TVPA) -- Jurisdiction over states : the foreign sovereign immunities act (FSIA) -- Other grounds for human rights litigation -- Historical paradigms, modern violations -- Treaty violations -- The plaintiff : who can sue? -- Who can be sued I : personal jurisdiction and theories of liability -- Who can be sued II : U. S. and local government defendants -- Who can be sued III : corporations -- Foreign affairs and separation of powers -- Immunities -- Miscellaneous defences -- The role of the Executive Banch -- Preparing and filing a manageable case -- After the complaint is filed and served -- Discovery -- Proving a case -- Remedies -- Historical justice claims.

Sommario/riassunto

Written by leading human rights litigators and theorists, this treatise offers a comprehensive analysis of human rights litigation in U.S. courts under the Alien Tort Statute and related provisions, including jurisprudential complexities and litigation guidance. The book includes discussion of the Alien Tort Statute, the Torture Victim Protection Act, and less common jurisdictional bases. The issues raised by suing corporations are also discussed. Separate chapters address lawsuits against the U.S. and foreign governments. A section on defenses includes analysis of topics such as immunities, forum non conveniens, and the intervention of the executive branch. The final section discusses litigation strategies.
