

Table of Contents

Foreword by Anthony W Bradley	v
List of Contributors	xi

Introduction

1. The UK and European Human Rights: A Strained Relationship? 3
Katja S Ziegler, Elizabeth Wicks and Loveday Hodson

Part I: Compliance, Cooperation or Clash? The Relationship Between the UK and the ECHR/Strasbourg Court

2. The Relationship Between the Strasbourg Court and the
National Courts—As Seen from Strasbourg 21
Paul Mahoney
3. The Relationship Between the Strasbourg Court and the
National Courts—As Seen from the UK Supreme Court 31
The Rt Hon the Lord Kerr of Tonaghmore
4. The UK and Strasbourg: A Strained Relationship—
The Long View 39
Ed Bates
5. Reforming the European Court of Human Rights:
The Impacts of Protocols 15 and 16 to the ECHR 71
Noreen O'Meara
6. Should the English Courts under the HRA Mirror the
Strasbourg Case Law? 95
Richard Clayton
7. Repeal the HRA and Rely on the Common Law? 115
Brice Dickson
8. The Implementation of European Court of Human Rights
Judgments Against the UK: Unravelling the Paradox 135
Alice Donald

Part II: Specific Issues of Conflict

9. Voting Eligibility: Strasbourg's Timidity 165
Reuven (Ruvi) Ziegler

10. Enhanced Subsidiarity and a Dialogic Approach—Or Appeasement
in Recent Cases on Criminal Justice, Public Order and
Counter-Terrorism at Strasbourg Against the UK? 193
Helen Fenwick
11. Article 8 ECHR, the UK and Strasbourg: Compliance,
Cooperation or Clash? A Judicial Perspective 215
Mark Ockelton
12. Application of the ECHR during International Armed Conflicts 225
Clare Ovey

**Part III: The Interplay of Human Rights in Europe:
ECHR, EU and National Human Rights**

13. Fundamental Rights, Not Euroscepticism: Why the UK
Should Embrace the EU Charter of Fundamental Rights 249
Sionaidh Douglas-Scott
14. Of Tangled and Truthful Hierarchies: EU Accession to the
ECHR and its Possible Impact on the UK's Relationship with
European Human Rights..... 275
Paul Gragl
15. An Austrian *Ménage à Trois*: The Convention, the Charter
and the Constitution 299
Andreas Th Müller

**Part IV: Perspectives from Other Jurisdictions: Contrasts and
Comparisons with the UK Experience**

16. Compliance with Strasbourg Court Rulings: A General Overview 323
Luis López Guerra
17. The ECHR in French Law: Status, Implementation and Debates 341
Constance Grewe
18. The European Court of Human Rights and the Italian
Constitutional Court: No 'Groovy Kind of Love' 361
Oreste Pollicino
19. From Conflict to Cooperation: The Relationship Between
Karlsruhe and Strasbourg..... 379
Julia Rackow
20. Russia's Response to the European Court of Human Rights'
Systemic Findings: Words or Actions? 401
Olga Chernishova
21. The Russian Federation and the Strasbourg Court:
The Illegitimacy of Sovereignty? 415
Bill Bowring

Part V: The Role of the Media in Shaping the Relationship

22. Public Watchdogs and Democratic Society: The Role of the Media and of the Strasbourg Court 441
Robert Uerpmann-Wittzack
23. 'You Couldn't Make It Up': Some Narratives of the Media's Coverage of Human Rights' 453
David Mead
24. Human Rights, the British Press and the Deserving Claimant..... 473
Lieve Gies

Conclusions

25. The UK and European Human Rights: Some Reflections..... 495
Elizabeth Wicks, Katja S Ziegler and Loveday Hodson
- Index*..... 517