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Human Rights

Between Idealism and Realism

Third Edition



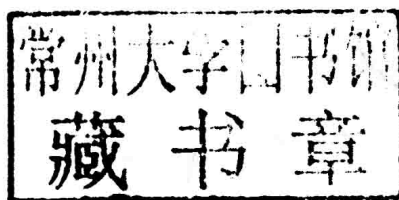
Christian Tomuschat

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CHRISTIAN TOMUSCHAT



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The Collected Courses of the Academy of European Law
Series Editors: Professor Loïc Azoulai
Professor Nehal Bhuta
Professor Marise Cremona
Assistant Editor: Anny Bremner

VOLUME XIII/3
Human Rights: Between Idealism and Realism
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This series brings together the Collected Courses of the Academy of European Law in Florence. The Academy's mission is to produce scholarly analyses which are the cutting edge of the two fields in which it works: European Union law and human rights law.

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Preface

This third edition of the book *Human Rights—Between Idealism and Realism* seeks not only to update the information provided in the earlier editions, but also to advance in better presenting the current regime of human rights within its systemic framework. Accordingly, some fairly voluminous chapters were split up, and new chapters with a clear analytical focus have been added, for instance concerning the conceptual foundations of human rights (Chapter 5) or the relevant rights holders and duty bearers (Chapter 7). On the other hand, the original conception has not been changed. The book deals with the general system of human rights and their implementation mechanisms, but it does not purport to provide the reader with commentaries on the scope and meaning of each and every one of the rights as they appear in the relevant international instruments.

In adapting the text to the new developments that have taken place since the second edition of 2008, particular attention has been devoted to the jurisprudence of the human rights institutions in Africa and Latin America in addition to the case law of the Human Rights Committee at world level and the European Court of Human Rights. In order to show that human rights have worldwide dimensions, references have also been made to sources in the French language and—to some limited extent—also in German and Spanish. Completeness was neither sought nor achieved. Conciseness had to be the leading criterion. Monographic length of the individual chapters could not be reconciled with the character of this book as a tool in particular for academic teaching and learning.

The closing date for the work of updating was generally February 2014.

Berlin, 30 March 2014
Christian Tomuschat

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