

Ordine internazionale e diritti umani

International Legal Order and Human Rights Ordenamiento Juridico Internacional y Dersechos Humanos Ordre Juridique International et Droits de l'Homme Diretta da Claudio Zanghi, Lina Panella, Carlo Curti Gialdino

PUBLIC AND PRIVATE INTERNATIONAL LAW TO THE TEST OF THE PRINCIPLE OF EQUALITY: SOME INSIGHTS FROM RECENT PRACTICE

The affirmation of the principle of equality in both public and private international law shows some interesting similarities, despite the obvious and profound differences between the two fields. In both sectors, it was initially understood in a purely formal sense, only to take on a positive character in some more recent manifestations. This has been the case, for example, in the context of conventions on environmental protection, through the definition of common but differentiated responsibilities of States, or, in the area of uniform conflictof-laws rules, through provisions aimed at enhancing the protection of socially weaker parties.