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Human Rights Activism: Theory and Practice

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«حق چاپ برای ناشر محفوظ است»

Preface

From long ago in human history, the idea existed that human beings possess an inherent moral right to be protected from acts of aggression by their fellow men and from the power of governments under which they live.¹

While the term 'Human Rights' was not in common use before the establishment of the United Nations and the development of international human rights law, those values that underpin human rights can be traced back to well before the 20th century. The concept of human rights is derived from broader and deeper moral ideas such as justice and human dignity that are fundamental to many cultural traditions.

Among all the events of human history, establishment of the United Nations has played an important role in protection of human rights. The need for international standards on human rights was first realized at the end of the 19th century when labor legislation was introduced to the industrial developing countries. States were forced to consult each other out of economic necessity. It was as a result of this necessity that the first conventions were formulated in which states committed themselves vis-à-vis other states with regard to their own citizens.

Here I argue that the reluctance to confront the lack of efficacy of international law is nowhere more evident than in the field of human rights. There is a huge imbalance between setting human rights' standards and enforcing. States have demonstrated non-compliance by failing to provide financial aid, showing little political will for change and using sovereignty as a shield to deflect investigations of their own human rights' records.²

Human rights norms have proliferated over the past 60 years. However, a quick glance at records of human rights violations

1- Walter Laqueur and Barry Rubin, *The Human Rights Reader*, Temple University Press, Philadelphia, 1979.

2- See generally William G. O'Neil, "Gaining Compliance without Force: Human Rights Field Operations", 2001, pp. 93-119.

demonstrates that this proliferation has little to do with effective compliance. Over the past decades there have been accounts of brutality from around the globe.

In the first section of this book, I will have an overview over the establishment of the United Nation and its impact on the development of the idea of the international human rights law in order to provide a theoretical ground for human rights activism. In the same category, regional protection of human rights, protection of person during war time and human rights characteristics and concern in a globalized world will be examined.

In the following two sections, this book elaborates the practice of international human rights law and focuses on observation and monitoring as two key subjects in this field. In second section, first the validity of human rights customs and treaties as well as the compliance and enforcement of human rights norms will be observed. Then, the implementation of human rights at national, regional and international and also the future of human rights such as enforcement mechanisms and their alternatives will be discussed.

The importance and necessity of monitoring and reporting as the main tool of monitoring, procedures and mechanisms of UN human rights monitoring, the need for NGOs-monitoring, reporting and political pressure, and monitoring violation of rights at the time of conflict will be provided in the third section.

This book has been prepared over the years of research and teaching human rights at Shahid Beheshti University in Tehran and UN University for Peace in Costa Rica. This book is primarily written for human rights activist but it could be useful for law students as well. I would like to thank Scott Christian, Katayoun Beshkar-Dana and Shirin Boroumand for their help in collecting materials and editorial assistance.

Table of Contents

<i>Preface</i>	<i>C</i>
SECTION ONE: International Human Rights Law	1
<i>LESSON 1: UNITED NATIONS AND THE DEVELOPMENT OF THE IDEA OF INTERNATIONAL HUMAN RIGHTS LAW</i>	<i>3</i>
<i>A. INTRODUCTION.....</i>	<i>3</i>
The Establishment and the Charter of the United Nations.....	3
The Universal Declaration of Human Rights.....	5
<i>B. SOURCES OF INTERNATIONAL HUMAN RIGHTS LAW.....</i>	<i>6</i>
<i>C. SPECIFIC FEATURES OF INTERNATIONAL HUMAN RIGHTS NORMS.....</i>	<i>9</i>
1) Jus Cogens	9
2) Non-Reciprocity.....	9
3) Universal Jurisdiction	10
<i>D. SUBSTANTIVE INTERNATIONAL TREATIES AS NORMATIVE FOUNDATIONS OF HUMAN RIGHTS</i>	<i>10</i>
I. Treaties aim to protect individuals.....	10
II. Treaties aim to protect vulnerable groups	13
- The International Convention on the Elimination of All Forms of Racial Discrimination.....	13
- The Convention on the Elimination of All Forms of Discrimination against Women.....	14
- The Convention on the Rights of the Child	14
- The United Nations Convention Relating to the Status of Refugees....	15
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	15
- Convention on the Rights of Persons with Disabilities	15
- National minorities and international law of protection	16
<i>E. UNITED NATIONS MECHANISMS OF HUMAN RIGHTS PROMOTION AND PROTECTION.....</i>	<i>17</i>
I. United Nations Treaty Monitoring System.....	17
II. Charter-based mechanisms of human rights protection and promotion	21
- United Nations General Assembly.....	21
- United Nations Security Council	21
- International Court of Justice and International Criminal Court	21
- United Nations Secretary General	22

- The Commission on Human Rights and the Human Rights Council ...	23
- The Commission on the Status of Women	25
LESSON 2: REGIONAL PROTECTION OF HUMAN RIGHTS	27
<i>A. European Mechanism of Human Rights Protection</i>	<i>27</i>
<i>B. The Inter-American Mechanism of Human Rights Protection</i>	<i>33</i>
<i>C. The African Mechanism of Human Rights Protection.....</i>	<i>36</i>
<i>D. Asian Regional Dilemma of Human Rights Protection</i>	<i>40</i>
LESSON 3: PROTECTION OF PERSONS DURING WARTIME.....	43
<i>A. HUMAN RIGHTS AND HUMANITARIAN LAW.....</i>	<i>43</i>
<i>B. INTERNATIONAL CRIMES AND CRIMINAL RESPONSIBILITY</i>	<i>52</i>
The Crime of Terrorism and the International Law Response.....	57
LESSON 4: HUMAN RIGHTS' CHARACTERISTICS AND CONCERNS IN A GLOBALIZED WORLD	61
The Doctrine of three generation rights	63
State obligations under human rights law	64
Universalism v. Relativism	64
Democracy, transparency and legitimate government	66
The problem of non-compliance	72
SECTION TWO: OBSERVATION	75
LESSON 5: DO HUMAN RIGHTS TREATIES AND CUSTOMS MATTER? COMPLIANCE AND ENFORCEMENT OF HUMAN RIGHTS NORMS	77
LESSON 6: IMPLEMENTATION OF HUMAN RIGHTS AT INTERNATIONAL LEVEL	89
<i>A. Implementation of Human Rights at International Level.....</i>	<i>89</i>
<i>B. Implementation through Cooperation and Technical Assistance.....</i>	<i>91</i>
- United Nations High Commissioner for Human Rights (UNHCHR) ..	92
- United Nations Development Program (UNDP)	93
- UNICEF	96
- The Food and Agriculture Organization of the United Nations (FAO)	101
- WFP	102
- WHO	102
- Office for the Coordination of Humanitarian Affairs (OCHA)	104
- International Labor Organization (ILO)	106
- The United Nations Human Settlements Program (UN-HABITAT) .	107
- United Nations Department of Political Affairs (UNDPA).....	109

<i>C. Human Rights Implementation through Judicial and Semi-Judicial Means.....</i>	<i>112</i>
- The International Criminal Tribunal for the Former Yugoslavia (ICTY).....	112
- The International Criminal Tribunal for Rwanda (ICTR)	117
- The International Criminal Court (ICC)	118
- Special Court for Sierra Leone	122
- Special Court for Lebanon	124
- Extraordinary Chambers in the Court of Cambodia	126
- Truth Commissions As Alternative Means.....	128

LESSON 7: IMPLEMENTATION OF HUMAN RIGHTS AT REGIONAL LEVEL

<i>A. Europe.....</i>	<i>136</i>
- Council of Europe (CoE)	136
- Organization of Security and Cooperation in Europe (OSCE).....	140
<i>B. Organization of American States (OAS).....</i>	<i>143</i>
<i>C. African Union and African System of Human Rights Protection.....</i>	<i>147</i>
<i>D. Asia and the Lack of a Human Rights Protection Mechanism.....</i>	<i>149</i>

LESSON 8: IMPLEMENTATION OF HUMAN RIGHTS AT NATIONAL LEVEL

- Human Rights Enforcement through Domestic Laws, Policies and Practices	152
- Derogation and Reservation Clauses to Multilateral Human Rights Treaties	155
- Establishment of National Institutions on Human Rights for Effective Compliance.....	158
- The Role of Media in National Implementation of Human Rights Law	161

LESSON 9: THE FUTURE OF HUMAN RIGHTS: ENFORCEMENT MECHANISMS AND THEIR ALTERNATIVES.....

- Development of an Efficient International Enforcement Mechanism and Cooperation System	164
- Human Rights Education	166
- Capacity Building	173

SECTION THREE: MONITORING..... 177

LESSON 10: WHAT IS MONITORING & WHY IS IT IMPORTANT?

- Concept of Monitoring and its Basic Principles	179
- Gathering Information	181
- What to Monitor?	183
- Identifying and Prioritizing Violations	184

- Monitoring the Administration of Justice.....	186
- Concluding Remarks.....	188
LESSON 11: REPORTING AS THE MAIN TOOL FOR MONITORING.....	191
- United Nations' Human Rights Reports to the Human Rights Council..	197
LESSON 12: UN HUMAN RIGHTS MONITORING PROCEDURES AND MECHANISMS.....	201
<i>A. Monitoring Procedures.....</i>	<i>201</i>
- Reporting.....	201
- Inter-State Complaints Procedure.....	203
- Individual Complaints Procedure.....	203
- Inquiries and Fact-Finding.....	204
<i>B. Treaty Bodies.....</i>	<i>205</i>
- Human Rights Committee.....	205
- ICESCR Committee.....	207
- CEDAW Committee.....	210
- Committee against Torture.....	210
- The Committee on the Rights of the Child (CRC Committee).....	211
- The Committee on the Elimination of Racial Discrimination (CERD Committee).....	212
- CMW Committee.....	213
- CRPD Committee.....	213
<i>C- Charter-Based Human Rights Monitoring Mechanisms.....</i>	<i>214</i>
- Commission on Human Rights.....	214
- Human Rights Council.....	215
- UN Specialized Agencies.....	219
LESSON 13: NGOS - MONITORING, REPORTING & POLITICAL PRESSURES.....	221
- Human Rights Watch.....	225
- Amnesty International.....	227
LESSON 14: MONITORING VIOLATIONS OF RIGHTS IN TIMES OF CONFLICT.....	237
- The International Committee of the Red Cross (ICRC).....	242
- Monitoring Status of Refugees and IDPs during War by the United Nations High Commissioner for Refugees.....	245
- The Role of Special Envoys in Monitoring Violations of Rights in Times of Conflict.....	248