Contents

Prej	face			ix
Abl	brevia	itions		xi
1	Con	coats a	nd foundations	1
1		Concepts and foundations 1.1 Foundations		
	1.1			2
			Religion	2
			Philosophical traditions	4
			Science	5
	1.2		concepts: dignity and equality	7
	1.3	Rights	s and duty holders	13
2	Hist	orical o	verview	15
	2.1	Legal	texts and traditions	16
	2.2	Intern	national law before the twentieth century	19
		2.2.1	Diplomatic protection	19
		2.2.2	Religious liberty	20
			Abolition of the slave trade and slavery	21
		2.2.4	Humanitarian laws of war	23
	2.3	Early twentieth century precedents		25
		2.3.1	Economic and social rights	26
		2.3.2	The minorities treaties and the League of	
			Nations	28
		2.3.3	Civil and political rights for women	30
	2.4	The p	ost-war human rights revolution	31
		2.4.1	The United Nations Charter and early	
			actions	31
		2.4.2	Regional organizations	34
3	Inte	rnation	al institutions	44
	3.1		Inited Nations	45
		3.1.1	The main UN organs	45
		3.1.2		47
		3.1.3		49
		00	, I I I I I I I I I I I I I I I I I I I	マン

		3.1.4	UN treaty bodies	51	
	3.2	UN sp	pecialized agencies	56	
	3.3	D 1 11 11			
		3.3.1	Europe	61	
		3.3.2	The Americas	65	
		3.3.3	Africa	66	
		3.3.4	The Arab League	68	
		3.3.5	ASEAN	70	
	3.4	Assess	sing the institutions	71	
4	The	law of h	numan rights	74	
•	4.1		es of human rights law	74	
	7.2	4.1.1	Treaties	74	
		4.1.2	Custom	76	
		4.1.3	General principles of law	77	
	4.2		cal commitments	80	
	4.3	Perem	nptory norms (jus cogens), obligations		
		erga omnes and international crimes			
	4.4	-	volution of human rights law	89	
		4.4.1	UN standard-setting	89	
		4.4.2	Regional systems	98	
	4.5	Unive	rsality and regional diversity	103	
	4.6	The in	iterpretation of human rights instruments	106	
		4.6.1	Treaty provisions on interpretation	106	
		4.6.2	The Vienna Convention on the Law of		
			Treaties	107	
		4.6.3	Jurisprudence and doctrines of human		
			rights bodies	110	
	4.7	Regim	ne conflict and normative hierarchy	118	
_	-1			121	
5			guaranteed	121	
	5.1		ghts in the UDHR and other general	400	
			ments	122	
	5.2		rerarching norm: equality and non-	105	
			mination Taxtual references	127	
		5.2.1	Textual references	128	
		5.2.2	Jurisprudence	134	
	5.3	,	risprudence of selected rights	142	
		5.3.1	Self-determination	142	
			Right to life Prohibition of torture and cruel	149	
		5.3.3		1.55	
			inhuman or degrading punishment	155	

vii

		5.3.4	Freedom of thought, conscience and		
			religion	158	
			Freedom of expression	163	
			Economic, social and cultural rights	170	
	4		Right of access to justice and remedies	179	
	5.4	New r	rights and linkages	186	
6	Obligations				
	6.1	.1 State obligations in human rights instruments			
	6.2	T =			
	obligations			194	
	6.3	0			
	6.4	6.4 Non-State actors		202	
		6.4.1	Individuals	204	
		6.4.2	Business entities	208	
		6.4.3	International organizations	215	
7	Compliance and monitoring mechanisms				
	7.1	Debat	es and recommendations	221	
	7.2	Thema	atic and country studies	224	
	7.3	Hearii	ngs and on-site visits	226	
	7.4	Perioc	lic State reporting	227	
	7.5	Comp	laints	231	
	7.6	Precau	utionary measures and urgent actions	235	
8	Complaint procedures			238	
	8.1	Person	nal jurisdiction	239	
	8.2	Subjec	et matter jurisdiction	242	
	8.3		oral jurisdiction	246	
	8.4	Proces	ssing and admissibility	247	
	8.5		lly settlements	251	
	8.6	Merits	determinations	252	
	8.7	Redres	SS	258	
	8.8	Inquir	y procedures and pilot judgments	261	
	8.9	Follow	<i>y</i> -up	262	
9	Enfo	rcemen	t	265	
	9.1	Susper	nsions and exclusions	266	
	9.2		g foreign assistance to human rights	269	
	9.3		and financial sanctions	273	
	9.4				

viii Advanced introduction to international human rights law

10	Stock-taking	282
	10.1 Backlash	
	10.2 Backlog	284
	10.3 Conclusion	290
	10.5 Conclusion	293
Bibl	liography	
Inde		297
.,,,,,,		202