

Bibliography

1 Books and Contributions to Collective Works

- Alter KJ, 'The Multiple Roles of International Courts and Tribunals: Enforcement, Dispute Settlement, Constitutional and Administrative Review' in Dunoff JL and Pollack MA (eds), *Interdisciplinary Perspectives on International Law and International Relations. The State of the Art* (CUP 2013) 345
- Ambrus M, *Enforcement Mechanisms of the Racial Equality Directive and Minority Protection* (Eleven International Publishing 2011)
- Amerasinghe CF, *Evidence in International Litigation* (Martinus Nijhoff Publishers 2005)
- Andenas M and Fairgrieve D, 'Intent on Making Mischief: Seven Ways of Using Comparative Law' in Monateri PG (ed), *Methods of Comparative Law* (Edward Elgar Publishing 2012) 25
- Arnardóttir OM, 'Discrimination as a Magnifying Lens. Scope and Ambit under Article 14 and Protocol No. 12' in Brems E and Gerards J (eds), *Shaping Rights in the ECHR. The Role of the European Court of Human Rights in Determining the Scope of Human Rights* (CUP 2013) 330
- Auburn J, 'Burden and Standard of Proof' in Malek HM (ed), *Phipson on Evidence* (17th edn, Thomson Reuters 2010) 149
- Barkhuysen T and Van Emmerik M, 'Legitimacy of European Court of Human Rights Judgments: Procedural Aspects' in Huls N, Adams M and Bomhoff J (eds), *The Legitimacy of Highest Courts' Rulings. Judicial Deliberations and Beyond* (T.M.C. Asser Press 2009) 437
- Bell M, 'Direct Discrimination' in Schiek D, Waddington L and Bell M (eds), *Cases, Materials and Text on National, Supranational and International Non-discrimination Law* (Hart Publishing 2007) 185
- Bindman G, 'Proof and Evidence of Discrimination' in Hepple B and Szyszczak EM (eds), *Discrimination: The Limits of Law* (Mansell Publishing Limited 1992) 50
- Breuker LR, 'Waarheidsvinding, Genocide en het Internationaal Gerechtshof' in Crijns JH, Van der Meij PPJ and Ten Voorde JM (eds), *De Waarde van Waarheid. Opstellen over Waarheid en Waarheidsvinding in het Strafrecht* (Boom Juridische Uitgevers 2008) 237
- Brower CN, 'The Anatomy of Fact-Finding Before International Tribunals: an Analysis and a Proposal Concerning the Evaluation of Evidence' in Lillich RB (ed), *Fact-Finding Before International Tribunals* (Transnational Publishers 1992) 147
- Burgogue-Larsen L and Úbeda de Torres A, *The Inter-American Court of Human Rights. Case Law and Commentary* (OUP 2011)

- Busstra MJ, *The Implications of the Racial Equality Directive for Minority Protection within the European Union* (Eleven International Publishing 2011)
- Christoffersen J, 'Individual and Constitutional Justice: Can the Power Balance of Adjudication be Reversed?' in Christoffersen J and Madsen MR (eds), *The European Court of Human Rights Between Law and Politics* (OUP 2011) 181
- Cichowski RA, 'Civil Society and the European Court of Human Rights' in Christoffersen J and Madsen MR (eds), *The European Court of Human Rights Between Law and Politics* (OUP 2011) 77
- Council of Europe, *Collected Edition of the Travaux Préparatoires of the European Convention on Human Rights/Council of Europe Vol I* (Martinus Nijhoff Publishers 1975)
- Council of Europe, *Collected Edition of the Travaux Préparatoires of the European Convention on Human Rights/Council of Europe Vol VII* (Martinus Nijhoff Publishers 1985)
- Craig R, *Systemic Discrimination in Employment and the Promotion of Ethnic Equality* (Martinus Nijhoff Publishers 2007)
- Del Mar K, 'The International Court of Justice and Standards of Proof' in Bannelier K, Christakis T and Heathcote S (eds), *The ICJ and the Evolution of International Law. The Enduring Impact of the Corfu Channel Case* (Routledge 2011) 98
- Demougin D and Fluet C, *Deterrence vs Judicial Error: A Comparative View of Standards of Proof* (Cirano 2004)
- Dennis IH, *The Law of Evidence* (Sweet & Maxwell 1999)
- Ellis E and Watson P, *EU Anti-Discrimination Law* (2nd edn, OUP 2012)
- European Union Agency for Fundamental Rights and Council of Europe, *Handbook on European Non-discrimination Law* (Publications Office of the European Union 2011)
- Forowicz M, *The Reception of International Law in the European Court of Human Rights* (OUP 2010)
- Foster CE, *Science and the Precautionary Principle in International Courts and Tribunals. Expert Evidence, Burden of Proof and Finality* (CUP 2011)
- Frigessi di Rattalma M, 'NGOs before the European Court of Human Rights: Beyond Amicus Curiae Participation?' in Treves T et al (eds), *Civil Society, International Courts and Compliance Bodies* (T.M.C. Asser Press 2005) 57
- Gardner TJ and Anderson TM, *Criminal Law* (10th edn, Thomson Wadsworth 2009)
- Garner BA (ed), *Black's Law Dictionary* (4th edn, West Publishing 2011)
- Gerards J, 'The Application of Article 14 ECHR by the European Court of Human Rights' in Niessen J and Chopin I (eds), *The Development of Legal Instruments to Combat Racism in a Diverse Europe* (Martinus Nijhoff Publishers 2004) 3
- Gerards JH, *Judicial Review in Equal Treatment Cases* (Martinus Nijhoff Publishers 2005)

- Gerards J, 'Discrimination Grounds' in Schiek D, Waddington L and Bell M (eds), *Cases, Materials and Text on National, Supranational and International Non-discrimination Law* (Hart Publishing 2007) 33
- Gerards J, 'The Scope of ECHR Rights and Institutional Concerns. The Relationship between Proliferation of Rights and the Case Load of the ECtHR' in Brems E and Gerards J (eds), *Shaping Rights in the ECHR. The Role of the European Court of Human Rights in Determining the Scope of Human Rights* (CUP 2013) 84
- Green DP, McFalls LH and Smith JK, 'Hate Crime. An Emergent Research Agenda' in Perry B (ed), *Hate and Bias Crime. A Reader* (Routledge 2003) 27
- Greer S, *The Margin of Appreciation: Interpretation and Discretion under the European Convention on Human Rights* (Council of Europe Publishing 2000)
- Greer S, *The European Convention on Human Rights. Achievements, Problems and Prospects* (CUP 2006)
- Hall N, *Hate Crime* (2nd edn, Routledge 2013)
- Hall N and others, 'Introduction' in Hall N and others (eds), *The Routledge International Handbook on Hate Crime* (Routledge 2015) 1
- Harris DJ and others, *Harris, O'Boyle & Warbrick. Law of the European Convention on Human Rights* (3rd edn, OUP 2014)
- Hirsch Ballin E, *Tegen de Stroom. Over Mensen en Ideeën Die Hoop Geven in Benarde Tijden* (Em. Querido's Uitgeverij BV 2016)
- Hodson L, *NGOs and the Struggle for Human Rights in Europe* (Hart Publishing 2011)
- Howard E, *The EU Race Directive. Developing the Protection Against Racial Discrimination within the EU* (Routledge 2010)
- Iganski P, 'Hate Crimes Hurt More' in Perry B (ed), *Hate and Bias Crime. A Reader* (Routledge 2003) 131
- Jacobs JB and Potter K, *Hate Crimes. Criminal Law and Identity Politics* (OUP 1998)
- Jeßberger F, 'The Definition and the Elements of the Crime of Genocide' in Gaeta P (ed), *The UN Genocide Convention: A Commentary* (OUP 2009) 87
- Kaleck W and Terwindt C, 'Non-Governmental Organisation Fact-Work: Not Only a Technical Problem' in Bergsmo M (ed), *Quality Control in Fact-Finding* (Torkel Opsahl Academic EPublisher 2013) 403
- Kazazi M, *Burden of Proof and Related Issues. A Study on Evidence Before International Tribunals* (Kluwer Law International 1996)
- Keane A and McKeown P, *The Modern Law of Evidence* (12th edn, OUP 2018)
- Kinsch P, 'On the Uncertainties Surrounding the Standard of Proof in Proceedings Before International Courts and Tribunals' in Venturini G and Bariatti S (eds), *Diritti Individuali E Giustizia Internazionale/Individual Rights and International Justice/Droits Individuels et Justice Internationale. Liber Fausto Pocar* (Giuffrè Editore 2009) 427

- Kokott J, *The Burden of Proof in Comparative and International Human Rights Law. Civil and Common Law Approaches with Special Reference to the American and German Legal Systems* (Kluwer Law International 1998)
- Krüger HC, 'Gathering Evidence' in De Salvia M and Villiger ME (eds), *The Birth of European Human Rights Law: Essays in Honour of Carl Aage Nørgaard* (Nomos Verlagsgesellschaft 1998) 249
- Langbein JH, *The Origins of Adversary Criminal Trial* (OUP 2003)
- Law Commission (LAW COM No 325), *Expert Evidence in Criminal Proceedings in England and Wales* (Crown copyright 2011)
- Lawrence FM, *Punishing Hate. Bias Crimes under American Law* (Harvard University Press 2002)
- Lawrence FM, 'Racial Violence on a "Small Island": Bias Crime in a Multicultural Society' in Iganski P (ed), *The Hate Debate. Should Hate Be Punished as a Crime?* (Profile Books Ltd/Institute for Jewish Policy Research 2002) 36
- Lawson RA and Schermers HG, *Leading Cases of the European Court of Human Rights* (Ars Aequi Libri 1999)
- Leach P, Paraskeva C and Uzelac G, *International Human Rights & Fact-finding. An Analysis of the Fact-finding Missions Conducted by the European Commission and Court of Human Rights* (Human Rights and Social Justice Research Institute at London Metropolitan University 2009)
- Leach P, *Taking a Case to the European Court of Human Rights* (3rd edn, OUP 2011)
- Leach P, *Taking a Case to the European Court of Human Rights* (4th edn, OUP 2017)
- Lezertua M and Forde A, 'The Commissioner for Human Rights' in Kleinsorge TEJ (ed), *Council of Europe* (Kluwer Law International 2010) 114
- Loucaides L, 'Standards of Proof in Proceedings under the European Convention of Human rights' in *Présence du Droit Public et des Droits de l'Homme. Mélanges Offerts à Jacques Velu* (Bruylant 1992) 1431
- Loucaides L, *Essays on the Developing Law of Human Rights* (Martinus Nijhoff Publishers 1995)
- Mačkić J, 'Proving the Invisible: Addressing Evidentiary Issues in Cases of Presumed Discriminatory Abuse against Roma before the European Court of Human Rights through *v.c. v. Slovakia*' in Goodwin M and De Hert P (eds), *European Roma Integration Efforts – A Snapshot* (Brussels University Press 2013) 51
- Mačkić J, 'The European Court of Human Rights and Discriminatory Violence Complaints' in Schweppe J and Walters MA (eds), *The Globalization of Hate. Internationalizing Hate Crime?* (OUP 2016) 233
- Malek HM, 'Introduction' in Malek HM (ed), *Phipson on Evidence* (17th edn, Thomson Reuters 2010) 1

- Malloy TH, 'The Title and the Preamble' in Weller M (ed), *The Rights of Minorities in Europe. A Commentary on the European Framework Convention for the Protection of National Minorities* (OUP 2005) 49
- Mueller CB, Kirkpatrick LC and Rose III CH, *Evidence. Practice Under the Rules* (3rd edn, Aspen Publishers 2009)
- Nagel H and Norton J, 'Evidence' in *Encyclopaedia Britannica* <<http://academic.eb.com/levels/collegiate/article/evidence/109441>> accessed 28 December 2017
- Nijboer JF, *Strafrechtelijk bewijsrecht* (6th edn, Ars Aequi Libri 2011)
- O'Boyle M and Brady N, 'Investigatory Powers of the European Court of Human Rights' in Chernishova O and Lobov M (eds), *Russia and the European Court of Human Rights: A Decade of Change. Essays in Honour of Anatoly Kovler, Judge of the European Court of Human Rights in 1999–2012* (Wolf Legal Publishers 2013) 121
- Pasqualucci JM, *The Practice and Procedure of the Inter-American Court of Human Rights* (2nd edn, CUP 2013)
- Pentassuglia G, *Minorities in International Law. An Introductory Study* (Council of Europe Publishing 2002)
- Perry B and Scrivens R, 'White Pride Worldwide: Constructing Global Identities Online' in Schweppe J and Walters MA (eds), *The Globalization of Hate. Internationalizing Hate Crime?* (OUP 2016) 65
- Rainey B, Wicks E and Ovey C, *Jacobs, White, and Ovey. The European Convention on Human Rights* (7th edn, OUP 2017)
- Robertson AH, *Human Rights in Europe. Being an Account of the European Convention for the Protection of Human Rights and Fundamental Freedoms Signed in Rome on 4 November 1950, of the Protocols Thereto and of the Machinery Created Thereby: the European Commission of Human Rights and the European Court of Human Rights* (Manchester University Press 1977)
- Rogge K, 'Fact-Finding' in Macdonald R St J, Matscher F and Petzold H (eds), *The European System for the Protection of Human Rights* (Martinus Nijhoff Publishers 1993) 677
- Schabas WA, *The European Convention on Human Rights. A Commentary* (OUP 2015)
- Schiek D, Waddington L and Bell M, 'Introductory Chapter. A Comparative Perspective on Non-discrimination Law' in Schiek D, Waddington L and Bell M (eds), *Cases, Materials and Text on National, Supranational and International Non-discrimination Law* (Hart Publishing 2007) 1
- Schiek D, 'Indirect Discrimination' in Schiek D, Waddington L and Bell M (eds), *Cases, Materials and Text on National, Supranational and International Non-discrimination Law* (Hart Publishing 2007) 323
- thoe Schwartzberg HWB, *Civiel Bewijsrecht Voor de Rechtspraak* (Maklu-Uitgevers 2013)

- Schweppe J and Walters MA, 'Introduction: the Globalization of Hate' in Schweppe J and Walters MA (eds), *The Globalization of Hate. Internationalizing Hate Crime?* (OUP 2016) 1
- Smet S, 'The "Absolute" Prohibition of Torture and Inhuman or Degrading Treatment in Article 3 ECHR. Truly a Question of Scope Only?' in Brems E and Gerards J (eds), *Shaping Rights in the ECHR. The Role of the European Court of Human Rights in Determining the Scope of Human Rights* (CUP 2013) 273
- Strong JW (ed), *McCormick on Evidence (Volume 2)* (5th edn, West Group 1999)
- Tatchell P, 'Some People Are More Equal Than Others' in Iganski P (ed), *The Hate Debate. Should Hate Be Punished as a Crime?* (Profile Books Ltd/Institute for Jewish Policy Research 2002) 54
- Telalian M, 'European Framework Convention for the Protection of National Minorities and Its Personal Scope of Application' in Alfredsson G and Stavropoulou M (eds), *Justice Pending: Indigenous Peoples and Other Good Causes. Essays in Honour of Erica-Irene A. Daes* (Martinus Nijhoff Publishers 2002) 117
- Thornberry P, *Indigenous Peoples and Human Rights* (Manchester University Press 2002)
- Thornberry P and Amor Martín Estébanez M, *Minority Rights in Europe. A Review of the Work and Standards of the Council of Europe* (Council of Europe Publishing 2004)
- Vajić N, 'Some Concluding Remarks on NGOs and the European Court of Human Rights' in Treves T et al (eds), *Civil Society, International Courts and Compliance Bodies* (T.M.C. Asser Press 2005) 93
- Vande Lanotte J and Haeck Y (eds), *Handboek EVRM. Deel 1. Algemene Beginselen* (Intersentia 2005)
- Vermeulen ML, *Enforced Disappearance. Determining State Responsibility under the International Convention for the Protection of All Persons from Enforced Disappearance* (Intersentia 2011)
- Voeten E, 'Politics, Judicial Behaviour, and Institutional Design' in Christoffersen J and Madsen MR (eds), *The European Court of Human Rights Between Law and Politics* (OUP 2011) 61
- Weller M, 'Preface' in Weller M (ed), *The Rights of Minorities in Europe. A Commentary on the European Framework Convention for the Protection of National Minorities* (OUP 2005)
- Whitman JQ, *The Origins of Reasonable Doubt. Theoretical Roots of the Criminal Trial* (Yale University Press 2008)
- Wildhaber L, *The European Court of Human Rights/1998–2006. History, Achievements, Reform* (N.P. Engel 2006)
- Wilkinson S, *Standards of Proof in International Humanitarian and Human Rights Fact-Finding and Inquiry Missions* (Geneva Academy of International Humanitarian Law and Human Rights 2013)

Wolfe L and Copeland L, 'Violence Against Women as Bias-motivated Hate Crime: Defining the Issues in the USA' in Davies M (ed), *Women and Violence* (Zed Books 1994) 200

2 Articles

— 'Combatting Racial Violence: A Legislative Proposal' (1987–1988) 101 *Harv L Rev* 1270

— 'European Court of Human Rights Finds Bulgaria Liable for Failure to Investigate Racially Motivated Killings' (2005–2006) 119 *Harv L Rev* 1907

Abdel-Monem T, 'The European Court of Human Rights: Chechnya's Last Chance?' (2003–2004) 28 *Vt L Rev* 237

Ambrus M, 'The European Court of Human Rights and Standards of Proof in Religion Cases' (2013) 8 *Religion and Hum Rts* 107

Arabadjieva K, 'Challenging the School Segregation of Roma Children in Central and Eastern Europe' (2016) 20:1 *IJHR* 33

Arnardóttir OM, 'Non-discrimination Under Article 14 ECHR: the Burden of Proof' (2007) 51 *Scandinavian studies in law* 13

Arnardóttir OM, 'The Differences that Make a Difference: Recent Developments on the Discrimination Grounds and the Margin of Appreciation under Article 14 of the European Convention on Human Rights' (2014) 14 *Hum Rts L Rev* 647

Arnold R, 'Systematic Racist Violence in Russia Between "Hate Crime" and "Ethnic Conflict"' (2015) 19 *Theoretical Criminology* 239

Baissus JM, '*Common v. Continental*: A Reaction to Mr. Evan Whitton's 1998 Murdoch Law School Address' (1998) 5 *Murdoch University Electronic Journal of Law* <<http://www5.austlii.edu.au/au/journals/MurUEJL/1998/28.html>> accessed 28 December 2017

Barnes K, 'Adjudicating Equality: Antidiscrimination Education Jurisprudence in the European Court of Human Rights' (2017) 33 *Harvard JRNL on Racial & Ethnic Justice* 202

Barrett J, 'Chechnya's Last Hope? Enforced Disappearances and the European Court of Human Rights' (2009) 22 *Harv Hum Rts J* 133

Battjes H, 'In Search of a Fair Balance: The Absolute Character of the Prohibition of *Refoulement* under Article 3 ECHR Reassessed' (2009) 22 *LJIL* 583

Becket J, 'The Greek Case Before the European Human Rights Commission' (1970–1971) 1 *Human Rights* 91

Bonello G, 'Evidentiary Rules of the ECHR in Proceedings Relating to Articles 2, 3 and 14 - A Critique' (2009) 2 *Inter-Am & Eur Hum Rts J* 66

Bonner D, 'Ireland v. United Kingdom' (1978) 27 *ICLQ* 897

- Bowling B and Phillips C, 'Disproportionate and Discriminatory: Reviewing the Evidence on Police Stop and Search' (2007) 70 Mod L Rev 936
- Breen D, 'Abuses at Europe's Borders' (2016) 51 Forced Migration Review 21
- Buergenthal T, 'Proceedings against Greece under the European Convention on Human Rights' (1968) 62 AJIL 441
- Buonomo F, 'Protocol 12 to the European Convention on Human Rights' (2001) 1 Eur YB Minority Issues 425
- Çalı B, 'The Purposes of the European Human Rights System: One or Many?' (2008) 3 EHRLR 299
- Çalı B, Koch A and Bruch N, 'The Legitimacy of the European Court of Human Rights: The View from the Ground' (UCL 2011) <<https://ecthrproject.files.wordpress.com/2011/04/ecthrlegitimacyreport.pdf>> accessed 29 October 2017
- Carletti C, 'Contemporary Social Fuelling the Genocide Intent: Hate Speech and Hate Crimes. Legal Remarks for a Common Definition and Related Operational Preventing Mechanisms' (2013) 3 EuCLR 355
- Chevalier-Watts J, 'The Phenomena of Enforced Disappearances in Turkey and Chechnya: Strasbourg's Noble Cause?' (2010) 11 Hum Rts Rev 469
- Clermont KM, 'Procedure's Magical Number Three: Psychological Bases for Standards of Decision' (1986–1987) 72 Cornell L Rev 1115
- Clermont KM and Sherwin E, 'A Comparative View of Standards of Proof' (2002) 50 AJCL 243
- Cocozza JJ and Steadman HJ, 'The Failure of Psychiatric Predictions of Dangerousness: Clear and Convincing Evidence' (1975–1976) 29 Rutgers L Rev 1084
- Cohn E, 'Torture in the International Community – Problems of Definition and Limitation – The Case of Northern-Ireland' (1979) 11 Case W Res J Intl L 159
- Costa JP, 'On the Legitimacy of the European Court of Human Rights' Judgments' (2011) 7 EuConst 173
- Dancygier RM and Laitin DD, 'Immigration into Europe: Economic Discrimination, Violence, and Public Policy' (2014) 17 Annu Rev Polit Sci 43
- Dembour MB, 'Still Silencing the Racism Suffered by Migrants... The Limits of Current Developments under Article 14 ECHR' (2009) 11 EJML 221
- Dzehtsiarou K and Greene A, 'Legitimacy and the Future of the European Court of Human Rights: Critical Perspectives from Academia and Practitioners' (2011) 12 German LJ 1707
- Erdal U, 'Burden and Standard of Proof in Proceedings Under the European Convention' (2001) 26 EL Rev Supp (Human rights survey) 68
- Evenson EM, 'Reforms Ahead: Enlargement of the Council of Europe and the Future of the Strasbourg System' (2001) 1 Hum Rts L Rev 219
- Fleischauer ML, 'Teeth for a Paper Tiger: A Proposal to Add Enforceability to Florida's Hate Crimes Act' (1989–1990) 17 Fla St U L Rev 697

- Fredman S, 'Emerging from the Shadows: Substantive Equality and Article 14 of the European Convention on Human Rights' (2016) 16 *Hum Rts L Rev* 273
- Freeman K and Farley AM, 'A Model of Argumentation and Its Application to Legal Reasoning' (1996) 4 *Artificial Intelligence and Law* 163
- Gattini A, 'Evidentiary Issues in the ICJ's *Genocide* Judgment' (2007) 5 *JICJ* 889
- Gerards J and Senden H, 'The Structure of Fundamental Rights and the European Court of Human Rights' (2009) 7 *ICON* 619
- Gerards J, 'The Prism of Fundamental Rights' (2012) 8 *EuConst* 173
- Gerards J, 'The Discrimination Grounds of Article 14 of the European Convention on Human Rights' (2013) 13 *Hum Rts L Rev* 99
- Gilbert G, 'The Legal Protection Accorded to Minority Groups in Europe' (1992) 23 *Neth YB Intl L* 67
- Gilbert G, 'The Council of Europe and Minority Rights' (1996) 18 *Hum Rts Q* 160
- Goldston JA, 'Race Discrimination in Europe: Problems and Prospects' (1999) 5 *EHRLR* 462
- Greer S, 'What's Wrong with the European Convention on Human Rights?' (2008) 30 *Hum Rts Q* 680
- Greer S and Wildhaber L, 'Revisiting the Debate about 'Constitutionalising' the European Court of Human Rights' (2012) 12 *Hum Rts L Rev* 655
- Grossman N, 'The Normative Legitimacy of International Courts' (2013) 86 *Temple L Rev* 61
- Halikiopoulou D and Vasilopoulou S, 'Support for the Far Right in the 2014 European Parliament Elections: A Comparative Perspective' (2014) 85 *PQ* 285
- Harmsen R, 'The European Convention on Human Rights after Enlargement' (2001) 5 *IJHR* 18
- Helfer LR, 'Consensus, Coherence and the European Convention on Human Rights' (1993) 26 *Cornell Intl LJ* 133
- Hemmens C, Scarborough KE and Del Carmen RV, 'Grave Doubts about "Reasonable Doubt": Confusion in State and Federal Courts' (1997) 25 *JCJ* 231
- Karamanidou L, 'Violence Against Migrants in Greece: Beyond the Golden Dawn' (2016) 39 *Ethnic and Racial Studies* 2002
- Keller H and Heri C, 'Enforced Disappearance and the European Court of Human Rights. A "Wall of Silence," Fact-Finding Difficulties and States as "Subversive Objectors"' (2014) 12 *JICJ* 735
- Koroteev K, 'Legal Remedies for Human Rights Violations in the Armed Conflict in Chechnya: The Approach of the European Court of Human Rights in Context' (2010) 1 *Intl Humanitarian LS* 275
- Leach P, 'The Chechen Conflict: Analysing the Oversight of the European Court of Human Rights' (2008) 6 *EHRLR* 732

- Leach P, Paraskeva C and Uzelac G, 'Human Rights Fact-Finding. The European Court of Human Rights at a Crossroads' (2010) 28 *Neth Q Hum Rts* 41
- Levin B, 'Hate Crimes. Worse by Definition' (1999) 15 *Journal of Contemporary Criminal Justice* 6
- Londono P, 'Developing Human Rights Principles in Cases of Gender-based Violence: *Opuz v Turkey* in the European Court of Human Rights' (2009) 9 *Hum Rts L Rev* 657
- de Londras F, '*Saadi v. Italy*' (2008) 102 *AJIL* 616
- Mačkić J, 'Procederen in Straatsburg. Hoe Kan Discriminatoire Geweld Tegen Asielzoekers en Migranten Worden Bewezen?' (2017) 6/7 *Asiel&Migrantenrecht* 315
- Mačkić J, 'Het Onzichtbare Bewijzen. Over de Mogelijkheden om de Bewijslast te Verschuiven van Klager naar Verwerende Staat in Zaken van Discriminatoire Geweld voor het Europees Hof voor de Rechten van de Mens' (2017) 42 *NTM/NJCM-Bull* 477
- Maliszewska-Nienartowicz J, 'Direct and Indirect Discrimination in European Union Law – How to Draw a Dividing Line?' (2014) 111(1) *IjoSS* 41
- Mason G and Dyer A, "A Negation of Australia's Fundamental Values": Sentencing Prejudice-Motivated Crime' (2012–2013) 36 *Melb U L Rev* 871
- Mason G, 'The Hate Threshold: Emotion, Causation and Difference in the Construction of Prejudice-motivated Crime' (2014) 23(3) *Social & Legal Studies* 29
- Mason G, 'The Symbolic Purpose of Hate Crime Law: Ideal Victims and Emotion' (2014) 18(1) *Theoretical Criminology* 75
- McBaine JP, 'Burden of Proof: Degrees of Belief' (1944) 32 *Cal L Rev* 242
- Morano AA, 'A Re-examination of the Development of the Reasonable Doubt Rule' (1975) 55 *B U L Rev* 507
- Morsch J, 'The Problem of Motive in Hate Crimes: the Argument against Presumptions of Racial Motivation' (1991–1992) 82 *J Crim L & Criminology* 659
- Möschel M, 'Is the European Court of Human Rights' Case Law on Anti-Roma Violence "Beyond Reasonable Doubt"?' (2012) 12 *Hum Rts L Rev* 479
- Mowbray A, 'Duties of Investigation under the European Convention on Human Rights' (2002) 51 *Intl & Comp L Q* 437
- Mulrine TV, 'Reasonable Doubt: How in the World Is It Defined?' (1997) 12 *Am U J Intl L and Pol'y* 195
- Nieuwenhuis A, 'The Concept of Pluralism in the Case-law of the European Court of Human Rights' (2007) 3 *EuConst* 367
- O'Boyle M, 'Torture and Emergency Powers under the European Convention on Human Rights: *Ireland v. the United Kingdom*' (1977) 71 *AJIL* 674
- O'Connell R, 'Cinderella Comes to the Ball: Art 14 and the Right to Non-discrimination in the ECHR' (2009) 29 *LS* 211
- O'Nions H, 'What Lies Beneath: Exploring Links Between Asylum Policy and Hate Crime in the UK' (2010) 31 *Liverpool L Rev* 233

- Paúl Á, 'In Search of the Standards of Proof Applied by the Inter-American Court of Human Rights' (2012) 55 *Revista Instituto Interamericano de Derechos Humanos* 57
- Perry B, 'Counting – and Countering – Hate Crime in Europe' (2010) 18 *Eur J Crime Crim L & Crim Just* 349
- Quek J, 'A View from across the Water: Why the United Kingdom Needs to Sign, Ratify and Incorporate Protocol 12 to the European Convention on Human Rights' (2011) 11 *U C Dublin L Rev* 101
- Reidy A, Hampson F and Boyle K, 'Gross Violations of Human Rights: Invoking the European Convention on Human Rights in the Case of Turkey' (1997) 15 *Neth Q Hum Rts* 161
- Ringelheim J, 'Minority Rights in a Time of Multiculturalism – The Evolving Scope of the Framework Convention on the Protection of National Minorities' (2010) 10 *Hum Rts L Rev* 99
- Robertson G, 'Human Rights Fact-Finding: Some Legal and Ethical Dilemmas' (2010) 3 *UCL Hum Rts Rev* 15
- Rubio-Marín R and Möschel M, 'Anti-Discrimination Exceptionalism: Racist Violence before the ECtHR and the Holocaust Prism' (2015) 26 *EJIL* 881
- Ryssdal R, 'The Coming of Age of the European Convention on Human Rights' (1996) 1 *EHRLR* 18
- Sadeghi KC, 'The European Court of Human Rights: The Problematic Nature of the Court's Reliance on Secondary Sources for Fact-finding' (2009–2010) 25 *Conn J Intl L* 127
- Sandland R, 'Developing a Jurisprudence of Difference: The Protection of the Human Rights of Travelling Peoples by the European Court of Human Rights' (2008) 8 *Hum Rts L Rev* 475
- Shapiro BJ, "'To a Moral Certainty": Theories of Knowledge and Anglo-American Juries 1600–1850' (1986–1987) 38 *Hastings LJ* 153
- Shelton D, 'The Participation of Nongovernmental Organizations in International Judicial Proceedings' (1994) 88 *AJIL* 611
- Smith M, 'The Adjudicatory Fact-finding Tools of the European Court of Human Rights' (2009) 2 *EHRLR* 206
- Spielmann D, 'Allowing the Right Margin the European Court of Human Rights and the National Margin of Appreciation Doctrine: Waiver or Subsidiarity of European Review?' (2011–2012) 14 *Cambridge Yearbook of European Legal Studies* 381
- Taruffo M, 'Rethinking the Standards of Proof' (2003) 51 *AJCL* 659
- Taşkın Y, 'Europeanization and the Extreme Right in Bulgaria and Turkey: Unveiling Similarities Between Ataka Party and Red Apple Coalition' (2011) 35 *Southeastern Europe* 95
- Thayer JB, 'The Burden of Proof' (1890–1891) 4 *Harv L Rev* 45

- Thienel T, 'The Burden and Standard of Proof in the European Court of Human Rights' (2007) 50 *German YB IL* 543
- Timmer A, 'Toward an Anti-Stereotyping Approach for the European Court of Human Rights' (2011) 11 *Hum Rts L Rev* 707
- Van den Bogaert S, 'Roma Segregation in Education: Direct or Indirect Discrimination? An Analysis of the Parallels and Differences between Council Directive 2000/43/EC and Recent ECtHR Case Law on Roma Educational Matters' (2011) 71 *ZaöRV* 719
- Van den Eynde L, 'An Empirical Look At the Amicus Curiae Practice of Human Rights NGOs Before the European Court of Human Rights' (2013) 31/3 *Neth Q Hum Rts* 271
- Von Bogdandy A and Venzke I, 'On the Functions of International Courts: An Appraisal in Light of Their Burgeoning Public Authority' (2013) 26 *LJIL* 49
- Weissbrodt D, 'International Factfinding in Regard to Torture' (1988) 57 *Nord J Intl L* 151
- Weissbrodt D and Bergquist A, 'Extraordinary Rendition: A Human Rights Analysis' (2006) 19 *Harv Hum Rts J* 123
- Wintemute R, 'Filling the Article 14 "Gap": Government Ratification and Judicial Control of Protocol No. 12 ECHR: Part 2' (2004) 5 *EHRLR* 484
- Zwaak L and Haeck Y, 'The Council of Europe' (2008) 26 *Neth Q Hum Rts* 125

3 Articles in Periodicals and Magazines

- 'Migrant Crisis: Migration to Europe Explained in Seven Charts' *BBC News* (4 March 2016) <<http://www.bbc.com/news/world-europe-34131911>> accessed 30 January 2018
- Bos K and Wismans L, 'We Worden Harder Gestraft Omdat We Niet Wit Zijn' *NRC Next* (Amsterdam, 1 July 2015) 4–5
- Hablous G, 'COC: Incidenten LHBT-vluchtelingen Lopen Uit de Hand' *Volkscrant* (Amsterdam, 7 February 2016) <<https://www.volkscrant.nl/binnenland/coc-incidenten-lhbt-vluchtelingen-lopen-uit-de-hand~a4240226/>> accessed 14 January 2018
- Langendorff G, 'Brexit Wakkert 'Explosie van Haat' Aan' *Algemeen Dagblad* (Rotterdam, 29 July 2016) <<https://www.ad.nl/nieuws/brexit-wakkert-explosie-van-haat-aan~a5c26d2d/>> accessed 14 January 2018
- Lyman R, 'Already Unwelcoming, Hungary Now Detains Asylum Seekers' *New York Times* (New York, 18 April 2017) <<https://www.nytimes.com/2017/04/18/world/europe/hungary-orban-populism-migrants-border-european-union.html>> accessed 14 January 2018

- Mijs J, 'Populisme wordt gevoed door sociale uitsluiting' *Volkskrant* (Amsterdam, 26 March 2016) <<https://www.volkskrant.nl/opinie/populisme-wordt-gevoed-door-sociale-uitsluiting~a4270313/>> accessed 14 January 2018
- Versi M, 'Brexit Has Given Voice to Racism – And Too Many Are Complicit' *The Guardian* (London, 27 June 2016) <<https://www.theguardian.com/commentisfree/2016/jun/27/brexit-racism-eu-referendum-racist-incidents-politicians-media>> accessed 14 January 2018