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The second condition that restrictions to human rights must comply with is that such restrictions must be "in accordance with the law". This goes beyond the simple requirement that the restriction must not violate the law. It also means that the regulatory framework under which the restriction is imposed must present certain characteristics, to ensure adequate transparency: it is sometimes said that the law must be of adequate "quality". Why do you think such a requirement is important? Consider the following examples, and try to interpret them : which general propositions does each example serve to illustrate?

Help

THE LEGALITY CONDITION - EXERCISE 1 (1/1 point)

1. "A mayor would like to ban demonstrations by groups questioning the wisdom of his choices, but to authorize demonstrations by groups who support him."

- ☐ As she is responsible for the maintenance of public order in the municipality, the Mayor should be allowed to judge which demonstrations should be tolerated;
- ☐ Elections are the process through which municipal authorities should be held accountable; it would be unrealistic to stipulate in legislation how they should exercise their powers;
- ☒ An adequate regulatory framework defining the conditions under which the Mayor should exercise her powers to maintain law and order should be robust and detailed enough to avoid such a misuse of powers.



EXPLANATION

The requirement that the restriction is compatible with a regulatory framework that is sufficiently precise and detailed, ensures that public officials will not abuse their power, by imposing restrictions in an arbitrary fashion -- either by exercising their powers in an *ad hoc* and unpredictable way, or by using their powers as a way to reward certain political supporters or to favor people based on family or ethnic ties.

Check

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