

The Effectiveness of UN Human Rights Institutions

Patrick James Flood

Effectiveness Of U N Human Rights Institutions

Brian Burdekin



Effectiveness Of U N Human Rights Institutions:

The Effectiveness of UN Human Rights Institutions Patrick J. Flood, 1998-01-13 Since the 1970s the international community of states has demonstrated increasing willingness to invest UN institutions with politico ethical authority to act on its behalf in addressing human rights abuses Through trial and error some of these institutions have had a degree of success in securing better practical observance of international human rights standards Flood examines the reasons why some structural approaches have had more impact than others He argues that states must make policy choices in an environment where many political actors operate simultaneously and where several state interests are in play simultaneously This situation creates the political space in which community structures can operate to influence behavior Because states require the active or tacit cooperation of other states to promote their interests they seek to avoid prolonged political isolation Thus the most effective UN human rights institutions are those linked in meaningful ways with Charter based human rights mechanisms These mechanisms thematic and country specific have different structural advantages and their concrete effectiveness depends on the specific circumstances of the particular case they are asked to address There is evidence that they have greater impact when employed simultaneously as well as when key states support their efforts bilaterally Through case studies Flood analyzes the work of the thematic mechanisms on disappearances and religious discrimination and the country specific mechanisms used with Chile and Iran He concludes that Charter based UN human rights institutions have become an enduring part of the international environment and that their activities have strengthened the concept and practice of state accountability to the international community for human rights conduct **The**

Effectiveness of the UN Human Rights System OBE Subedi (QC (Hon), Surya P.), Surya P. Subedi, 2017 9 4 Addressing the challenges brought about by a multi polar world Assessing the Effectiveness of National Human Rights Institutions International Council on Human Rights Policy, 2005 Global Human Rights Institutions Gerd Oberleitner, 2013-04-30 The range of global human rights institutions which have been created over the past half century is a remarkable achievement Yet their establishment and proliferation raises important questions Why do states create such institutions and what do they want them to achieve Does this differ from what the institutions themselves seek to accomplish Are global human rights institutions effective remedies for violations of human dignity or temples for the performance of stale bureaucratic rituals What happens to human rights when they are being framed in global institutions This book is an introduction to global human rights institutions and to the challenges and paradoxes of institutionalizing human rights Drawing on international legal scholarship and international relations literature it examines UN institutions with a human rights mandate the process of mainstreaming human rights international courts which adjudicate human rights and non governmental human rights organizations In mapping the ever more complex network of global human rights institutions it asks what these institutions are and what they are for It critically assesses and appraises the ways in which global institutions bureaucratize human

rights and reflects on how this process is changing our perception of human rights

The Role of National Human Rights Institutions at the International and Regional Levels Rachel Murray, 2007-06-22 National Human Rights Institutions NHRIs defined by the UN as bodies established to promote and protect human rights have increased in number since the General Assembly adopted principles governing their effectiveness in 1993 The UN and others have encouraged states to set up such institutions as an indication of their commitment to human rights and now over 20 such institutions exist in Africa and many more will follow These institutions have taken various forms including ombudsmen commissions or a combination of the two They differ in terms of how they are established some by constitution some by legislation and some by decree These NHRIs have varying functions usually both promotional and protective such as giving advice to government parliament and others making recommendations on compliance with human rights standards awareness raising and analysis of law and policy Despite the considerable variations in the method of their creation powers and composition most of these institutions have chosen or indeed been mandated to become involved in international and regional fora This book examines these institutions in the African region the way in which they use the international and regional fora the effectiveness of their contributions and how they are able to participate

International Human Rights Monitoring Mechanisms Gudmundur Alfredsson, Jonas Grimheden, Bertrand G. Ramcharan, 2009 This revised and updated collection is intended to serve as a thematic textbook on the institutions and procedures devoted to the national implementation of human rights and to the international monitoring of State performance Albeit not exhaustive the coverage extends to most of the monitoring instances available at intergovernmental and non governmental organizations complaints fact finding and investigative procedures State reporting obligations good offices actions dialogue functions human rights education dissemination of human rights information letter campaigns and technical co operation The target audience of the book is students of international human rights law but the book can also serve as a guide for both officials and activists involved in the realization of human rights The success of the first edition has allowed for this second edition It demonstrates that there is a important demand for literature with a focus on human rights monitoring and follow up activities

Fundamental Rights Challenges in Border Controls and Expulsion of Irregular Immigrants in the European Union Sergio Carrera, Marco Stefan, 2020-02-25 This edited volume examines the extent to which the various authorities and actors currently performing border management and expulsion related tasks are subject to accountability mechanisms capable of delivering effective remedies and justice for abuses suffered by migrants and asylum seekers Member states of the European Union and State Parties to the Council of Europe are under the obligation to establish complaint mechanisms allowing immigrants and or asylum seekers to seek effective remedies in cases where their rights are violated This book sheds light on the complaint bodies and procedures existing and available in Austria Greece Hungary Italy Spain Poland and Romania It assesses their role in overseeing investigating and redressing cases of human rights violations deriving from violent border and immigration

management practices and expedited expulsion procedures This book therefore provides an assessment of the practical legal and procedural challenges that affect the possibility to lodge complaints and access remedies for human rights violations suffered at the hands of the law enforcement authorities and other security actors operating at land air and sea borders or participating in expulsions procedures in particular joint return flights The volume will be of key interest to students scholars and practitioners working on human rights migration and borders international law European law and security studies EU politics and more broadly international relations

Strengthening the UN Human Rights Treaty Bodies Nils-Hendrik Grohmann, 2024-03-28 Within the still on going strengthening process the various UN treaty bodies can bring about lasting change on their own This book shows that they are the ones who can introduce new powers using the interpretation of procedural provisions

Asian Yearbook of International Law B.S. Chimni, Miyoshi Masahiro, Li-ann Thio, 2010-10-06 Launched in 1991 the Asian Yearbook of International Law is a major refereed publication dedicated to international law issues as seen primarily from an Asian perspective under the auspices of the Foundation for the Development of International Law in Asia DILA It is the first publication of its kind edited by a team of leading international law scholars from across Asia The Yearbook provides a forum for the publication of articles in the field of international law and other Asian international law topics written by experts from the region and elsewhere Its aim is twofold to promote international law in Asia and to provide an intellectual platform for the discussion and dissemination of Asian views and practices on contemporary international legal issues Each volume of the Yearbook normally contains articles and shorter notes a section on State practice an overview of Asian states participation in multilateral treaties succinct analysis of recent international legal developments in Asia an agora section devoted to critical perspectives on international law issues surveys of the activities of international organizations of special relevance to Asia and book review bibliography and documents sections It will be of interest to students and academics interested in international law and Asian studies

The United Nations and Human Rights Frédéric Mégret, Philip Alston, 2020-04-02 The very concept of human rights implies governmental accountability To ensure that governments are indeed held accountable for their treatment of citizens and others the United Nations has established a wide range of mechanisms to monitor compliance and to seek to prevent as well as respond to violations The panoply of implementation measures that the UN has taken since 1945 has resulted in a diverse and complex set of institutional arrangements the effectiveness of which varies widely Indeed there is much doubt as to the effectiveness of much of the UN's human rights efforts but also about what direction it should take Inevitable instances of politicization and the hostile or at best ambivalent attitude of most governments has at times endangered the fragile progress made on the more technical fronts At the same time technical efforts cannot dispense with the complex politics of actualizing the promise of human rights at and through the UN In addition to significant actual and potential problems of duplication overlapping and inconsistent approaches there are major problems of under funding and insufficient expertise The complexity of these

arrangements and the difficulty in evaluating their impact makes a comprehensive guide of the type provided here all the more indispensable. These essays critically examine the functions, procedures and performance of each of the major UN organs dealing with human rights including the Security Council and the International Court of Justice as well as the more specialized bodies monitoring the implementation of human rights treaties. Significant attention is devoted to the considerable efforts at reforming the UN's human rights machinery as illustrated most notably by the creation of the Human Rights Council to replace the Commission on Human Rights. The book also looks at the relationship between the various bodies and the potential for major reforms and restructuring.

Comparative Study on Mandates of National Human Rights Institutions in the Commonwealth Commonwealth Secretariat, 2007. This is the first Commonwealth wide comparative study of national human rights institutions (NHRIs) and is designed to help everyone interested in establishing and developing NHRIs to improve their effectiveness. The study looks at the international framework for the protection of human rights and the historical and political background to the establishment of NHRIs and ombudsman offices. The individual mandates of various institutions are considered looking at them region by region. Finally the study compares the normative framework and mandates of the NHRIs, analysing what NHRIs are empowered to do and what they are doing in practice, though value judgements as to the merits and demerits of individual named institutions are avoided. Rather than provide a detailed theoretical analysis, the study concentrates on helping practitioners and policy makers improve the working of NHRIs in practice and will be a useful tool both to the institutions themselves and to all those who wish to support them.

National Human Rights Institutions David Langtry, Kirsten Roberts Lyer, 2021-11-18. National Human Rights Institutions: Rules, Requirements and Practice is an authoritative guide to National Human Rights Institutions (NHRI) in their important role as promoters and protectors of human rights at the national level. This book serves as both the first ever casebook on the findings of the SCA as well as a comprehensive reference for the requirements for compliance of NHRIs with the Paris Principles and is a vital source of information on the actual practice of NHRIs. Since its earliest assessments of NHRIs in 1998, the Global Alliance of NHRIs (GANHRI) Sub Committee on Accreditation (SCA) has developed a substantive body of work that has examined the operation and practice of over 128 institutions in countries and territories from every part of the globe. Analysed and catalogued in their entirety into an accessible format for the first time and covering all aspects of NHRIs' structure and functioning as well as providing a thorough overview of how the SCA works in practice, this book is an indispensable resource for scholars and practitioners who wish to understand and learn how NHRIs operate at the national level as well as what problems they face and ultimately how they can be strengthened. Benefitting from the unique insight of David Langtry, a member of the SCA for 11 years, this book is an essential source for all those interested in the role of NHRIs and more broadly of all state established institutions intended to function independently.

Berkeley Journal of International Law, 1999

The Workings of Human Rights, Law and Justice Surya Subedi, QC, 2022-04-21. Drawing

on the personal experience of a leading international jurist this book provides insights into the workings of international law and human rights from a global perspective that transcends the traditional divide between the West and the East and the Global South and Global North The work follows the author s remarkable journey from a simple village in Nepal to becoming an international jurist acclaimed for his innovative academic and influential practical legal work and nomination for the Nobel Peace Prize It offers insights into the powers bearing on international policymaking the dynamics of human rights negotiations with governments and the effects of their outcomes on the lives of their citizens While much has been written on international human rights law this inspirational memoir casts a new light on the working of human rights law and justice through the eyes of a leading actor It provides a valuable contribution to the study of justice and human rights and the importance of individual action As such the book presents an accessible source for current debates around the development and effectiveness of international law and human rights and practices for decolonising these debates The book will provide inspiration and practical guidance for students academics international lawyers jurists and human rights advocates

National Human Rights Institutions in the Asia Pacific Region Brian Burdekin, 2007 The purpose of this book is to provide a consolidated collection of materials to facilitate comparison of the various national human rights institutions NHRIs already established in the Asia Pacific region against a background of selected international materials and with the assistance of several comparative tables The latter are not intended to be exhaustive but are designed to assist in identifying and considering the strengths and weaknesses inherent in the legislative mandates of each national institution While the collection is primarily intended for teaching purposes it should also be useful to countries considering establishing a national human rights commission or for those which have already done so strengthening its mandate For this reason several sections have been included outlining the relationship which should exist between NHRIs the Executive the Legislature the Judiciary and other related institutions and a short section on the importance of the process which should precede their establishment

The Ombudsman, Good Governance and the International Human Rights System Linda C. Reif, 2013-12-19 This book uses comparative law and comparative international law approaches to explore the role of human rights ombuds classic based ombuds and other types of ombuds institutions in human rights protection and promotion their methods of application of international and domestic human rights law and their roles in strengthening good governance It highlights the increasing importance of national human rights ombuds institutions globally and their roles as national human rights institutions NHRIs Chapters address ombuds institutions as mechanisms to strengthen democratic horizontal and vertical accountability the rule of law and good governance national human rights ombuds institutions as NHRIs the investigatory litigation promotional and other powers of human rights and classic based ombuds and their methods for applying international and domestic human rights law ombuds institutions and the protection and promotion of international children s rights national human rights ombuds additional mandates as OPCAT national preventive mechanisms UN Convention on the Rights of Persons with

Disabilities Article 33 2 framework mechanisms and EU national equality bodies human rights ombuds and business and human rights ombuds institutions gender and women s rights the European Ombudsman and human rights national human rights ombuds and other ombuds models by region accompanied by case studies on national human rights ombuds and the legal and extra legal factors affecting ombuds institutional effectiveness UN Human Rights Institutions and the Environment Sumudu Atapattu,2023-05-22 This book presents an in depth analysis of how UN human rights institutions and mechanisms have addressed environmental protection sustainable development and climate change Despite the increasing involvement of UN human rights bodies in addressing environmental degradation and climate change a systematic review of the convergence between human rights and the environment in these bodies has not been carried out Filling this lacuna this book surveys the resolutions general comments concluding observations decisions on individual communications and press releases It identifies principles that have emerged explores the ways in which human rights charter based and treaty based institutions are interpreting environmental principles and examines how they contribute to the emerging field of human rights and the environment Given the disproportionate effect that polluting activities have on marginalized and vulnerable groups Atapattu also discusses how these human rights mechanisms have addressed the impact on women children indigenous peoples people with disabilities and racial minorities Written by a world renowned expert on human rights and the environment this book will be of great interest to students and scholars researching and teaching in this important field of study **International Organization** J. Barkin,2006-04-11 This book is an introduction to the study of international organizations in the field of International Relations directed toward students in the discipline It looks at the different ways in which IOs are studied and then applies these different modes of study to a variety of specific case studies The Legal Nature of International Human Rights Michael K. Addo,2010-05-17 The role and influence human rights in society has been enhanced by its association with international law and yet despite this legal springboard the scope of its legal nature remains uncertain By analysing the work of international human rights courts and treaty bodies alongside a brief historical review this book assesses the distinctive legal dimension of human rights It concludes that the legalisation of human rights is an unplanned and evolving social construct that continues under the managerial oversight of international human rights courts and treaty bodies which employ the primary tool of treaty interpretation These characteristics of the legal environment of human rights in international law provide a good appreciation of the law itself and its limits *Handbook of Conflict Analysis and Resolution* Dennis J.D. Sandole,Sean Byrne,Ingrid Sandole-Staroste,Jessica Senehi,2008-07-31 This major Handbook comprises cutting edge essays from leading scholars in the field of Conflict Analysis and Resolution CAR The volume provides a comprehensive overview of the core concepts theories approaches processes and intervention designs in the field The central theme is the value of multidisciplinary approaches to the analysis and

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