

1. Record Nr.	UNINA9910820066503321
Autore	Shelton Dinah
Titolo	Remedies in international human rights law / / Dinah Shelton
Pubbl/distr/stampa	Oxford, England ; ; New York, New York : , : Oxford University Press, , 2015 ©2015
ISBN	0-19-106876-4 0-19-106875-6
Edizione	[Third edition.]
Descrizione fisica	1 online resource (513 p.)
Disciplina	341.481
Soggetti	Human rights Remedies (Law)
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	Cover; Remedies in International Human Rights Law; Copyright; Dedication; Contents; Table of Authorities; 1 Introduction; 1.1 Evolution of the Law of Remedies; 1.2 The Innovations of Human Rights Law; PART I: THE CONCEPTUAL FRAMEWORK; 2 Meanings and Purposes of Remedies; 2.1 Preconditions to a Claim; 2.1.1 Breach of an obligation; 2.1.2 Resulting harm; 2.1.3 Identified or identifiable injured parties; 2.2 The Dual Meaning of Remedies; 2.2.1 Access to justice; 2.2.2 Substantive redress; 2.3 The Purposes of Remedies; 2.3.1 Compensatory or remedial justice; 2.3.2 Condemnation or retribution 2.3.3 General and individual deterrence2.3.4 Restorative or transitional justice; 2.4 Economic Analysis of Remedies; 2.5 Conclusions; 3 Sources and General Content of the Law of Remedies; 3.1 General International Law; 3.1.1 State responsibility; 3.1.2 The responsibility of international organizations; 3.1.3 Remedies and business enterprises; 3.2 Remedies in International Human Rights Instruments; 3.2.1 The specificity of human rights law; 3.2.2 Global treaties; 3.2.3 Regional treaties; 3.2.4 Declarations and other non-treaty texts; 3.3 International Humanitarian Law 3.4 International Criminal Law3.5 Conclusions; PART II: THE INSTITUTIONAL FRAMEWORK; 4 Domestic Remedies; 4.1 The Requirement to Exhaust Local Remedies; 4.2 International Standards;

4.2.1 Access to justice; 4.2.2 An independent, impartial, and competent tribunal; 4.2.3 Timely and expeditious proceedings; 4.2.4 Fair proceedings; 4.2.5 Redress; 4.2.6 Sanctions, investigation, prosecution, and punishment; 4.2.7 The right to the truth; 4.2.8 Enforcement of judgments; 4.3 Gross and Systematic Violations; 4.3.1 Administrative reparations programs; 4.3.2 Judicial remedies; 4.4 Conclusions
5 International Tribunals 5.1 Arbitral Claims for Injury to Aliens; 5.1.1 Wrongful Death; 5.1.2 Deprivation of liberty; 5.1.3 Injury to property; 5.1.4 Interest; 5.1.5 Satisfaction; 5.2 The International Court of Justice; 5.3 International Criminal Courts; 5.3.1 The Rome Statute; 5.3.2 The Trust Fund; 5.3.3 Developing ICC reparations principles; 5.4 International Administrative Tribunals; 5.5 Reparations Following Armed Conflicts; 5.5.1 Lump sum settlements; 5.5.2 United Nations Compensation Commission (UNCC); 5.5.3 The Ethiopia/Eritrea arbitration; 5.6 Conclusions
7.3 Survivability of Claims

Sommario/riassunto

Dinah Shelton provides a comprehensive treatment of remedies for human rights violations reviews the jurisprudence of international tribunals on these violations. The text provides a theoretical framework and a practical guide for lawyers, judges, and academics interested in human rights law.
