

LES PRINCIPALES BRANCHES DU DROIT

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Le Droit International Public Et Les Peuples Nomades

Pasquale Fiore



Le Droit International Public Et Les Peuples Nomades:

Le droit international public et les peuples nomades Marco Moretti, 2006 *Le droit international public et les peuples nomades* Marco Moretti, 2004 Entre le XVI^e et le milieu du XIX^e si cle la personnalité juridique internationale et la souveraineté des peuples nomades étaient reconnues par les auteurs publicistes et par les Etats dans leurs relations avec ces peuples A cette époque les principes qui réglaient les relations entre les nations étaient différents de principes actuels et découlaient au plus haut degré d'une loi de nature universelle Selon ces principes toutes les sociétés ayant une organisation politique et sociale étaient considérées comme égales en droit et souveraines sans considération pour la forme et le niveau de développement de cette organisation Vers le milieu du XIX^e si cle toutefois les principes naturalistes sont abandonnés et un nouveau concept positif du droit international public s'affirme selon lequel ce droit devait être considéré comme un droit découlant exclusivement des relations entre Etats La personnalité juridique et la souveraineté des entités politiques qui ne s'étaient pas constituées en Etats comme les peuples nomades n'étaient plus reconnues par le droit international public A la fin de la seconde guerre mondiale dans le cadre du système de protection des droits de l'homme les droits collectifs et la personnalité juridique distincte de certaines entités politiques non étatiques comme les peuples qui luttent pour l'autodétermination les minorités et les peuples indigènes ont été reconnus par le droit international public C'est dans le contexte de la protection de ces collectivités que les peuples nomades reviennent aujourd'hui sur la scène internationale et sont protégés par le droit international public

Manuel de droit international public et privé Carlos Calvo, 1892 Nomadic Peoples and Human Rights Jérémie Gilbert, 2014-03-26 Although nomadic peoples are scattered worldwide and have highly heterogeneous lifestyles they face similar threats to their mobile livelihood and survival Commonly nomadic peoples are facing pressure from the predominant sedentary world over mobility land rights water resources access to natural resources and migration routes Adding to these traditional problems rapid growth in the extractive industry and the need for the exploitation of the natural resources are putting new strains on nomadic lifestyles This book provides an innovative rights based approach to the issue of nomadism looking at issues including discrimination persecution freedom of movement land rights cultural and political rights and effective management of natural resources Jeremie Gilbert analyses the extent to which human rights law is able to provide protection for nomadic peoples to perpetuate their own way of life and culture The book questions whether the current human rights regime is able to protect nomadic peoples and highlights the lacuna that currently exists in international human rights law in relation to nomadic peoples It goes on to propose avenues for the development of specific rights for nomadic peoples offering a new reading on freedom of movement land rights and development in the context of nomadism

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