

LouvainX: Louv2.01x International Human Rights

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In recent years, human rights courts and treaty bodies have increasingly been shaping their approach to the problems they were presented with by referring to one another, borrowing each other's solutions to similar problems of interpretation. This process of judicial dialogue has involved both international courts and experts bodies, and domestic courts. It is leading gradually to the development of a case-law that is sometimes detached from the intentions of the authors of the treaties that human rights courts and bodies apply, as the interpreters seek guidance -- and legitimacy -- by looking at what other courts and bodies have done, when confronted with similar problems. Consider the following four examples, and then contribute to the general discussion that follows.

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