

LAWM671 (Year-2018/2019)

International Human Rights Law

View Online



117 items

RESOURCES (25 items)

Texts (6 items)

We will work with several introductory and overview texts from the area of international human rights law. The following ones are especially recommended and chapters from them will form the essential reading in many of our meetings. Even if they are not included as 'essential' however, these are important and useful reference points.

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

Book

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2012

Book

Other excellent texts you might prefer are:

International law of human rights - Michael K. Addo, 2005

Book

International human rights law: cases, materials, commentary - Olivier de Schutter, 2010

Book

Texts and Materials on International Human Rights - Rhona K.M. Smith, 2013

Book

Cases (1 items)

Cases are available through the websites of specific international bodies, courts, and tribunals (see e-resources, below) and can also be accessed through Westlaw and Lexis-Nexis. If you need help on how to use the databases, the library has prepared a good introductory guidance page specifically for legal research:

<https://libguides.exeter.ac.uk/lawdatabases>

Law - Key Legal Databases - LibGuides at University of Exeter - University of Exeter, 2018

Webpage

Key Journals (6 items)

American journal of international law - 1907-

Journal

European journal of international law - 1990-

Journal

Human rights law review

Journal

Human rights quarterly: a comparative and international journal of the social sciences, humanities, and law - 1981-

Journal

The international and comparative law quarterly - 1952-

Journal

Leiden journal of international law Cambridge

Journal

E-Resources (12 items)

UN homepage

Webpage

Human rights documents and materials

Website

UN Documentation: Human Rights

Webpage

Universal Human Rights Index

Website

Office of the High Commissioner for Human Rights

Webpage

International Court of Justice

Website

European Convention on Human Rights

Webpage

European Court of Human Rights

Webpage

Inter-American Court of Human Rights

Website

African Court on Human and Peoples' Rights

Website

American Society of International Law Electronic Resource Guide

Webpage

ELE

Website

1. Nature and Development of Human Rights in International Law (11 items)

Essential reading: (5 items)

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

Book | Chapters 1-2

'Changing Fortunes of the Universal Declaration of Human Rights: Genesis and Symbolic Dimensions of the Turn to Rights in International Law' [in] *European Journal of International Law* - Jochen von Bernstorff, 2008

Article

'What are Human Rights - Four Schools of Thought' [in] *Human Rights Quarterly* - Marie-Benedicte Dembour, 2010

Article

'On a Hierarchy of International Human Rights' [in] *The American Journal of International Law* - Theodore Meron, 1986

Article

Universal Declaration of Human Rights 1948

Webpage

Further reading: (6 items)

'On the Foundations of Human Rights' [in] *Philosophical foundations of human rights* - John Tasioulas, 2015

Chapter

International human rights law: cases, materials, commentary - Olivier de Schutter, 2010

Book | Chapter 1, 11-59

Texts and Materials on International Human Rights - Rhona K.M. Smith, 2013

Book | Chapter 1

Problems and process: international law and how we use it - Rosalyn Higgins, 2000

Book | Chapter 6

'Beyond Particularism: Remarks on Some Recent Approaches to the Idea of a Universal Political and Legal Order' [in] *European Journal of International Law* - Sergio Dellavalle, 2010

[Article](#)

'A Plea for a Global Community Grounded in a Core of Human Rights' [in] *Realizing utopia: the future of international law* - Antonio Cassese, 2012

[Chapter](#)

2. Sources of International Human Rights Law (11 items)

Essential reading: (4 items)

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

[Book](#) | Chapters 4, 5 and 19 (Respectively these Chapters refer to: Sources; Nature of Obligations; and United Nations)

'Human Rights Treaties, Invalid Reservations, and State Consent' [in] *The American Journal of International Law* - Ryan Goodman, 2002

[Article](#)

'On a Hierarchy of International Human Rights' [in] *The American Journal of International Law* - Theodore Meron, 1986

[Article](#)

'A Taxonomy of Soft Law' [in] *Tracing the roles of soft law in human rights* - John Cerone, 2017

[Chapter](#)

Further reading: (7 items)

'Human Rights and the Magic of Jus Cogens' [in] *European Journal of International Law* - Andrea Bianchi, 2008

[Article](#)

Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening) - International Court of Justice, 03.02.2012

[Webpage](#)

'Could the Progressive 'Hardening' of Human Rights Soft Law Impair its Further Expansion?: Insights from the UN Declaration on the Rights of Indigenous Peoples' [in] *Tracing the roles of soft law in human rights* - Leticia Villeneuve, 2017

[Chapter](#)

'Do International Human Rights Treaties Improve Respect for Human Rights?' [in] *The Journal of Conflict Resolution* - Eric Neumayer, 2005

[Article](#)

Commitment and compliance: the role of non-binding norms in the international legal system - Dinah Shelton, 2003

[Book](#) | Chapter 7, commentary and conclusions particularly

'The Persistent Objector Rule and the Development of Customary International Law' [in] *British Yearbook of International Law* - J. I. Charney, 1986

Article

'Rethinking the Persistent Objector Doctrine in International Human Rights Law' [in] *Journal of International Law* - Holning Lau, 2005

Article

3. Civil and Political Rights (8 items)

Essential reading: (4 items)

International Covenant on Civil and Political Rights

Webpage

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2013

Book | Chapter 3

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

Book | Theo van Boven 'Categories of Rights', Chapter 7

'Understanding and Interpretation of the ICCPR in the Context of China's Possible Ratification' [in] *Chinese Journal of International Law* - Shiyun Sun, 2007

Article

Further reading: (4 items)

International human rights: a comprehensive introduction - Michael Haas, 2013

Book | Chapter 5 'Civil and Political Rights and Crimes Against Humanity'

'Duty of States Parties to the Convention against Torture to Provide Procedures Permitting Victims to Recover Reparations for Torture Committed Abroad' [in] *European Journal of International Law* - Christopher Keith Hall, 2007

Article

'The Renaissance of Non-Refoulement - The Othman (Abu Qatada) Decision of the European Court of Human Rights' [in] *International and Comparative Law Quarterly* - Christopher Michaelson, 2012

Article

'A Further Dimension to the Interdependence and Indivisibility of Human Rights: Recent Developments Concerning the Rights of Indigenous Peoples' [in] *Harvard Human Rights Journal* - Helen Quane, 2012

Article

4. Economic, Social and Cultural Rights (10 items)

Essential reading: (6 items)

International Covenant on Economic, Social and Cultural Rights

[Webpage](#)

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2013

[Book](#) | Chapter 4

'Chronicle of an Announced Birth: The Coming into life of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights - The Missing Piece of the International Bill of Human Rights' [in] Human Rights Quarterly - Catarina de Albuquerque, 2010

[Article](#)

General comment No. 3: The nature of States parties' obligations - UN Committee on Economic, Social and Cultural Rights, 1990

[Document](#)

General comment No. 9: The domestic application of the Covenant - UN Committee on Economic, Social and Cultural Rights, 1998

[Webpage](#)

'The Full-Belly Thesis: Should Economic Rights Take Priority over Civil and Political Rights? Evidence from Sub-Saharan Africa' [in] Human Rights Quarterly - Rhoda Howard, 1983

[Article](#)

Further reading: (4 items)

Poverty and fundamental rights: the justification and enforcement of socio-economic rights - David Bilchitz, 2008

[Article](#) | Chapter 4

'Beyond Particularism: Remarks on Some Recent Approaches to the Idea of a Universal Political and Legal Order' [in] European Journal of International Law - Sergio Dellavalle, 2010

[Article](#)

'Reaching beyond (Without Abandoning) the Category of "Economic, Social and Cultural Rights"' [in] Human Rights Quarterly - Craig Scott, 1999

[Article](#)

'Another Step towards Indivisibility: Identifying the Key Features of Violations of Economic, Social and Cultural Rights' [in] Human Rights Quarterly - Scott Leckie, 1998

[Article](#)

5. New Rights and Emerging Rights (10 items)

Essential reading: (4 items)

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2013

Book | Chapter 17

'Same-Sex Sexualities and the Globalization of Human Rights Discourse' [in] **McGill Law Journal** - Carl F. Stychin, 2003

Article

Declaration on the right to development - United Nations, 1986

Webpage

'The Singer Solution To World Poverty' [in] **The New York Times** - Peter Singer, 1999

Article

Further reading: (6 items)

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

Book | Chapters 8 and 15 (Non-discrimination, and Sexual Orientation and Gender Identity)

'Sexual Orientation, Gender Identity and International Human Rights Law: Contextualising the Yogyakarta Principles' [in] **Human Rights Law Review** - Michael O'Flaherty, John Fisher, 2008

Article

'Making Space for New Human Rights: The Case of the Right to Development' [in] **Harvard Human Rights Yearbook** - P. Alston, 1988

Article

'Is There a Right to Water in International Law' [in] **UCL Jurisprudence Review** - Sabine Scheuring, 2009

Article

World poverty and human rights: cosmopolitan responsibilities and reforms - Thomas Pogge, 2002

Book | Chapter 4

Justice Beyond Borders: A Global Political Theory - Simon Caney, 2005

Article | Chapter 4

6. UN Treaty-Based Supervision (11 items)

Essential reading: (5 items)

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2013

[Book](#) | Chapter 9

'Duplication and Divergence in the Work of the United Nations Human Rights Treaty Bodies: A Perspective from a Treaty Body Member' [in] *American Society of International Law Proceedings* - Nigel Rodley, 2011

[Article](#)

Strengthening the United Nations human rights treaty body system: A report by the United Nations High Commissioner for Human Rights - Navanethem Pillay, 2012

[Document](#)

'Strengthening the Human Rights Treaty Bodies: A Modest but Important Step Forward' [in] *Pecs Journal of International and European Law* - Komanovics, Adrienne, 2014

[Article](#)

'Promotion, Protection and Monitoring: Implementing Article 33 (2) of the United Nations Convention on the Rights of Persons with Disabilities in Kenya' [in] *East African Law Journal* - Mirriam Nthenge, 2016

[Article](#)

Further reading: (6 items)

Individual Complaint Procedures under the United Nations Human Rights Treaties, Factsheet number 7 - UN, 2013

[Document](#)

'Access to Safe Abortion as a Human Right in the African Region: Lessons from Emerging Jurisprudence of UN Treaty-Monitoring Bodies' [in] *South African Journal on Human Rights* - Charles Ngwena, 2013

[Article](#)

'Human Rights Accountability through Treaty Bodies: Examining Human Rights Treaty Monitoring for Water and Sanitation' [in] *Duke Journal of Comparative and International Law* - Benjamin Mason Meier, Yuna Kim, 2015

[Article](#)

'How Effective is the United Nations Committee against Torture?' [in] *European Journal of International Law* - Ronagh McQuigg, 2011

[Article](#)

UN human rights treaty bodies: law and legitimacy - Helen Keller, Geir Ulfstein, 2012

[Book](#)

'Ombudsman Institutions and Article 33(2) of the United Nations Convention on the Rights of Persons with Disabilities' [in] *University of New Brunswick Law Journal* - Linda C. Reif, 2014

[Article](#)

7. UN Charter-Based Supervision I - Special Procedures (9 items)

Essential reading: (4 items)

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2013

[Book](#) | Chapter 8, up to p.740

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

[Book](#) | Chapter 18 (Note, you should already have read this for cycle 2, and need only revisit the relevant section)

'UN Special Procedures System Is Designed to Be Ineffective' [in] SUR - International Journal on Human Rights - 2014

[Article](#)

'UN Special Procedures - Reflections on the Office of UN Special Representative for Human Rights in Cambodia' [in] Melbourne Journal of International Law - Michael Kirby, 2010

[Article](#)

Further reading: (5 items)

Catalysts for Change: How the U.N.'s Independent Experts Promote Human Rights - Theodore J. Piccone, 2012

[Book](#)

'Expanding or Diluting Human Rights: The Proliferation of United Nations Special Procedures Mandates' [in] Human Rights Quarterly - Rosa Freedman, Jacob Mchangama, 2016

[Article](#)

'The impact of the UN special procedures on the development and implementation of economic, social and cultural rights' [in] International Journal of Human Rights - Christophe Golay, Claire Mahon, Ioana Cismas, 2011

[Article](#)

'The UN Special Rapporteur on Trafficking: A Turbulent Decade in Review' [in] Human Rights Quarterly - Anne T. Gallagher, Joy Ngozi Ezeilo, 2015

[Article](#)

'Competence of the UN Human Rights Council and Its Special Procedures in Relation to Armed Conflicts: Extrajudicial Executions in the War on Terror' [in] European Journal of International Law - Philip Alston, Jason Morgan-Foster, William Abresch, 2008

[Article](#)

8. UN Charter-Based Supervision II - Universal Periodic Review (7 items)

Essential reading: (3 items)

'Ritual and Ritualism at the Universal Periodic Review: a preliminary appraisal' [in] *Human rights and the universal periodic review: rituals and ritualism* - Walter Kalin, 2014

Chapter

'A Step Ahead in Promoting Human Rights: The Universal Periodic Review of the UN Human Rights Council' [in] *Global Governance* - Edward McMahon, Marta Ascherio, 2012

Article

'Of Shaming and Bargaining: African States and the Universal Periodic Review of the United Nations Human Rights Council' [in] *Human Rights Law Review* - Allehone Mulugeta Abebe, 2009

Article

Further reading: (4 items)

Herding Cats and Sheep: Assessing State and Regional Behavior in the Universal Periodic Review Mechanism of the United Nations Human Rights Council - Edward McMahon, 2010

Document

The Butterfly Effect: Spreading good practices of UPR implementation

Document

The Civil Society Compendium: A comprehensive guide for Civil Society Organisations engaging in the Universal Periodic Review

Document

'To see Themselves as Others see Them: The Five Permanent Members of the Security Council and the Human Rights Council's Universal Periodic Review' [in] *Human Rights Quarterly* - Rhona Smith, 2013

Article

9. National Human Rights Institutions (9 items)

Essential reading: (3 items)

Human rights, state compliance, and social change: assessing national human rights institutions - 2012

Book | Chapters 1 and 2

A commentary on the Paris Principles on national human rights institutions - Gauthier De Beco, Rachel Murray, 2015

Book | Chapters 1, 2 and 10

International Coordinating Committee of National Human Rights Institutions Changes its

name to the Global Alliance of National Human Rights Institutions - 2016

[Webpage](#)

Further reading: (6 items)

'Building Democratic Institutions: The Role of National Human Rights Institutions in Good Governance and Human Rights Protection' [in] *Harvard Human Rights Journal* - Linda C. Reif, 2000

[Article](#)

'Emerging Global Actors: The United States and National Human Rights Institutions' [in] *Global Governance* - Sonia Cardenas, 2003

[Article](#)

'Progressing Norm Socialisation: Why Membership Matters - The Impact of the Accreditation Process of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights' [in] *Nordic Journal of International Law* - Brodie, Meg, 2011

[Article](#)

'Article 33(2) of the UN Convention on the Rights of Persons with Disabilities: Another Role for National Human Rights Institutions?' [in] *Netherlands Quarterly of Human Rights* - Gauthier de Beco, 2011

[Article](#)

Human rights, state compliance, and social change: assessing national human rights institutions - 2012

[Book](#)

'Bridging the Gap: The Role of Regional and National Human Rights Institutions in the Asia Pacific' [in] *Asian-Pacific Law and Policy Journal* - Carole J. Petersen, 2011

[Article](#)

10. International Supervision by Regional Institutions (6 items)

Essential reading: (5 items)

International human rights law - Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, D. J. Harris, 2017

[Book](#) | Chapters 20, 21, 22, 23

And / or:

International human rights: the successor to international human rights in context : laws, politics and morals : text and materials - Philip Alston, Ryan Goodman, Henry J. Steiner, 2013

[Book](#) | Chapter 11

'Bridging the Gap: The Role of Regional and National Human Rights Institutions in the Asia

Pacific' [in] *Asian-Pacific Law and Policy Journal* - Carole J. Petersen, 2011

Article

'The Arab Charter on Human Rights and the League of Arab States: An Update' [in] *Human Rights Law Review* - Mervat Rishmawi, 2010

Article

Further reading: (1 items)

None this week. Be guided by your own research.

11. Responses to Human Rights Violations