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The horizontal effect of international human rights law

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PROPOSITIONS belonging to the PhD thesis

The Horizontal Effect of International Human Rights Law
Towards a Multi-Level Governance Approach

Lottie Lane – 24 May 2018, Groningen

1. The current international legal system for the protection of human rights is not sufficiently equipped to effectively protect individuals' human rights from interference by non-State actors.
2. The reluctance of human rights adjudicatory bodies to explicitly address the horizontal effect of human rights creates challenges regarding its conceptual clarity.
3. Taking a governance, rather than a legal approach to human rights allows non-State actors to be placed squarely within the human rights regime.
4. The nature of an actor causing interference with the enjoyment of human rights should not be relevant in determining whether human rights standards apply.
5. Actors involved in international human rights must conform to the principles of good governance: transparency, accountability and participation.
6. A multi-level governance approach to human rights incorporates the strengths of existing legal and extra-legal mechanisms and improves their coordination.
7. Governance approaches and activities are to be regarded as the starting point for the protection of human rights, not as a fall back option when law does not solve an issue.
8. International law must be developed in a proactive manner and not merely as a response to atrocities.
9. To follow a good governance approach, Albert Heijn should reintroduce the sale of 'Chocolate Pleasures'.
10. Life is not a dress rehearsal.