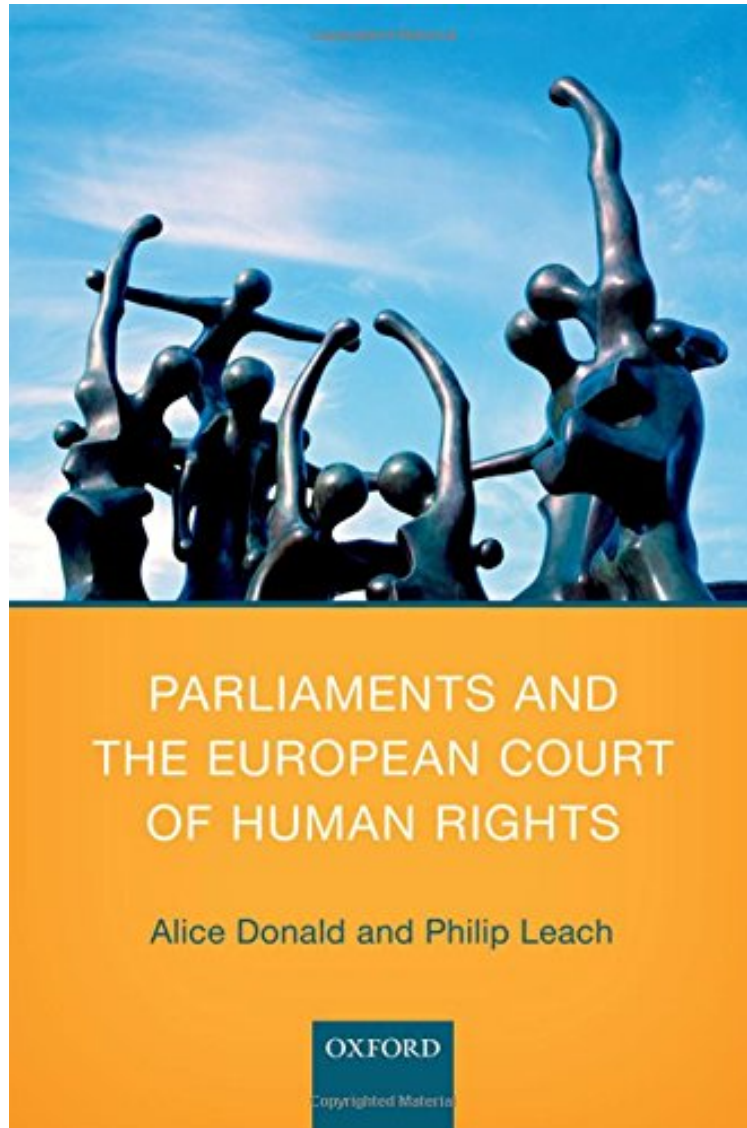


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Parliaments and the European Court of Human Rights

Alice Donald, Philip Leach

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Alice Donald, Philip Leach : Parliaments and the European Court of Human Rights before purchasing it in order to gage whether or not it would be worth my time, and all praised Parliaments and the European Court of Human Rights:

The European system of human rights protection faces institutional and political pressures which threaten its very survival. These intuitional pressures stem from the backlog of applications before the European Court of Human

Rights, the large number of its judgments that remain unimplemented, and the political pressures that arise from sustained attacks on the Court's legitimacy and authority, notably from politicians and jurists in the United Kingdom. This book addresses the theme which lies at the heart of these pressures: the role of national parliaments in the implementation of judgments of the Court. It combines theoretical and empirical insights into the role of parliaments in securing domestic compliance with the Court's decisions, and provides detailed investigation of five European states with differing records of human rights compliance and parliamentary mobilization: Ukraine, Romania, the United Kingdom, Germany, and the Netherlands. How far are parliaments engaged in implementation, and how far should they be? Do parliaments advance or hinder human rights compliance? Is it ever justifiable for parliaments to defy judgments of the Court? And how significant is the role played by the Parliamentary Assembly of the Council of Europe? Drawing on the fields of international law, international relations, political science, and political philosophy, the book argues that adverse human rights judgments not only confer obligations on parliamentarians but also create opportunities for them to develop influential interpretations of human rights and enhance their own democratic legitimacy. It makes an authoritative contribution to debate about the future of the European and other supranational human rights mechanisms and the broader relationship between democracy, human rights, and legitimate authority.

"...Donald and Leach's study exploring the relationships between national parliaments and the European Convention system is a much needed and welcome foray into empirical and contextual scholarship which appropriately merges eye-opening insights from legal doctrine and political science." - Hayley J. Hooper, *Law Quarterly* About the Author Alice Donald, Senior Lecturer, Middlesex University and Philip Leach, Professor of Human Rights Law and Director of the European Human Rights Advocacy Centre, Middlesex University Alice Donald is a Senior Lecturer in the Department of Law and Politics at Middlesex University. Her socio-legal research focuses on the implementation and impact of human rights law, particularly in the UK and Europe. Alice was formerly (1991-2005) a commissioner, editor and broadcast journalist in the BBC. Philip Leach is Professor of Human Rights Law at Middlesex University, a solicitor, and Director of the European Human Rights Advocacy Centre (EHRAC). He has been a member of the Independent Advisory Panel on Deaths in Custody since 2009 and in 2014 was appointed as a member of the Independent into Self-inflicted Deaths in Custody of 18-24 year olds (the Harris).