

## **UK & EU Public Law and Policy Human Rights**

Since the entry into force of the Human Rights Act - which imposes on UK public authorities direct obligations to act in accordance with human rights (including property rights, the right to a fair trial and freedom of commercial expression) - human rights arguments have become a prominent feature of many UK domestic public law claims.

The entry into force of the Charter of Fundamental Rights of the European Union, as well as the EU's recent agreement to accede to the European Convention on Human Rights, have added further to the central role of human rights in public law challenges, at a domestic and EU level.

We have unparalleled experience of advising on judicial review claims involving human rights arguments as well as free-standing human rights claims in the UK and European Courts, including the European Court of Human Rights.

In addition to advising commercial clients on how to deploy human rights arguments to their advantage both before and during litigation, we regularly advise on the impact of the Human Rights Act on decision-making and governance arrangements for a wide variety of public bodies.

Human rights are a key element of Hogan Lovells' pro bono programme and we advise the firm's pro bono clients on human rights arguments that may be available to them.

We can assist by:

- representing claimants and respondents before domestic and international courts (including the United Nations Human Rights Commission, the European Court of Human Rights and the European Court of Justice) in claims involving human rights arguments
- advising on the impact of the Human Rights Act in relation to governance, decision-making and appeal mechanisms
- advising commercial clients on the deployment of human rights arguments to their advantage as part of a public policy strategy and/or in litigation.

Examples of our work include:

- acting for Merchant International Company in ground-breaking UK and Strasbourg proceedings regarding the UK Courts' power to refuse to recognise a Ukrainian judgment made in breach of fair trial rights
- acting for Media Legal Defence Initiative in its intervention in *Von Hannover No.2*, the pre-eminent case on the balance between privacy and freedom of expression
- advising BTA Bank in relation to Strasbourg proceedings brought by Mukhtar Ablyazov including on its impact on the enforcement of money judgments in the BVI Courts
- advising the Government of Iceland on potential claims before the European Court of Human Rights in relation to the UK's action in response to the Icelandic banking crisis
- acting in United Nations Human Rights Commission proceedings seeking the recovery of land in the Czech Republic expropriated by the former Communist regime
- advising on potential claims against Ombudsmen and other Tribunals on the basis of human rights arguments, including delays in breach of the right to a fair trial
- acting for a Finnish reinsurance company in ECHR proceedings regarding a breach of Article 6 in an international arbitration held in Sweden
- acting for several major UK manufacturers in judicial review proceedings challenging legislation severely restricting their freedom of commercial expression and their property rights

For questions or further information on how we can assist you, please contact:

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