



The European Convention for the Protection of Human Rights International Protection vs. National Restrictions (International Studies in Human Rights)

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The reason of State plays an important role under the European Convention for the Protection of Human Rights and Fundamental Freedoms. Not only does Article 15 authorize States to take measures derogating from their obligations under the Convention "in time of war of other public emergency, threatening the life of the nation"; most of the rights and liberties defined in the Convention are subject to escape clauses as well. This text seeks to demonstrate firstly that the "system" of the Convention is much more ambiguous than could have been expected. Secondly, the book shows, on the basis of study carried out in most of the Member States of the Council of Europe, that a certain resistance exists to the Convention. The author insists neither the ambiguity of the European system, nor the resistance of States to the system must be overlooked and asks the question, "Has a Europe of Human Rights" begun to develop through the complex interplay of national and European norms?

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