Summer School with Moot Court
Human Rights and Fundamental Rights and their Impact on the Civil Law System

Bibliography (selection)

A. Textbooks
Alston, Philip
Goodman, Ryan
Benedek, Wolfgang (editor)

B. Commentaries (article-by-article presentation)

See also the chapters on international human rights law in the general textbooks on international public law. Concerning fundamental rights, see in particular the textbooks on national and comparative constitutional law.
Joseph, Sarah  
The International Covenant on Civil and Political Rights. Cases, Materials and Commentary, 3rd edition 2013 [coming soon]

Castan, Melissa  
The International Covenant on Civil and Political Rights and its (First) Optional Protocol. A Short Commentary Based on Views, General Comments and Concluding Observations by the Human Rights Committee, 2005

Bair, Johann  

Freeman, Marsha A.  

Chinkin, Christine  

Rudolf, Beate (editors)  

C. Publications on selected special topics

Beater, Axel  
Verletzungen von Persönlichkeitsrechten durch die Medien - Invasions of Personality Rights by the Media, 2005

Busch, Christoph  

Colombi Ciacchi, Aurelia  
Fundamental Rights and Private Law in the European Union, volume 1: A Comparative Overview, 2010; volume 2: Comparative Analyses of Selected Case Patterns, 2010

Brüggemeier, Gert  

Fedtke, Jörg  
Fundamental Rights and Private Law in Europe. The case of tort law and children, 2011

Freedman, Rosa  

Grossmann, Claudio  
Advocating for human rights: 10 years of the Inter-American Moot Court Competition, 2008

Martin, Claudia  
Rodriguez Pinzon, Diego

Lytvynuk, Anna  
Fundamental Rights Operation in Private Law. A Comparative Study of Legal Solutions, 2010

Peerenboom, Randall  
Human Rights in Asia. A Comparative Legal Study of Twelve Asian Jurisdictions, France and the USA, 2006

Petersen, Carol J.  
Chen, Albert H.Y. (editors)

Shelton, Dinah  
Remedies in International Human Rights Law, 2nd edition 2006

Ssenyonjo, Manisuli  
Economic, Social and Cultural Rights in International Law, 2009

Tiefenbrun, Susan W.  
Women's International and Comparative Human Rights, 2012

Weizer, Paul  
How to please the court, 2005
D. Law reports and casebooks

Website of the ECHR: 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 ICC: www.icc-cpi.int (decisions in English and French)
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)
Deller Ross, Susan
Women's Human Rights. The International and Comparative Law Casebook, 2009

E. Compendiums of laws (easy access to international treaties)

Ghandhi, Sandy (editor)
Blackstone’s International Human Rights Documents, 8th edition 2012
Office of the UNHCHR (editor)
Core International Instruments, www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx (human rights treaties); see also Universal Human Rights Instruments, /Pages/UniversalHumanRightsInstruments.aspx (treaties and soft law)
Schutter, Olivier de Tulkens, Françoise
Drooghenbroeck, Sébastien van (editors)
Code de droit international des droits de l’homme, 4th edition 2012
Simma, Bruno (editor)
Menschenrechte. Ihr internationaler Schutz, 6th edition 2010 (part of the series "Beck-Texte im dtv")
University of Minnesota (editor)
Human Rights Library. Human Rights Treaties and Other Instruments, www1.umn.edu/humanrts/treaties.htm

F. Journals in the field of human rights law

APJHRL
Asia-Pacific Journal on Human Rights and the Law, since 2000
EHRLR
European Human Rights Law Review, since 1979
EuGRZ
Europäische Grundrechte-Zeitschrift, since 1974
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
MRM
RTDH
Revue trimestrielle des droits de l’homme, since 1990
RUDH
Revue universelle des droits des l'homme, since 1989

Contributions on international human rights law can also be found in the journals on public international law. Contributions on fundamental rights can be found in the journals on national and comparative constitutional or public law.
G. Internet sources in the field of international human rights law

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. There you will also find links concerning the case of the Moot Court. Those who understand a little bit of German will find more references at www.jura.uni-goettingen.de/schmitz (see "Links", "B. Völkerrecht"). 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/ProfessionalInterest/Pages/CoreInstruments.aspx) and other human rights treaties and soft law (/Pages/UniversalHumanRightsInstruments.aspx). The same applies for the website Human Rights Library of the University of Minnesota (www1.umn.edu/humanrts/index.html). Make sure that you use only websites with reliable, thorough legal information for your legal research.

Concerning the case of the Moot Court, see in particular the following Court decisions, which are available in the internet: (1.) German Federal Constitutional Court, case 1 BvR 653/96, BVerfGE 101, 361 (Caroline of Monaco II), www.servat.unibe.ch/dff/bv101361.html (in German) and www.utexas.edu/law/academics/centers/transnational/work_new/german/case.php?id=618 (English translation); (2.) Federal Constitutional Court, case 1 BvR 1602, 1606, 1626/07, BVerfGE 120, 180 (Caroline of Monaco III), www.servat.unibe.ch/dff/bv120180.html (in German) and www.bundesverfassungsgericht.de/entscheidungen/rs20080226_1bvr160207en.html (English translation); (3.) European Court of Human Rights, case 59320/00 (Hannover v. Germany), http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-61853; (4.) European Court of Human Rights, case 40660/08, 60641/08 (Hannover v. Germany II), http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-109029.

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. This applies in particular to publications in German language. 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). For example, caution should be exercised if the Universal Declaration of Human Rights of 1948 (a resolution of the UN General Assembly) is presented as directly binding law or if typical Western concepts of human rights are presented in details as legally binding. In human rights law as in other fields of law, successful, sustainable work depends decisively on a methodologically sound approach.