



PRESENTAZIONE DEL VOLUME (a cura dell'autore o del curatore)

Informazioni generali

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Informazioni sul volume

This study aims to provide a systematic overview of the issue of vulnerability in international human rights law by exploring the numerous facets of the problem, namely the legal ones. In fact, while there have been, in the realm of philosophy, legal theory, and ethics, a number of explorations of vulnerability an interest in the notion has also developed in the more specific context of vulnerability and (international) human rights law. However these have left many questions unanswered or have only partially answered leaving areas developed in the recent practice understudied. The present book takes a more holistic approach to the subject and addresses it in detail through the lens of interpretation and methods of interpretation in IHRL in order to highlight a possible legal qualification for the notion.

The analysis, combining a conceptual framework with an empirical horizontal examination in the whole 'system' of international human rights law, of the use of the notion of vulnerability as interpretative argument proposes itself as a solid reference in the human rights literature.

The book, first, insists in de-constructing the presence of vulnerability in the sources of

international human rights law, for then highlighting the *explicit* acknowledgement of the notion of vulnerability both in soft law, in some thematic human rights conventions and in some acts of international organizations. This 'legislative' re-construction of the notion of vulnerability is functional to the subsequent examination of its normative effects within the international human rights practice and its impact on the parameters for engaging State responsibility.

Such a systematization serves the principal scope of the research that is to propose the juridical qualification of vulnerability in terms of regulatory criterion of the peculiar interpretative methods of human rights treaties for granting them the realisation of their 'object and purpose' according to the Vienna Convention on the Rights of the Treaties, that is the principle of effectiveness, possibly evolving in a human rights principle.