

1. Record Nr.	UNISA990000030160203316
Autore	ACTON, John Emerich Edward Dalberg <1834-1902>
Titolo	Storia della libertà / John Emerich Edward Dalberg-Acton ; [traduzione dall'inglese di Eugenio Capozzi]
Pubbl/distr/stampa	Roma, : Ideazione Editrice, 1999
ISBN	88-86812-58-2
Descrizione fisica	259 p. ; 22 cm.
Collana	Tra due secoli ; 4
Disciplina	320. 51
Soggetti	Liberalismo Libertà
Collocazione	X.3.A. 1338(XV E 165)
Lingua di pubblicazione	Italiano
Formato	Materiale a stampa
Livello bibliografico	Monografia

2. Record Nr.	UNINA9910793973903321
Autore	Shang Xixue
Titolo	International Standards on Legal Protection of Prisoners' Labour and Social Security Rights : Un, ILO and Council of Europe // Xixue Shang
Pubbl/distr/stampa	The Hague, The Netherlands : , : Eleven International Publishing, , [2018] ©2018
ISBN	94-6274-878-0
Edizione	[First edition.]
Descrizione fisica	1 online resource (245 pages)
Collana	The Green Grass / Het Groene Gras Series
Disciplina	365.65
Soggetti	Convict labor Prisoners - Legal status, laws, etc Social security - Law and legislation
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references.
Nota di contenuto	Intro -- Preface -- Acknowledgments -- Table of Contents -- Abbreviations -- 1 General Introduction -- 1.1 Research Background -- 1.2 Research Objectives -- 1.2.1 United Nations -- 1.2.2 International Labour Organization -- 1.2.3 Council of Europe -- 1.2.4 Research Sub-questions -- 1.3 Research Structure and Methodology -- 1.3.1 First Research Stage -- 1.3.2 Second Research Stage -- 1.3.3 Third Research Stage -- 1.4 Definitions -- 2 'Inmate Workers' Labour and Social Security Rights: A Worldwide View -- 2.1 Introduction -- 2.2 Imprisonment -- 2.2.1 Objectives of Imprisonment -- 2.2.2 The Punitive Role of Imprisonment -- 2.2.3 Prison Administration -- 2.2.4 Contemporary Principles of Imprisonment -- 2.2.4.1 Minimum Restrictions Principle -- 2.2.4.2 Normalization Principle -- 2.3 Prison Work -- 2.3.1 Nature of Prison Work -- 2.3.2 Roles of Prison Work -- 2.3.2.1 Reintegration Effect -- 2.3.2.2 Discipline and Surveillance -- 2.3.2.3 Financial Profits -- 2.3.3 Modern Objective and Principles of Prison Work -- 2.3.3.1 Normalization of Working Conditions -- 2.3.3.2 Orientation to Market Demand -- 2.3.3.3 Development of Personal Skills -- 2.4 Current Industrial Prison System -- 2.4.1 Organization of Prison Industry -- 2.4.2 Nature of Prisoners' Work -- 2.4.3 Types of Prison Employment -- 2.4.3.1 State Use of Prison Labour -- 2.4.3.2

Private Use of Prison Labour: A Mainstream Mode -- 2.4.3.3
Cooperative Work -- 2.4.3.4 Individual Work -- 2.4.4 Types of Contract-Out System -- 2.4.5 Private Use of Prison Labour -- 2.5 Employment of Inmate Workers in Practice -- 2.5.1 Employment Status of Inmate Workers -- 2.5.2 Labour Rights -- 2.5.2.1 Free Choice of Employment -- 2.5.2.2 Fair Labour Remuneration -- 2.5.2.3 Safe and Healthy Working Conditions -- 2.5.2.4 Reasonable Working Time and Rest -- 2.5.2.5 Vocational Training -- 2.5.3 Social Security Rights. 2.5.3.1 Sickness and Invalidity Benefits -- 2.5.3.2 Unemployment Benefits -- 2.5.3.3 Employment Injury Benefits -- 2.5.3.4 Old-Age Benefits -- 2.6 Causes of Insufficient Protection of Prison Work -- 2.6.1 Prejudice towards Prisoners -- 2.6.2 Obstacles Resulting from Imprisonment Itself -- 2.6.3 Low Productivity of Prison Industry -- 2.6.4 Conflict of Interests between Prison and Prisoners -- 2.6.5 Demand of Prison Rehabilitation Activities -- 2.7 Justification for Protecting Prisoners' Labour -- 2.7.1 Considerations from the Effective Penal Administration Perspective -- 2.7.1.1 Fostering Prisoners' Rehabilitation -- 2.7.1.2 Response to Exploitation of Prison Labour -- 2.7.2 Considerations from the Perspective of a Positive Contribution to Society -- 2.7.2.1 Contribution to the National Economy -- 2.7.2.2 Public Recognition of Prisoners' Labour -- 2.7.2.3 Improvement of Prison Industry Productivity -- 2.7.2.4 Elimination of Unfair Competition with Free Workers -- 2.7.3 Considerations from the Perspective of an Ideal Human Rights Protection -- 2.7.3.1 Internationalization of Prisoners' Human Rights Protection -- 2.7.3.2 Realization of Humanist Ideals -- 2.8 Conclusion -- 3 United Nations -- 3.1 Introduction -- 3.2 Universal Declaration of Human Rights -- 3.2.1 Prisoners and Labour Rights -- 3.2.2 Prisoners and Social Security Rights -- 3.2.3 Prisoners and the Right to Equal Treatment -- 3.3 International Covenant on Civil and Political Rights -- 3.3.1 Prisoners and Labour Rights -- 3.3.2 Prisoners and Social Security Rights -- 3.3.3 Prisoners and the Right to Equal Treatment -- 3.4 International Covenant on Economic, Social and Cultural Rights -- 3.4.1 Prisoners and Labour Rights -- 3.4.2 Prisoners and Social Security Rights -- 3.4.3 Prisoners and the Right to Equal Treatment. 3.5 UN Standard Minimum Rules for the Treatment of Prisoners (2015 Nelson Mandela Rules) -- 3.5.1 Prisoners and Labour Rights -- 3.5.1.1 Choice of Employment -- 3.5.1.2 Labour Remuneration -- 3.5.1.3 Safe and Healthy Working Conditions -- 3.5.1.4 Working Hours and Vacation -- 3.5.1.5 Vocational Training -- 3.5.2 Prisoners and Social Security Rights -- 3.5.2.1 Employment Injury Benefits -- 3.5.2.2 Other Social Security Benefits -- 3.6 Basic Principles for the Treatment of Prisoners -- 3.6.1 Prisoners Retain Human Rights -- 3.6.2 Prisoners Should Have Access to Remunerated Employment -- 3.7 The UN Rules for the Protection of Juveniles Deprived of Their Liberty -- 3.7.1 Choice of Employment -- 3.7.2 Remuneration -- 3.7.3 Vocational Training -- 3.8 Conclusion -- 4 International Labour Organization -- 4.1 Introduction -- 4.2 The Forced Labour Convention -- 4.2.1 Prohibition of Forced Labour -- 4.2.2 Definition of Forced Labour -- 4.2.2.1 Work or Service -- 4.2.2.2 Menace of Any Penalty -- 4.2.2.3 Involuntary Will -- 4.2.3 Exceptions to the Prohibition of Forced Labour Law -- 4.2.3.1 Consequence of a Conviction in a Court of Law -- 4.2.3.2 Supervision and Control of a Public Authority -- 4.2.3.3 Not Hired to or Placed at the Disposal of Private Individuals, Companies or Associations -- 4.2.4 Conditions for the Private Use of Prison Labour -- 4.2.5 Indicators of a Free Relationship -- 4.2.5.1 Free Consent -- 4.2.5.2 Full Employment Relationship -- 4.2.5.3 Equal Employment Conditions -- 4.2.6 Evaluation -- 4.2.6.1 Strengths -- 4.2.6.2 Weaknesses -- 4.2.6.3

Ratification and Current Status of Convention 29 -- 4.3 The Protocol to the Forced Labour Convention -- 4.3.1 Strengthening the Combat against Forced Labour -- 4.3.2 Measures to Prevent and Eliminate Forced Labour -- 4.3.3 Appropriate Remedies -- 4.4 Forced Labour (Supplementary Measures) Recommendation.

4.5 The Abolition of Forced Labour Convention -- 4.6 Social Security (Minimum Standards) Convention, 1952 -- 4.7 Conclusion -- 5 Council of Europe -- 5.1 Introduction -- 5.2 European Social Charter and the Revised European Social Charter -- 5.2.1 Prisoners and Labour Rights -- 5.2.1.1 Free Choice of Employment -- 5.2.1.2 Labour Remuneration -- 5.2.1.3 Health and Safety at Work -- 5.2.1.4 Reasonable Working Hours -- 5.2.1.5 Vocational Training -- 5.2.2 Prisoners and Social Security Rights -- 5.2.3 Prisoners and the Right to Equal Treatment -- 5.3 European Code of Social Security -- 5.3.1 Unemployment Benefits -- 5.3.1.1 Personal Scope -- 5.3.1.2 Definition of the Covered Social Risk -- 5.3.1.3 Qualifying Periods to Be Fulfilled -- 5.3.2 Old-Age Benefits -- 5.3.2.1 Personal Scope -- 5.3.2.2 Definition of the Covered Social Risk -- 5.3.2.3 Qualifying Periods to Be Fulfilled -- 5.3.3 Employment Injury Benefits -- 5.3.3.1 Personal Scope -- 5.3.3.2 Definition of the Covered Social Risk -- 5.3.3.3 Qualifying Periods to Be Fulfilled -- 5.3.4 Sickness Benefits -- 5.3.4.1 Personal Scope -- 5.3.4.2 Definition of the Covered Social Risk -- 5.3.4.3 Qualifying Periods to Be Fulfilled -- 5.3.5 Invalidity Benefits -- 5.3.5.1 Personal Scope -- 5.3.5.2 Definition of the Covered Social Risk -- 5.3.5.3 Qualifying Periods to Be Fulfilled -- 5.3.6 Prisoners and the Right to Equal Treatment -- 5.4 European Convention on Human Rights -- 5.4.1 Prohibition of Forced Labour -- 5.4.1.1 Definition of Forced Labour -- 5.4.1.2 Prison Labour and Forced Labour -- 5.4.2 Social Security Rights -- 5.4.2.1 Prohibition of Forced Labour and Entitlement to Social Security Benefits -- 5.4.2.2 Right to Peaceful Enjoyment of Social Security Benefits -- 5.4.3 Prohibition of Discrimination -- 5.5 The 2006 European Prison Rules -- 5.5.1 Labour Rights -- 5.5.1.1 Free Choice of Employment.

5.5.1.2 Labour Remuneration -- 5.5.1.3 Health and Safety at Work and Reasonable Working Hours -- 5.5.1.4 Vocational Training -- 5.5.2 Social Security Rights -- 5.6 Recommendation on the Management of Life-Sentence and Other Long-Term Prisoners -- 5.7 Resolution (62)2 on Electoral, Civil and Social Rights of Prisoners -- 5.8 The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment -- 5.9 Conclusion -- 6 Comparative Analysis -- 6.1 Introduction -- 6.2 Comparative Analysis of International and European Legal Standards on Prisoners' Labour and Social Security Rights -- 6.2.1 Prison Labour -- 6.2.1.1 Relationship between Prison Labour and Forced Labour -- 6.2.1.2 Rehabilitation Role of Prison Work -- 6.2.2 Labour Rights -- 6.2.2.1 Free Choice of Employment -- 6.2.2.2 Fair Labour Remuneration -- 6.2.2.3 Safe and Healthy Working Conditions -- 6.2.2.4 Reasonable Working Time and Rest -- 6.2.2.5 Vocational Training -- 6.2.3 Social Security Rights -- 6.2.3.1 General Right to Social Security Benefits -- 6.2.3.2 Employment Injury Benefits -- 6.2.3.3 Payment of Benefits during Imprisonment -- 6.3 Conclusion -- 7 General Conclusion -- 7.1 Necessity of Legal Protection for Prison Work and Inmate Workers -- 7.2 Advantages and Disadvantages of Legislative Approaches in the Analysed Legal Regimes -- 7.3 Time for Fresh Thinking on the Jurisdiction Issue -- 7.3.1 Legal Value of Soft Laws -- 7.3.2 Legal Value of Commentaries from Monitoring Bodies -- 7.4 A Universally Acceptable Set of Standards and Rules -- 14 International Standards on Legal Protection of Prisoners' Labour and Social Security Rights Tables of international legal provisions

