



Fragmentation in International Human Rights Law: Beyond Conflict of Laws

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This book explores the effects of institutional fragmentation in international human rights law, by comparing the rights jurisprudence of three human rights courts and bodies, namely the European Court for Human Rights, the Inter-American Court for Human Rights and the Human Rights Committee. Contributions cover the areas of freedom of expression (journalism and the media), right to privacy, freedom of assembly and freedom of association (political parties), and measure the extent of fragmentation of human rights protection. Moreover, the volume argues that, while the conflict of laws approach, favoured by the International Law Commission, might work in avoiding outright conflict in obligation, in practice it is not an approach that presents a viable research agenda when it comes to understanding the causes and consequences of institutional fragmentation. This is especially evident in areas like international human rights, where the possibility of a silent drift between the jurisprudence of the three courts is a real possibility.

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