

LAW AND HUMAN RIGHTS

First part of the course

Bibliography (selection for advanced studies in English)**A. Textbooks on international human rights law***I. Textbooks on global human rights law*

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|--|---|
| Buergethal, Thomas
Shelton, Dinah
Stewart, David
Vazquez, Carlos | International Human Rights in a Nutshell, 5 th edition 2017 |
| Donelly, Jack
Whelan, Daniel J. | International Human Rights, 6 th edition 2020 |
| Kälin, Walter
Künzli, Jörg | The Law of International Human Rights Protection, 2 nd edition 2019 |
| Moeckli, Daniel
Shah, Sangeeta
Sivakumaran, Sandesh
Harris, David (editors) | International Human Rights Law, 4 th edition 2022 |
| Shelton, Dinah | Advanced Introduction to International Human Rights Law, 2 nd edition 2020 |
| Schutter, Olivier de | International Human Rights Law. Cases, Materials and Commentary, 3 rd edition 2019 |
| Smith, Rhona K. M. | International Human Rights Law, 10 th edition 2022 |

II. Textbooks on geo-regional human rights law

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|---|---|
| Antkowiak, Thomas
Gonza, Alejandra | The American Convention on Human Rights. Essential Rights, 2017 |
| Bond, Martyn | An Introduction to the European Convention, 2018, https://book.coe.int/usd/en/human-rights-and-democracy/7694-an-introduction-to-the-european-convention-on-human-rights.html |
| Gerard, Janneke | General Principles of the European Convention on Human Rights, 2019 |
| Rainey, Bernadette,
McCormick, Pamela
Ovey, Clare | Jacobs, White, and Ovey: The European Convention on Human Rights, 8 th edition 2021 |
| Viljoe, Frans | International Human Rights Law in Africa, 2 nd edition 2012 |

B. Publications with parts on comparative fundamental rights law or on national fundamental rights law in English (for understanding modern standards of f.r. doctrine)

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| Arnold, Rainer (editor) | The Convergence of the Fundamental Rights Protection in Europe, 2016 |
| Dixon, Rosalind
Ginsburg, Tom (editors) | Comparative Constitutional Law, 2011, part IV |
| Dixon, Rosalind
Ginsburg, Tom (editors) | Comparative Constitutional Law in Asia, 2014, part III |

- Grimm, Dieter Constitutionalism. Past, Present and Future, 2018. Part IV [available at Google Books]
- Heun, Werner The Constitution of Germany. A Contextual Analysis, 2011, chapter 8
- Onida, Valerio Constitutional Law in Italy, 3rd edition 2021, part IV
- Balboni, Enzo
- Carlotto, Ilaria a.o.
- Robbers, Gerhard Constitutional Law in Germany, 2017, chapter II
- Ruiz Robledo, Agustín Constitutional Law in Spain, 2nd edition 2018, part IV
- Zekoll, Joachim Introduction to German Law, 3rd edition 2018, chapter 2, § 2.06
- Wagner, Gerhard (editors)
- Tushnet, Mark The Constitution of the United States of America. A Contextual Analysis, 2nd edition 2015, chapter 6
- Yeh, Jiunn-rong The Constitution of Taiwan. A Contextual Analysis, 2015, chapter 7

C. Commentaries (article-by-article presentation)

- Alfredsson, Gudmundur The Universal Declaration of Human Rights. A Common Standard of Achievement, 2nd edition 2013
- Eide, Asbjorn (editors)
- Bantekas, Ilias The UN Convention on the Rights of Persons with Disabilities, 2018
- Stein, Michael Ashley
- Anastasiou, Dimitris (editors)
- Freeman, Marsha A. The UN Convention on the Elimination of All Forms of Discrimination Against Women. A Commentary, 2012
- Chinkin, Christine
- Rudolf, Beate (editors)
- Grabewarter, Christoph European Convention for the Protection of Human Rights and Fundamental Freedoms. Commentary, 2014
- Hennebel, Ludovic The American Convention on Human Rights. A Critical Commentary, 2022
- Tigroudja, Hélène
- Joseph, Sarah The International Covenant on Civil and Political Rights. Cases, Materials and Commentary, 3rd edition 2013
- Castan, Melissa
- Murray, Rachel The African Charter on Human and Peoples' Rights. A Commentary, 2019
- Nowak, Manfred The United Nations Convention Against Torture. A Commentary, 2nd edition 2019
- Birk, Moritz
- Monina, Giuliana (editors)
- Saul, Ben The International Covenant on Economic, Social and Cultural Rights. Commentary, Cases, and Materials, 2014
- Kinley, David
- Mowbray, Jaqueline
- Schabas, William The European Convention on Human Rights. A Commentary, 2017
- Taylor, Paul M. A Commentary on the International Covenant on Civil and Political Rights. The UN Human Rights Committee's Monitoring of ICCPR Rights, 2020
- Tobin, John (editor) The UN Convention on the Rights of the Child. A Commentary, 2019

D. Works of reference, encyclopaedias and handbooks (for legal practitioners and scientific research)

- Ferrari, Silvio Routledge Handbook of Freedom of Religion or Belief, 2021
- Hill, Mark C.C.
- Jamal, Arif A.
- Bottoni, Rossella (editors)
- Kälin, Walter Women's Human Rights' App (W'sHR App), last updated 2021 [Android app, free download in the Google Play Store]
- Schnegg, Brigitte
- Rosenfeld, Michael The Oxford Handbook of Comparative Constitutional Law, 2012 (cf. parts VII, VIII)
- Sajó, András (editors)

- Sheeran, Scott
Rodley, Nigel (editors) Routledge Handbook of International Human Rights Law, 2013
- Shelton, Dinah (editor) The Oxford Handbook of International Human Rights Law, 2013
- Tushnet, Mark
Fleiner, Thomas
Saunders, Cheryl (editors) Routledge Handbook of Constitutional Law, 2015 (cf. part III)
- Vandenhole, Wouter
Desmet, Ellen
Reynaert, Didier
Lembrechts, Sara (editors) Routledge International Handbook of Children's Rights Studies 2017
- Vega, Connie de la Dictionary of International Human Rights Law, 2013
- See also in German language: Detlef Merten; Hans-Jürgen Papier et al. (editors): Handbuch der Grundrechte in Deutschland und Europa [Handbook of Fundamental Rights in Germany and Europe], vol. I - X, 2004 - 2018.

E. Law reports and casebooks

- Website of the ECtHR www.echr.coe.int (decisions in English and French)
- Website of the IACHR www.corteidh.or.cr (decisions in Spanish and English)
- Website of the ACHPR www.african-court.org (decisions in English, French, Portuguese and Arabian)
- Website of the German
Federal Constitutional Court www.bundesverfassungsgericht.de (with some important decisions in English)
- Website of the French
Conseil Constitutionnel www.conseil-constitutionnel.fr (with important decisions in English)
- Attoh, Nonso (editor) Reported Cases of the African Court on Human and Peoples' Rights (RCACtHPR) [different parts with cases from 2009 - 2015], 2017
- Bröhmer, Jürgen
Elsner, Gisela
Hill, Clauspeter
Spitzkatz, Marc (editors) 70 years German Basic Law: The German Constitution and its Court. Landmark Decisions of the Federal Constitutional Court of Germany in the Area of Fundamental Rights, 3rd edition 2019, www.kas.de/de/web/rspa/publikationen/einzeltitel/-/content/70-years-german-basic-law-the-german-constitution-and-its-court-1 (English translations of landmark decisions on fundamental rights)
- Bumke, Christian
Voskuhle, Andreas Casebook on German Constitutional Law, 2019[→ T.S.]
- Conte, Alex
Burchill, Richard Defining Civil and Political Rights. The Jurisprudence of the United Nations Human Rights Committee, 2nd edition 2009 (note, however, that the Human Rights Committee is not a court and therefore its views do not represent jurisprudence)
- European Court of Human
Rights (editor) Overview of the Case-Law of the European Court of Human Rights, 2009 ff. (annual overview), www.echr.coe.int/Pages/home.aspx?p=caselaw/analysis/overview.
- Maringele, Sarah European Human Rights Law. The work of the European Court of Human Rights illustrated by an assortment of selected cases, 2014
- Urofsky, Melvin I. Supreme Decisions. Great Constitutional Cases and Their Impact, vol. 1 and 2, 2012 (landmark decisions on U.S. constit. law)

F. Compendiums of laws (easy access to treaties and legislation)

- Bisset, Alison (editor) Blackstone's International Human Rights Documents, 12th edition 2020
- Khaliq, Urfan (editor) International Human Rights Law Documents, 2018
- Office of the UNHCHR
(editor) Human Rights Instruments (human rights treaties and soft law), www.ohchr.org/en/instruments-listings#tab-1

University of Minnesota
(editor)

Human Rights Library. Human Rights Treaties and Other Instruments,
www1.umn.edu/humanrts/treaties.htm

G. Journals

I. Journals in the field of international human rights law

AHRLJ	African Human Rights Law Journal, since 2000
APJHRL	Asia-Pacific Journal on Human Rights and the Law, since 2000
EHRLR	European Human Rights Law Review, since 1979
HHRJ	Harvard Human Rights Journal, since 1988
HRLJ	Human Rights Law Journal, since 1980
HRLR	Human Rights Law Review, since 2001
HRQ	Human Rights Quarterly, since 1979
HRR	Human Rights Review, since 1999
IHRLR	International Human Rights Law Review, since 2012
IJHR	The International Journal of Human Rights, since 1997
JSEADR	Journal of Southeast Asian Human Rights, https://jurnal.unej.ac.id/index.php/JSEADR/index , since 2017 [published in ID]

II. Journals in the field of comparative constitutional law

AJCLL	Africa Journal of Comparative Constitutional Law, since 2016
ECLR	European Constitutional Law Review, since 2005
ERPL/REDP	European Review of Public Law / Revue Européenne de Droit Public, since 1989
GlobCon	Global Constitutionalism. Human Rights, Democracy and the Rule of Law, since 2012, www.cambridge.org/core/journals/global-constitutionalism
I*CON	International Journal of Constitutional Law, since 2003, https://academic.oup.com/icon
IJHRCS	International Journal of Human Rights and Constitutional Studies, since 2013

H. Internet sources

There are many internet sources which allow an easy orientation and a quick access to international human rights law. See the links on the special website for this course. See in particular the *website of the Office of the High Commissioner for Human Rights* (www.ohchr.org). There you find introductory information and the text of the most important human rights treaties (www.ohchr.org/en/instruments-listings#tab-1) and of other human rights treaties and soft law (www.ohchr.org/en/instruments-listings#tab-2). The same applies for the website Human Rights Library of the University of Minnesota (www1.umn.edu/humanrts/index.html). The text of the European human rights treaties is available on the website of the Council of Europe (www.coe.int/en/web/conventions/by-subject-matters1?module=treaties-full-list&CodeMatiere=44), the text of the American human rights treaties at the website of the Inter-American Commission on Human Rights (www.oas.org/en/IACHR/jsForm/?File=/en/iachr/mandate/basic_documents.asp). African human rights treaties are published by the African Commission on Human and Peoples' Rights (<https://www.achpr.org/resources>).

Concerning the fundamental rights under the national constitutions, most constitutional courts publish their jurisprudence on their website. Many add English translations of important decisions, notably on fundamental right issues. However, be aware that the translations may not always be totally correct.

Make sure that you use only websites with reliable, thorough legal information for your legal research!

H. Note on the reliability of legal literature in the field of international human rights law

Keep your critical distance when dealing with legal literature on international human rights law. Some authors tend to confound law and legal politics. Some may even present their own wishful thinking as prevailing law. Furthermore, not all authors distinguish adequately between the international human rights treaties (which represent an important part of public international law) and the so-called "soft law" (political resolutions of international organisations or summits, which are *not* a source of law and therefore not binding the states directly). In human rights law as in other fields of law, successful, sustainable work depends decisively on a methodologically sound approach.

More information on this course contribution at www.thomas-schmitz-yogyakarta.id. For any questions, suggestions and criticism please contact me via e-mail (tschmit1@gwdg.de) or WhatsApp (+62 852 1402 9884).

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