The Impact of the European Convention on Human Rights on Private International Law

by

Louwrens R. Kiestra

The focus of the present book is the impact of the European Convention on Human Rights (ECHR) on the three main topics of private international law (PIL): jurisdiction, applicable law, and the recognition and enforcement of foreign judgments.

The author sets off with a discussion whether the ECHR is at all applicable to issues of PIL and the relationship between Article 1 of the Convention and PIL. He then examines the case law of the European Court of Human Rights and selected national courts and by doing so thoroughly maps the interaction between PIL and the rights guaranteed in the ECHR. On this wealth of information the author bases his final conclusions.

Next to a list of cases consulted and a comprehensive bibliography, the book offers brief introductions to PIL and the ECHR for readers who are less familiar with either of the topics. This makes the book not only a valuable tool for specialists and practitioners in the fields covered, but at the same time a well-documented basis for students and starting researchers specializing in either or both directions.

Louwrens Kiestra presently works for the District Court Limburg, The Netherlands.
The European Public Prosecutor’s Office
An Extended Arm or a Two-Headed Dragon?
Edited by
L.H. Erkelens, A.W.H. Meij and M. Pawlik

In July 2013 the European Commission launched its legislative proposal to create a European Public Prosecutor’s Office (EPPO). The proposal provoked fierce debates, politically as well as on the academic level. Many national parliaments opposed and submitted formally their grievances to the Commission and negotiations on the proposal between Member States are ongoing. As early as September 2013, the T.M.C. Asser Instituut in The Hague, The Netherlands, held the first international conference on this unprecedented proposal.

This book reflects the main results of that conference. It provides a concise background of and reasoning for the introduction of this new EU body entrusted with far reaching judicial powers disclosing important legal and policy implications. Within its hitherto limited scope, the existing system of judicial cooperation between EU Member States will change fundamentally, directly affecting the functioning of national courts and public prosecution offices. This book helps answering fundamental questions involved. It provides a solid basis for both academics and practitioners to further structure an EPPO, respecting the interests of all parties involved.

At the time of writing and editing this volume, Leendert Erkelens and Arjen Meij were both Visiting Research Fellow at the T.M.C. Asser Instituut in The Hague, The Netherlands. Marta Pawlik was a Research Assistant in the same Institute.

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The Right To Health
A Multi-Country Study of Law, Policy and Practice
Edited by
Brigit Toebes, Rhonda Ferguson, Milan Markovic and Obiajulu Nnamuchi

With a Foreword by Paul Hunt, University of Essex, UN Special Rapporteur on the Right to Health (2002-2008)

“The key challenge confronting the health and human rights movement is the translation of international and national human rights law into operational policies, programmes and other health-related interventions. Nowhere is this more challenging – and more important – than within countries.” (from the Foreword by Paul Hunt)

This interdisciplinary study analyses how the internationally guaranteed human ‘right to health’ is realized by States at a national level. It brings together scholars from more than ten different countries, each of them analyzing the right to health in his or her country or region. They all focus on particular themes that are important in their country, such as health inequalities, the Millennium Development Goals, or the privatization of healthcare. And despite the differences in context, lessons can be learned from the rich experiences of the others, to learn how different countries implement (or not) health-related rights.

In this book scholars, practitioners and policy makers in the fields of human rights law, health law, public health and their intersections will find a rich source of information, giving a boost to the international debate on propagation and implementation of the universal Right to Health.

Brigit Toebes is an Associate Professor and Rosalind Franklin Fellow in international health law at the University of Groningen, The Netherlands. Rhonda Ferguson is a Ph.D. candidate at the Irish Centre for Human Rights, National University of Ireland Galway. Milan M. Markovic is a fellow with the Institute of Social Sciences, Belgrade and a legal advisor with Mental Disability Rights Initiative (MDRI) in Belgrade, Serbia and a doctoral candidate at the University of Graz, Austria. Obiajulu Nnamuchi is Assistant Professor of Law, University of Nigeria and President/Chief Consultant, Centre for Health, Bioethics and Human Rights (CHBHR) Enugu, Nigeria.

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